

Enrolled Senate Bill 504

Sponsored by Senator SMITH DB (Presession filed.)

CHAPTER

AN ACT

Relating to bioengineering for the protection of coastal resources.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) On or before January 1, 2028, the Land Conservation and Development Commission shall adopt rules that incorporate guidance for nonstructural, nature-based solutions for shoreline stabilization in estuaries, coastal shorelands and the ocean shore by, at a minimum:

(a) Adopting a definition of “nonstructural, nature-based solutions.” The definition:

(A) Must include natural materials that are dynamic and absorb wave energy and are meant to mimic natural systems, including but not limited to native organisms, such as shellfish, trees and plants, and locally sourced logs, rocks, sand, clay and woody debris.

(B) May not include structural methods of shoreline stabilization that are static and reflect wave energy.

(C) Must include criteria for habitat for wildlife, improving water quality, cultural and recreational resources and, where appropriate, public access.

(D) Must be separate and distinct from existing rules and definitions for shoreline stabilization in estuaries, coastal shorelands and the ocean shore that include jetties, bulkheads, seawalls, riprap, beachfront protective structures and other similar protective structures.

(b) Providing guidance for the use of nonstructural, nature-based solutions to minimize harmful impacts from flooding, and erosion, including through provisions for monitoring, maintenance and reconstruction.

(c) Requiring that nonstructural, nature-based solutions conform with statewide land use planning goals and that nonstructural, nature-based solutions and ecologically focused land use management practices are prioritized over structural solutions in addressing problems of erosion and flooding.

(2) In adopting rules under this section, the commission:

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

(b) Shall appoint an advisory committee under ORS 183.333 that must include members who are coastal engineering professionals, restoration professionals, representatives of environmental and recreational organizations, tribal representatives, land owners or managers, fish and wildlife professionals and local government officials; 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, 2029, 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 2025 Act.

SECTION 3. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Land Conservation and Development, for the biennium beginning July 1, 2025, out of the General Fund, the amount of \$268,488, to develop rules related to nature-based shoreline stabilization methods.

Passed by Senate June 23, 2025

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Obadiah Rutledge, Secretary of Senate

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Rob Wagner, President of Senate

Passed by House June 26, 2025

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Julie Fahey, Speaker of House

Received by Governor:

.....M.,....., 2025

Approved:

.....M.,....., 2025

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Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M.,....., 2025

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Tobias Read, Secretary of State