

HB 3016 -2 STAFF MEASURE SUMMARY

House Committee On Climate, Energy, and Environment

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Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 3/1, 3/6, 3/15

WHAT THE MEASURE DOES:

Defines terms. Establishes **Community Green Infrastructure Grant Program** as a program administered by the Department of Land Conservation and Development (DLCD) for the purpose of: 1) offsetting the cost of planning and developing community green infrastructure projects or green infrastructure community development projects; and 2) providing direct social, environmental, and economic benefits to communities across Oregon through green infrastructure in the form of climate adaptation, mitigation, and resilience, local jobs, public or community health benefits, and local food sovereignty. Requires DLCD to coordinate with the Oregon Forestry Department (ODF) and consult with the Department of Transportation (ODOT), the Oregon Health Authority (OHA), the Oregon Business Development Department (OBDD), the Bureau of Labor and Industries (BOLI), the Oregon Department of Agriculture (ODA), the Oregon Watershed Enhancement Board (OWEB), and the Department of Environmental Quality (DEQ) in the design and implementation of the grant program. Establishes eligibility of a public body, a local workforce development board, a manufactured dwelling park nonprofit cooperative, a tribal government, a nonprofit organization, or a faith-based organization to apply for a grant for the purpose of planning or developing a community green infrastructure project. Establishes application and award criteria for grant program. Authorizes DLCD, in awarding grants under the grant program, to give priority to projects: 1) involving large, low maintenance, storm, and drought resistant tree plantings; 2) involving native plant and pollinator-friendly species plantings; 3) involving tree plantings at or near school campuses, affordable housing, senior housing, manufactured dwelling parks, recreational vehicle parks, or public rights of way; 4) that strengthen communities and fight displacement; 5) that utilize a social enterprise model to create jobs maintaining green infrastructure; 6) that develop innovative solutions for using urban woody biomass; and 7) that are carried out by a city that has adopted a plan to increase urban tree canopy cover and has entered into a long-term agreement with an Oregon nursery to supply trees needed to carry out the plan. Requires Land Conservation and Development Commission to adopt rules, in consultation with ODF, to carry out section 1 of the Act. Establishes **Community Green Infrastructure Fund** with moneys in the fund continuously appropriated to DLCD for the purpose of carrying out section 1 of the Act. Requires at least 50 percent of moneys in the fund be allocated for grants to be awarded for planning or developing green infrastructure community workforce development projects and at least 25 percent be allocated for community green infrastructure projects in rural communities or remote communities. Establishes **Community Green Infrastructure Task Force**, its membership criteria, and its members' responsibilities. Requires task force to develop procedures for coordinating state agency actions related to green infrastructure, develop tools to compile and collect comprehensive information on opportunities for and barriers to community green infrastructure projects, and determine how best to leverage funds across programs and agencies to maximize success and improve outcomes. Authorizes task force to advise DLCD on the development of the Community Green Infrastructure Grant Program. Requires the task force to submit a report to the appropriate interim committees of the Legislative Assembly no later than September 15, 2024. Requires DLCD to provide staff support to the task force. Repeals task force and reporting requirement on January 2, 2025. Directs ODF to acquire and maintain **urban tree canopy assessment tool**. Requires the assessment tool to provide geospatial mapping that includes: 1) a visualization of urban tree canopies, viewable at the level of each tax lot; 2) community demographic, economic, social, and health data; 3) a comprehensive

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inventory of tree canopies on public lands; 4) an urban green space assessment that includes an evaluation of vegetation health and a comparison of pervious services to impervious services within the green space; and 5) an assessment of tree canopy and green space in the urban-rural gradient. Authorizes ODF to integrate the urban tree canopy assessment tool with data from other agency mapping tools, including the environmental justice mapping tool developed pursuant to section 12, chapter 58, Oregon Laws 2022. Requires ODF to make the urban tree canopy assessment tool available on a website maintained by ODF, along with guidance for using the tool to promote environmental, social, and economic well-being. Requires ODF to develop and implement a program to provide technical and financial assistance to cities, counties, and community-based organizations for planning for, responding to, and recovering from damage to habitats and urban tree canopies due to emerald ash borer infestation. Permits program to include, but need not be limited to, assistance for vulnerability assessments, ash tree inventories, response, and recovery plan development; tree removal and replanting.

