

Written Testimony in Support of SJR 28 - Right to a Healthy Environment

I am an Oregonian. To me, Oregon is more than just the place where I was born and raised, it is an integral part of my identity. The people and the natural beauty of this state make it my favorite place on earth. I'm 27, and I hope to spend the rest of my life here, but I worry that Oregon, and our entire nation, are changing into something unrecognizable from the place I have loved since I was born.

Climate change is the ultimate challenge to the happiness and the very survival of humanity. But so far, despite the seventy years of alarms being sounded by the scientific community, people have yet to catch on to the fact that the rampant destruction of the planet's natural systems is leading to catastrophic changes. These changes won't happen sometime down the road, when our great-grandchildren will have to figure it out. Right now, across the world, people are already fighting for their lives.

Climate change is a threat to the continuation of life as we know it on this planet, but it's also the great amplifier of the misfortunes that already plague the people of this earth. Climate change will continue to increase the wealth disparity; there will be some with the resources to adapt to the changing climate and countless more who cannot. Within the next few decades, millions of people will be displaced by their changing regional climates. Draughts, floods, and extreme weather events will affect more and more people. Resources are running out. Fossil fuels that take millions of years to develop are being depleted at an incredible rate and we don't yet have a viable replacement. The fixed amount of fresh-water and agricultural land available to us cannot support the rapidly growing population. Fewer resources and more people means more frequent and broader conflict. Rampant worldwide desperation will undermine the very foundation of modern society. These results are almost unavoidable, yet many people seem to have no problem ignoring them. Some polls estimate that a quarter of the people in the

United States still don't believe in Global Warming, despite absolutely conclusive scientific evidence to the contrary. And so many of those people that do accept climate change will not or do not know how to do anything about it. Global warming is a vicious feedback loop: as the world gets warmer the rate at which it warms increases. The earth's albedo, its ability to reflect solar radiation, decreases as the planet warms and the cryosphere shrinks, causing the earth to grow even hotter and continue to decrease its albedo. Climate change is not going to slow without dramatic changes to the way people live and there is most likely no way to reverse the damage already done. Humanity is in a race against the destruction of its only habitat, but we have barely taken our first steps, even as the finish line draws further away.

It is the responsibility of our government to work to address these problems and help our communities adapt to our uncertain future. But our federal government clearly has priorities in direct opposition to this vital duty. This is why we must step up as a state to protect our own climate. We can no longer rely on federal agencies like the EPA, DOE, and Army Corps of Engineers to regulate and protect the future of this nation. Instead, the people of Oregon need to come together to protect the values that we hold most dear. But our state government is not prepared to take on this burden. Our citizens deserve the opportunity to vote to declare our determination to protect the state that we love.

This bill is not revolutionary. Several state and national constitutions already contain similar provisions, and they have led to meaningful changes. This amendment also reflects and expands on an important value already contained in our constitution. The people of Oregon have declared that our beaches are a public resource that must be protected so that everyone can enjoy the natural beauty of our coast. While other states extend this doctrine to additional shared resources—like air, groundwater, and wildlife—we have only protected our coastal

resources. Given the opportunity, Oregonians will agree that we have a responsibility to care for much more.

This amendment will have many beneficial effects that extend much further than protecting the beauty of our environment. Climate change is expensive. Every state will need to spend an enormous amount in the coming decades to adapt to our new reality. But these costs will be much higher if we have to react to catastrophic changes rather than prepare in advance for the challenges we know are coming. This is clearly demonstrated by the billions of dollars our state has already spent responding to wildfires and the effects of the heat dome that struck Oregon in 2021. If we had instead prepared in advance and lowered our risk for these events, we would have saved money and protected the lives that were lost from these disasters. By reducing environmental hazards, like harmful emissions that cause respiratory illness, we can maintain a healthy workforce to support our economy. By investing in more efficient transportation systems and regulations, we can cut down on the emissions and costs from this sector. Through intra and interstate programs, we can impose taxes and fees on polluters and institute cap and trade systems that will raise revenue for the state to be invested in climate mitigation. We can protect property values for state and private land that will save our residents money and attract businesses to invest in Oregon.

Legislation is more effective than litigation. Currently, when our environment is degraded by corporations or government action, Oregonians have few options other than turning to the courts to force change. And when they do resort to legal action, the courts are not prepared to make meaningful decisions because there is not sufficient law to interpret that will address the questions raised. Courts must instead rely on their own interpretations of our flimsy array of precedent. With the amendment, courts would have concrete language to interpret that will create a more consistent response to legal challenges.

But the point of this amendment is not to open the floodgates to environmental litigation. Instead, this amendment would encourage our government to take proactive steps that will prevent future litigation and save the state millions in legal fees and damages. This amendment is not intended to be an environmental trump card that erases any economic considerations. By acting before a judicial decision that forces a specific response, legislators can proactively balance social and economic values that will comply with the priorities contained in this amendment. If legislation doesn't cover every aspect of environmental regulation, this amendment would also serve as a fallback measure that would allow courts to interpret constitutional language, rather than relying on the judge's own beliefs or unclear precedent.

The state has a responsibility to protect its most vulnerable residents. The negative effects of climate change are not felt equally by all people. Historically marginalized groups and people of low socio-economic levels are more likely to live in contaminated and polluted areas, more likely to develop respiratory illness, and less able to respond to health issues and adapt to climate change. This amendment would ensure that this vital part of our community is not sacrificed as we respond to the environmental crisis.

It is the legislature's responsibility to allow this amendment to proceed to a general vote. The public deserves an opportunity to demonstrate their priorities and protect themselves from future harm. Your support for this bill is vital to the future of Oregon.