

SENATE AMENDMENTS TO SENATE BILL 873

By COMMITTEE ON NATURAL RESOURCES

April 10

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

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

5 **“(a) Adopting a definition of ‘soil bioengineering systems’ that includes natural materials**
6 **that are dynamic and absorb wave energy and are meant to mimic natural systems. Materi-**
7 **als may include, but are not limited to, trees, plants, logs, rocks, and woody debris. ‘Soil**
8 **bioengineering systems’ may not include structural methods of shoreline stabilization that**
9 **are static and reflect wave energy. The definition must be separate and distinct from existing**
10 **rules and definitions for shoreline stabilization in estuaries, coastal shorelands and the ocean**
11 **shore which include jetties, bulkheads, seawalls, riprap, beachfront protective structures and**
12 **other similar protective structures.**

13 **“(b) Requiring that soil bioengineering systems conform with statewide land use planning**
14 **goals and that land use management practices and nonstructural solutions are prioritized**
15 **over structural solutions in addressing problems of erosion and flooding.**

16 **“(2) In adopting rules under this section the commission:**

17 **“(a) Shall confer with the Department of State Lands, the Department of Transportation**
18 **and the State Parks and Recreation Department;**

19 **“(b) Shall appoint an advisory committee under ORS 183.333 that must include members**
20 **who are coastal engineering professionals, representatives of environmental and recreational**
21 **organizations, fish and wildlife professionals and local government officials and that may in-**
22 **clude other individuals; and**

23 **“(c) May not substantively amend any process established by rule that allows the De-**
24 **partment of Transportation to perform actions or undertake projects that use shoreline**
25 **stabilization that includes structural methods, elements or solutions.**

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

30