

# Climate Emergency

- [Priority Bills](#)
- [Climate Emergency Bills](#)
- [Public Green Banking](#)
- [Forestry](#)
- [Jordan Cove Energy Project](#)
- [Jump to Past Reports](#)

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## 2021 Priority Highlights and Legislation

Federal: Good news this past week from the Biden Administration: “[Executive Orders on Tackling](#) the Climate Crisis at Home and Abroad” and, Create Jobs, and Restore Scientific Integrity Across Federal Government”, fact sheet [HERE](#). Given recent [Federal executive orders](#) and congressional [legislation](#) the League will not be following the hydrofluorocarbon [HB 3027](#) this session. In mid-January Oregon's US Senators Join Call To Reject LNG-By-Rail Rules.

Region and State: [The pacific northwest region is not on track](#) to cut greenhouse gas emissions. Both the Governor and Legislative leadership are focused on addressing the pandemic crisis, related economic crisis, racial justice and response to the fall wildfires. ["Big policies take backseat as lawmakers work to address Oregon's crises..... in 160-day legislative session"](#). This session a number of bills and reports will [address natural gas](#) future in Oregon and related natural gas methane greenhouse gas life cycle pollution.

Fossil Fuel Storage and Transportation: [The Columbia County Port Westward](#) 837 acre port expansion project land use court case is still active. The League is hopeful spill prevention incentives for fossil fuel by rail legislation occurs this session. [DEQ is working on rules](#) as of Fall 2020, 'High Hazard Railroad Contingency Planning 2021'.

#### Agency and Commissions:

The [Oregon Global Warming Commission met this past week](#). The League is looking forward to their [Biennial Report](#) to the Legislation later in the session. Find OGWC 2021 Legislative Session – 'Climate Change Legislation and Budget Items' [HERE](#). [The Environmental Quality Commission met Jan 21-22](#). The recent DEQ (Dept of Environmental Quality) Director Report find [HERE](#). The report included [Oregon Environmental Protection Act: Summary Tracker](#). The Dept of Environmental Quality continues to update Action On Climate information [HERE](#). Find link to the DEQ Office of Greenhouse Gas Programs is [HERE](#). Find the Oregon Health Authority (OGA) recent Oregon Climate and Health Profile Report [HERE](#). Oregon Dept of Energy Climate Plan and resources are [HERE](#).

#### Coalition Shared Priorities:

The League is an active member of [OCN](#), [OCAP](#) and is considering joining the [Clean Energy Opportunity Coalition](#) ; all these groups prioritize the following 3 bills.

[HB 2995](#): 100% Clean Energy - Requires 100 percent clean electricity by 2035 (Rep. Karin Power, Pam Marsh)

[HB 2475](#): The Oregon Energy Affordability Act - The Oregon Energy Affordability Act would help make energy bills more affordable by providing protection from rate increases, especially for low-income households who spend a large portion of their income on energy needs. (Rep. Power). Find link to Feb 1 League testimony [HERE](#)

[HB 2842](#): Healthy Homes would help low-income communities make repairs and updates on older homes, helping to improve indoor air quality, save money on heating/cooling, and make homes more energy efficient. (Marsh, Power and Pham)

## Other Priority CE Bills

This list of bills is incomplete at this time. The CE team is in the process of compiling and prioritizing which legislation we might provide testimony for. Some of our priorities will also appear in agency budgets and some may appear in the last W&M bill of the year, which some folks refer to as the Christmas Tree.

[HB 2398](#): Clean Buildings - Reach Building Codes (Rep. Helm, Sen. Beyer and Dembrow).

