

## HOUSE AMENDMENTS TO HOUSE BILL 2105

By COMMITTEE ON ENERGY AND THE ENVIRONMENT

March 7

1 On page 3 of the printed bill, delete lines 13 and 14 and insert:

2 “(8) The director shall issue an order revising the fees specified in this section on January 1  
3 of each year, beginning in 2009, based on changes in the Portland-Salem, OR-WA Consumer Price  
4 Index for All Urban Consumers for All Items as published by the Bureau of Labor Statistics of the  
5 United States Department of Labor. The director shall round the amount of each fee to the nearest  
6 dollar. The revised fees shall take effect January 1 and apply for that calendar year.”.

7 After line 42, insert:

8 “(5) ‘General permit’ means a permit for removal activities or fill activities that are substantially  
9 similar in nature, are recurring or ongoing, and have predictable effects and outcomes.”.

10 In line 43, delete “(5)” and insert “(6)”.

11 In line 45, delete “(6)” and insert “(7)”.

12 On page 4, line 2, delete “(7)” and insert “(8)”.

13 In line 13, delete “(8)” and insert “(9)”.

14 In line 16, delete “(9)” and insert “(10)”.

15 In line 18, delete “(10)” and insert “(11)”.

16 In line 20, delete “(11)” and insert “(12)”.

17 In line 25, delete “(12)” and insert “(13)”.

18 In line 27, delete “(13)” and insert “(14)”.

19 In line 35, delete “(14)” and insert “(15)”.

20 In line 40, delete “(15)” and insert “(16)”.

21 On page 5, after line 19, insert:

22 “(5) ‘General permit’ means a permit for removal activities or fill activities that are substantially  
23 similar in nature, are recurring or ongoing, and have predictable effects and outcomes.”.

24 In line 22, delete “(5)” and insert “(6)”.

25 In line 24, delete “(6)” and insert “(7)”.

26 In line 26, delete “(7)” and insert “(8)”.

27 In line 37, delete “(8)” and insert “(9)”.

28 In line 40, delete “(9)” and insert “(10)”.

29 In line 42, delete “(10)” and insert “(11)”.

30 In line 44, delete “(11)” and insert “(12)”.

31 On page 6, line 3, delete “(12)” and insert “(13)”.

32 In line 5, delete “(13)” and insert “(14)”.

33 In line 13, delete “(14)” and insert “(15)”.

34 In line 18, delete “(15)” and insert “(16)”.

35 On page 13, after line 35, insert:

1       **“SECTION 8. Section 9 of this 2007 Act is added to and made a part of ORS 196.800 to**  
2 **196.825.**

3       **“SECTION 9. (1)(a) Notwithstanding ORS 196.810, the Department of State Lands may**  
4 **establish by rule a removal or fill general permit:**

5           **“(A) For processing applications on a statewide or geographic basis; or**

6           **“(B) For an applicant or group of applicants to cover activities that are substantially**  
7 **similar in nature, are recurring or ongoing, and have predictable effects and outcomes.**

8           **“(b) The department must find that the project is in compliance with the review stan-**  
9 **dards set forth in ORS 196.600 to 196.905 and would not result in long-term harm to water**  
10 **resources of this state.**

11          **“(c) The department shall condition any such general permit upon actions necessary to**  
12 **minimize environmental effects.**

13          **“(2) Any person proposing to conduct an action under a general permit shall apply to the**  
14 **department in accordance with procedures set forth by the department by rule.**

15          **“(3) The department shall amend or rescind any general permit upon a determination**  
16 **that the activities conducted under the permit have resulted in or would result in unac-**  
17 **ceptable individual or cumulative environmental effects or long-term harm to the water re-**  
18 **sources of this state.**

19          **“(4) Any person proposing to conduct an action under a general permit shall pay the ap-**  
20 **plicable fee required under ORS 196.815 for individual permit applications.”.**

21       In line 39, delete “8” and insert “10”.

22       On page 14, line 34, delete “9” and insert “11”.

23       In line 43, delete “10” and insert “12”.

24       On page 15, line 20, delete “11” and insert “13”.

25       On page 17, line 2, delete “12” and insert “14”.

26       In line 10, delete “(11)” and insert “(12)”.

27       On page 18, line 17, delete “13” and insert “15”.

28       On page 19, line 20, delete “14” and insert “16”.

29       On page 20, line 32, delete “15” and insert “17”.

30       In line 39, delete “16” and insert “18”.

31       On page 21, line 13, delete “17” and insert “19”.

32       In line 14, delete “1 to 13 and 15” and insert “1 to 7, 10 to 15 and 17”.

33       In line 16, delete “18” and insert “20”.

34       In line 19, delete “19” and insert “21”.