Requested by Senator SMITH DB

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## PROPOSED AMENDMENTS TO **SENATE BILL 873**

Delete lines 4 through 10 of the printed bill and insert: 1

"SECTION 1. (1) On or before January 1, 2026, the Land Conservation and Development Commission shall adopt rules to incorporate the allowance of soil bioengineering systems for shoreline stabilization in estuaries, coastal shorelands and the ocean shore, including by:

- "(a) Adopting a definition of 'soil bioengineering systems' that in-6 cludes natural materials that are dynamic and absorb wave energy and 7 are meant to mimic natural systems. Materials may include, but are 8 not limited to, trees, plants, logs, rocks, and woody debris. 'Soil bioengineering systems' may not include structural methods of shoreline stabilization that are static and reflect wave energy. The definition must be separate and distinct from existing rules and definitions for shoreline stabilization in estuaries, coastal shorelands and the ocean shore which include jetties, bulkheads, seawalls, riprap, beachfront protective structures and other similar protective structures.
  - "(b) Requiring that soil bioengineering systems conform with statewide land use planning goals and that land use management practices and nonstructural solutions are prioritized over structural solutions in addressing problems of erosion and flooding.
    - "(2) In adopting rules under this section the commission:

"(a) S	hall confer with	n the	Dep	partme	ent of S	State	Lands,	the	Depart
ment of	Transportation	and	the	State	Parks	and	Recreat	tion	Depart
ment;									

- "(b) Shall appoint an advisory committee under ORS 183.333 that must include members who are coastal engineering professionals, representatives of environmental and recreational organizations, fish and wildlife professionals and local government officials and that may include other individuals; and
- "(c) May not substantively amend any process established by rule that allows the Department of Transportation to perform actions or undertake projects that use shoreline stabilization that includes structural methods, elements or solutions.

"SECTION 2. On or before January 1, 2027, the Department of State Lands and the State Parks and Recreation Department may adopt rules conforming or consistent with the rules adopted by the Land Conservation and Development Commission under section 1 of this 2023 Act."

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