[SB 56](#): GHGE Civil Penalty - Governor Kate Brown (this bill relates to the [Governors Cap and Reduce March 2020 Executive Orders](#))

[HB 2479](#): Black carbon in definition of “global warming ...” (Rep. Karin Power)

[HB 2688](#): Buy Clean/CLEAN Procurement, Oregon agencies do not factor in the carbon footprint or environmental externalities of the products they purchase. (Rep. Rayfield)

[SB 286](#): Office of Environmental Justice, in the Dept of Environmental Quality (DEQ), to coordinate interagency efforts related to environmental justice, through data collection, policy development and community engagement. The Office is also tasked with development of a cumulative impact analysis for environmental justice across all Natural Resource agencies. (Office of Gov Brown)

[SB 333](#): Hydrogen study - Directs Legislative Revenue Office to conduct study related to renewable hydrogen and report. (Sen. Beyer) A CE Team member may have [testimony this Thurs.](#)

[Governor Kate Brown 2021-2023 Budget](#) Highlights:

(Many of these budget items may end up in Agency Budgets as POPS or could be legislative bills introduced later in the session)

Racial Justice Council and Environmental Equity:

The following 9 items address these targeted populations: for Black, Indigenous, Latino, Latina, Latinx, Asian, Pacific Islander, Native American, and Tribal populations

[SB 289](#): An Environmental Equity Committee was formed as part of the Governor's Racial Justice Council to develop recommendations to establish environmental justice and access to the outdoors.

[The Governor's Budget invests in several of the recommendations put forward by the committee, including:](#)

- Funding in DEQ to conduct a study to determine obstacles and opportunities for electrifying farm, medium, and heavy-duty vehicles to reduce pollution and carbon emissions.
- Domestic Food Market Access-Funding Opportunities - supporting the domestic food market with funding opportunities administered by the Oregon Department of Agriculture.
- Establishing a place-based community centered program to address water needs water rights, water scarcity, and ecosystem services in the Water Resources Department.
- See [HB 2488](#) in NR Leg Report: Incorporating environmental justice analysis measures in land use decisions within the Department of Land Conservation and Development (DLCD) current processes.

- Develop a grant program to fund adaptive transportation solutions in rural communities
- Establishing grant funds recreation engagement, support and fund community-led recreation programs, and establish/enhance safe and comfortable outdoor tourism and recreation as part of the Office of Outdoor Recreation within the Oregon Parks and Recreation Department.
- Creation of Diversity, Equity and Inclusion positions in the Oregon Department of Agriculture, Department of Environmental Quality, Oregon Department of Forestry, Oregon Department of Fish and Wildlife, and the Oregon Department of Parks and Recreation.

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Following other CE Bills

[HB 2692](#): Nuclear Power - Exempts issuance of site certificate for small modular reactors from requirement that proposal by Energy Facility Siting Council to issue site certificate for nuclear-fueled thermal power plant must be approved by voters. Requires the State Department of Energy to develop and administer a program for educating the public about small modular reactors. (Rep. Witt)

[HB 2324](#): Expands definition of "funds of a public agency" to include dollar amounts of tax credits or tax abatements for purposes of public contracting law. (Rep. Fahey)

[HB 2190](#): Directs the State Department of Energy to convene a work group to develop program awarding grants for community energy resilience projects and to implement the program no later than January 1, 2023. (Rep. Wilde)

[HB 2985](#): Directs the Oregon Department of Transportation (ODOT) to ensure that membership of advisory committees reflects racial, ethnic and ability composition of Oregon. (Rep. McClain & Sen. Gelser)

[HB 2062](#): Establishes energy efficiency standards for certain appliances sold or offered for sale in this state. Removes requirement that certain appliances sold or offered for sale in this state meet state energy efficiency standards (at the request of Governor Brown - Oregon Department of Energy) [Hearing on Feb 3](#).

[SJR 5](#): Proposing amendment to the Oregon Constitution relating to the right of people to a clean and healthy environment (Sen. Jeff Golden)

## Public/Green Banking

It's not clear if the League will have an opinion about these Bills related to Public/Green banking.