- *FISCAL: Indeterminate fiscal impact*
- *REVENUE: No revenue impact*

Subsequent Referral to Joint Committee on Ways and Means

ISSUES DISCUSSED:

- Tree canopy assessment tool technology
- Staff and funding for Community Green Infrastructure Grant Program
- Examples of tree canopy assessment pilot projects
- Vulnerability assessment and response plan

EFFECT OF AMENDMENT:

-2 Replaces the measure.

Establishes purpose of community green infrastructure projects and green infrastructure economic development projects. Establishes the social, environmental, and economic benefits of green infrastructure. Modifies and adds definitions of terms. Modifies the purpose of the grant program. Modifies direction to Department of Land Conservation and Development (DLCD) to work with other entities. Establishes purpose of DLCD intergovernmental agreements with other entities. Requires DLCD to enter into an intergovernmental agreement with **Oregon Department of Forestry** (ODF) for specific purposes. Requires DLCD to enter into an intergovernmental agreement with **Oregon Department of Transportation** (ODOT) for specific purposes. Modifies eligibility criteria for community green infrastructure project grant application planning of development. Modifies application and award criteria for grant program. Modifies grant award criteria for DLCD to follow. Establishes guidelines for community green infrastructure projects and green infrastructure economic development projects. Removes Land Conservation and Development Commission rule adoption requirement, in consultation with ODF, to carry out section 1 of the Act. Modifies allocation of moneys in the Community Green Infrastructure Fund. Removes creation of Community Green Infrastructure Task Force, its membership criteria, and its members' responsibilities. Removes task force-related procedures, activities, staffing criteria, and reporting requirements. Authorizes DLCD to appoint an **Advisory Committee on Community Green Infrastructure Investment** (advisory committee) to provide consultation on the implementation of the Community Green Infrastructure Grant Program and provides criteria for appointing committee members. Requires the advisory committee to submit a report on the implementation of the Community Green Infrastructure Grant Program to the appropriate interim committees of the Legislative Assembly no later than September 15, 2024 of each even-numbered year. Requires Oregon Department of Agriculture (ODA) to certify Oregon nursery as a green communities nursery if certain criteria are met. Modifies urban tree canopy assessment tool requirements. Requires ODF, using the urban tree canopy assessment tool, to designate as green infrastructure improvement zones areas of this state that have a high level of poverty density and any of the following: low levels of tree canopy cover; poor vegetation health;

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high risk of pests, disease, or other threats to plant life; or other needs for revegetation or holistic native plant restoration. Modifies requirements for ODF technical and financial assistance program to other entities. Requires ODF to coordinate with ODA to support program activities related to any pests or diseases subject to quarantine under the laws of this state or of the United States. Declares emergency, effective upon passage.

BACKGROUND:

The system of gutters, tunnels, pipes, and hard surfaces that form cities and help capture and move stormwater is called “gray infrastructure.” Permeable and natural materials such as soil and plants, which absorb and store stormwater, is used in “green infrastructure” systems. Examples of green infrastructure projects include green roofs, rain gardens, and planting trees along sidewalks or in parking lot medians. Such projects can deliver benefits besides stormwater management, such as reducing the heat-island effect in cities and creating habitat for animals.

The emerald ash borer (EAB) is a type of beetle native to Asia. Since the early 2000s, it has infested ash trees in the United States. According to the U.S. Department of Agriculture, 30 states have been impacted by EAB. In Oregon, there is a temporary quarantine to limit the movement of wood and materials from ash, olive, and white fringe trees in Washington County, as a way to limit the spread of EABs.

House Bill 3016 would establish a Community Green Infrastructure Grant Program, Fund, and Task Force. The measure would also require the Oregon Department of Forestry to develop and implement a program to provide technical and financial assistance in response to emerald ash borer infestations.