

B-Engrossed Senate Bill 504

Ordered by the Senate June 20
Including Senate Amendments dated February 28 and June 20

Sponsored by Senator SMITH DB (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: This Act makes LCDC, ODSL and OPRD adopt rules for nature-based solutions to protect the coast. (Flesch Readability Score: 63.6).

Requires the Land Conservation and Development Commission to adopt rules by January 1, 2028, to provide guidance on nonstructural, nature-based solutions for shoreline stabilization. **Appropriates moneys from the General Fund to the Department of Land Conservation and Development for the purpose of adopting rules.** Allows the Department of State Lands and the State Parks and Recreation Department to adopt conforming rules by January 1, 2029.

A BILL FOR 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.

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

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

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

4 **(b) Shall appoint an advisory committee under ORS 183.333 that must include members**
5 **who are coastal engineering professionals, restoration professionals, representatives of en-**
6 **vironmental and recreational organizations, tribal representatives, land owners or managers,**
7 **fish and wildlife professionals and local government officials; and**

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

11 **SECTION 2. On or before January 1, 2029, the Department of State Lands and the State**
12 **Parks and Recreation Department may adopt rules conforming or consistent with the rules**
13 **adopted by the Land Conservation and Development Commission under section 1 of this 2025**
14 **Act.**

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