[SJR 22](#): Proposing amendment to Oregon Constitution relating to banks. Proposes amendment to Oregon Constitution to specify that section restricting certain banks does not prohibit the establishment of a bank owned or operated by the State of Oregon. Refers proposed amendment to people for their approval or rejection at the next regular general election. (Senator Frederick)

[SB 339](#): Establishes the Bank of the State of Oregon. Specifies the purposes of the bank. (Senator Jeff Golden)

[HJR 3](#): Proposing amendment to Oregon Constitution relating to banks. Proposes amendment to Oregon Constitution to specify that section restricting certain banks does not prohibit establishment of a bank owned or operated by the State of Oregon. Refers the proposed amendment to people for their approval or rejection at the next regular general election. (Representative Evans)

[HB 2743](#): Provides that the local government may not become a stockholder in or loan credit to or in aid of municipal bank. Provides that municipal bank is not required to obtain deposit insurance from the Federal Deposit Insurance Corporation under certain conditions. Provides that municipal bank may act as depository or custodian of

public funds under certain conditions. (Rep. Pham, Senator Dembrow, Frederick)

Find these Climate Emergency related bills in NR Leg Report

[HB 2488](#): "Equity and Climate in Land Use": A bill to incorporate environmental justice, equity and climate goals into our statewide land use planning goals, (Rep. Power and Helm and Senator Golden, Frederick, Manning and Dembrow)

[HB 2065](#): Modernize Recycling System Relating to modernizing Oregon's recycling system. Requires producers of covered products to join the producer responsibility organization unless exempt. (see in Natural Resource LR)

## Forestry (Josie Koehne)

The Board of Forestry has not met since January 4, and will meet again March 3. It is rumored that three or four new Board members could be nominated by the Governor and approved sometime in February, so that some progress can be made towards ODF's climate plan due June 30.

A presentation on the Biennial Report of the Global Warming Commission was presented to the Energy and Environment Committee this week, outlining the progress on electrification, the Cap and Reduce program among other initiatives. But the report says that we are not at all on target to meet our GHG reduction targets.

A presentation on Sustainable Natural Resources Management by Jim Brown, Oregon State Forester 1986-2003 and Governor's Natural Resources Office Director 2003-2004, was heard in Brad Witt's Agriculture and Natural Resources Committee on Jan. 26. It provided a good categorization schematic of the four basic competing elements that are required to achieve sustainable natural resource management: institutional/legal infrastructure, working landscapes, healthy



landscapes and social economic benefits, along with all their sub-elements. Keeping them all in balance as a way to define the public interest and “best use” for forestland is the challenge for making good policy decisions.

The ODF climate team is working in consultation with the DEQ, the Global Warming Commission and other agencies. Please see the other climate team reports about their progress.

## Jordan Cove Energy Project (JCEP) (Shirley Weathers)

Pembina’s challenge to Oregon’s February 2020 denial of the Coastal Zone Management Act (CZMA) certification—a key state permit—has seen action since the [last issue](#). As noted, the Secretary of Commerce’s override decision deadline of January 26, 2021 fell six days after President Biden’s inauguration, so it was welcome when January 20 came and went without a word. Acting Secretary of Commerce Wynn Coggins appears to have left the matter in the hands of the National Oceanic and Atmospheric Administration (NOAA) and that agency got our attention by filing for the allowable extension on the decision to February 8. Although Secretary of Commerce nominee Gina Raimondo remains a bit of an unknown, news of changes among [appointed positions](#) within NOAA, plus the high priority the Biden-Harris Administration has placed on [climate change](#) and dialing back fossil fuel infrastructure seem to give cause for cautious optimism for the ultimate outcome, but this is being watched very closely.

Also, briefs on challenges to FERC’s project authorizations in the Court of Appeals of the DC Circuit went in on January 22. No doubt there’s a wait ahead for the next step, but read the state, environmental community, landowner, and tribal briefs [here](#).



Governor Brown dealt another indirect, but potentially significant, blow to the Jordan Cove LNG project by eliminating in her [proposed budget](#) \$15 million in funding for the Port of Coos Bay's channel modification project. While the relationship between Jordan Cove and the project to widen and deepen the route to the Port is complex, this action is one more obstacle in front Pembina's plan to export Canadian gas to Asian markets by developing or utilizing infrastructure in the U.S. Port supporters are expected to push back.