



April 10th, 2026

Director Benner
Oregon Department of Energy

Cc: Cathy Macdonald, Chair, Oregon Climate Action Commission; Geoff Huntington, Senior Natural Resource Policy Advisor to Governor Kotek

Re: Formal Comment and Request for Process Reset – TIGHGER 2.0 Draft Gap Measures

On behalf of Oregon's business and natural resource sectors, we are writing to express our profound disappointment and concern regarding the Oregon Department of Energy's (ODOE) decision to proceed with the public comment period for the TIGHGER 2.0 Draft Gap Measures and Scenarios. While we acknowledge the deadline extension to April 10, 2026, a 20-day window is wholly insufficient given the extreme nature of the proposed measures and recognition from the Governor's office that the current draft is fundamentally flawed.

Despite executive-level recognition that the draft needs to be reworked, and reported guidance from the Governor's staff that the measures associated with agricultural production should be removed entirely, ODOE has chosen a rushed and futile public review process rather than adjusting to ensure a sound and expert process. By only offering a brief extension rather than a complete pause and reset, the agency is failing to provide Oregon's key economic sectors with a meaningful opportunity to engage with a credible proposal.

Under ORS 468A.240, the Oregon Climate Action Commission is legally mandated to "solicit and consider public comment" regarding its recommendations. A process that acknowledges its own "technical or practical infeasibility" yet continues to push forward with a truncated timeline does not meet the spirit of this statute. Furthermore, the commission is required to consider "economic, environmental, health and social costs". The current draft is inexplicably silent on the devastating economic impacts the proposed gap measures would have on food and fiber production and the broader business community.

Several measures being modeled represent an unprecedented intrusion into the tools and technologies necessary for modern agriculture, forestry, and natural resources management, and go far beyond ODOE's authority, for example:

- **Mandatory Fertilizer Reductions:** The Nitrogen Fertilizer Practices Program seeks a 70% reduction in nitrogen fertilizer use by 2050, which would decimate crop yields and ignores extensive research and available technologies related to crop nutrient needs and efficiency.
- **Engineering Consumer Diets:** The Uptake of Plant-Rich Diets Program targets a 50% reduction in beef and pork consumption and a 30% reduction in dairy and eggs, an overreach that directly threatens the livelihood of Oregon's ranching and dairy families and undermines the goals of other state agencies seeking to boost local production to reduce imports.

- Livestock Methane Targets: The Methane Emissions Program mandates a 40% reduction in emissions, specifically targeting the livestock sector without regard for the practicalities of animal husbandry.
- Impractical Equipment Mandates: Requiring 70% of new off-road vehicle sales (farm and forestry) to be ZEVs by 2050 ignores the reality of heavy-duty operations in remote areas where electrification is not currently viable.
- Regulatory Scope Creep: The Industrial Process Efficiency mandate forces a 1% annual improvement on industries outside the current CPP scope, imposing new burdens on small natural resource operations while the primary program is still in its early stages of the multi-decade rollout and its long-term economic impacts and climate benefits remain unknown.

ODOE states these measures are for "informational purposes only" and not currently proposed for implementation. However, modeling such radical and technically infeasible measures creates a dangerous policy baseline for future decision-makers. ODOE states, "To be included in the draft list, measures must have been determined to be quantifiable and integrate evidence-based assumptions." However, many measures are so vague that they cannot possibly be modeled as presented. For example, what limits would be set for nitrates, and what practices would be modeled? The recent rulemaking by Oregon Department of Agriculture (ODA) related to fertilizer use in the Lower Umatilla Basin made it clear that science-based regulatory limits do not exist for the wide variety of crops, soil types, and weather patterns in the state. Other measures are far out of line with evidence-based assumptions. Many proposed measures do not even meet ODOE's own stated criteria for inclusion in the list, yet we are still being asked to respond to them.

This process failed to consult with any other relevant state agencies, including ODA, despite their role on the Climate Action Commission and proposed measures that would directly undermine ODA's stated goals. The process also does not consider the sequestration benefits of many agricultural and forest-related commodities.

We strongly urge ODOE and the Commission to withdraw the current draft immediately, and engage in a meaningful, transparent, and collaborative process that respects the Governor's guidance and the vital role of Oregon's agriculture and forestry sectors. A mere 20-day comment period on a fundamentally flawed document is not an acceptable substitute for a legitimate public process. Public comment should not be sought on measures with clear feasibility, economic, and legal barriers. Any measures that do move forward for modeling should be realistic and achievable and should include projected economic and social costs alongside any potential emissions reductions.

Respectfully,

Associated Oregon Loggers
 Northeast Oregon Water Association
 Northwest Chicken Council
 Oregon Association of Nurseries
 Oregon Cattlemen's Association
 Oregon Dairy Farmers Association
 Oregon Farm Bureau
 Oregon Forest Industries Council
 Oregon Golf Course Superintendents Assn

Oregon Pork Producers
 Oregon Seed Council
 Oregon Water Resources Congress
 Oregon Wheat Growers League
 Oregonians for Food & Shelter
 Weyerhaeuser Company