

Carbon Sequestration Certification Program

Oklahoma Carbon Sequestration Enhancement Act

§27A-3-4-101. Short title – Legislative findings and intent.

A. This article shall be known and may be cited as the "Oklahoma Carbon Sequestration Enhancement Act".

B. The Oklahoma Legislature finds that:

1. Increasing levels of carbon dioxide and other gases in the atmosphere have led to growing interest in national and international forums for implementing measures to slow and reverse the buildup of such atmospheric constituents. These measures may include, but are not limited to, the establishment of systems of trading in carbon dioxide credits or adoption of practices, technologies, or other measures which decrease the concentration of carbon dioxide in the atmosphere and improve air quality;

2. Carbon sequestration practices have great potential to increase carbon sequestration and help offset the impact of carbon dioxide emissions on carbon dioxide concentrations in the atmosphere; and

3. It is in the interest of the citizens of this state that the Oklahoma Conservation Commission document and quantify carbon sequestration associated with carbon sequestration practices.

C. It is the intent of the Legislature that such efforts to document and quantify carbon sequestration associated with carbon sequestration practices will enhance the ability of the state's landowners, well owners and mineral owners to participate in any system of carbon dioxide emissions marketing or trading that may be developed in the future.

D. For purposes of this act, "carbon sequestration practices" and "carbon capture and storage practices" shall mean and include:

1. Improved agricultural practices, including, but not limited to, decreasing soil tillage, planting and managing vegetation, growing agricultural crops or managing any existing vegetated area;

2. Improved natural resources conservation practices, including, but not limited to, vegetation, revegetation, forestation, afforestation and reforestation on rangeland and other agricultural and nonagricultural lands;
3. Practices involving the capture and sequestration or storage of carbon dioxide emissions through carbon dioxide injection in producing oil or gas wells, abandoned oil or gas wells, or other wells;
4. Other improved methods of stewardship for the natural resources of Oklahoma; and
5. Other methods of sequestering, displacing or avoiding carbon dioxide emissions approved by the Oklahoma Conservation Commission.

§27A-3-4-102.

The Oklahoma Conservation Commission shall:

1. Encourage the production of educational and advisory materials regarding carbon sequestration and storage and the opportunities to participate in any system of carbon dioxide emissions trading or marketing that may be developed in the future; and
2. Identify areas of research needed to better understand and quantify carbon sequestration and storage involved in carbon sequestration practices within the state.

§27A-3-4-103.

The Oklahoma Conservation Commission may apply for and accept grants, gifts, or other sources of public and private funds to carry out the purposes of the Oklahoma Carbon Sequestration Enhancement Act.

§27A-3-4-104. *Carbon Sequestration Assessment Cash Fund.*

The "Carbon Sequestration Assessment Cash Fund" is hereby created. The fund shall be used by the Oklahoma Conservation Commission to carry out the Oklahoma Carbon

Sequestration Enhancement Act. The State Treasurer shall credit to the fund any money appropriated to the fund by the Legislature and any money received as gifts, grants, or other contributions from public or private sources obtained for the purposes of the Oklahoma Carbon Sequestration Enhancement Act.

§27A-3-4-105. Carbon sequestration certification program – Applications – Fees.

A. The Oklahoma Conservation Commission is hereby authorized to establish and administer the carbon sequestration certification program. The purposes of the program are to provide a mechanism for creating and preserving carbon reserves in this state by encouraging voluntary practices that protect or improve natural resources, to enable Oklahomans to participate in market-based programs for natural resource protection, to provide a mechanism for Oklahomans to benefit from the ecosystem services they provide, to verify carbon sequestration or storage associated with carbon sequestration practices, and to issue carbon sequestration certificates associated with carbon sequestration practices that the Commission determines qualify for such certificates.

B. The Commission, in consultation with the Department of Environmental Quality and with the advice of the carbon sequestration stakeholder groups appointed by the Commission, shall develop and promulgate rules as necessary to administer, implement and enforce the provisions of this act, including, but not limited to, developing and implementing uniform standards and criteria for verifying carbon sequestration and storage associated with carbon sequestration practices and issuing carbon sequestration certificates associated with approved carbon sequestration practices. In promulgating the rules, the Commission shall develop the program to be as consistent as possible with other governmental programs designed to create carbon reserves for the purpose of voluntarily reducing greenhouse gases or designed to certify carbon sequestration practices.

C. In order for carbon sequestration to be verified and certified under this section, an applicant shall file an application with the Commission. Along with the application, the applicant shall submit a resource management plan, or a project plan as applicable, detailing activities that will increase or maintain existing trapped carbon including, but not limited to, improved forest management, alteration of or changes in silviculture practices, and growing of designated crops and any other such practices including, but not limited to, the capture and sequestration of carbon dioxide emissions through injection of carbon dioxide underground.

D. The Commission shall require applicants to submit such information, forms, and reports as are necessary to properly and efficiently administer the program.

E. Prior to granting a carbon sequestration certificate, the Commission shall adopt criteria associated with the approved carbon sequestration practice for which an application is submitted. In addition, the Commission shall determine, based upon compliance with the site criteria, the volume or numerical amount of credits or offsets achievable by the specific carbon sequestration practice.

F. Applications for a carbon sequestration certificate shall be approved or denied in accordance with criteria promulgated by the Commission.

G. The Commission is authorized to establish fees associated with the carbon sequestration certification program.

§27A-3-4-106. State agency energy efficiency and conservation plans.

A. Each state agency shall develop and implement an energy efficiency and conservation plan. Each agency shall designate an employee to develop such plan and the Department of Central Services, if requested, shall assist state agencies in developing such plans. The Department of Central Services and each state agency shall make every effort to include in the plans strategies that:

1. Reduce energy consumption, including both electrical and fuel consumption;
2. Provide for purchasing preferences for the acquisition of energy-efficient products, including, but not limited to, Energy Star-compliant appliances;
3. Evaluate and, where appropriate, utilize on-site renewable energy for space conditioning and water heating, including, but not limited to, solar water heating and geothermal heat pumps in all new and replacement buildings and major renovations of buildings;
4. Provide for purchasing preferences for the acquisition of vehicles that utilize alternative fuel sources, including, but not limited to, compressed natural gas, hybrid power or biofuels; and
5. Provide a preference for the utilization of alternative energy sources, including, but not limited to, biofuels, solar, geothermal, hydrogen, compressed natural gas and wind.

B. The Department of Central Services shall serve as a repository for the energy efficiency and conservation plans of each agency. The Department of Central Services shall research and use best available methods to aid agencies in implementing the plans.

