

# House Bill 2015

Sponsored by Representative RILEY, Senator PROZANSKI; Representatives BAILEY, BARKER, BARNHART, BOONE, BUCKLEY, DEMBROW, GREENLICK, SHIELDS, TOMEI, WEIDNER, Senators ROSENBAUM, WALKER (at the request of Columbia River Business Alliance, NW Property Rights Coalition, David and Doris Cruickshank, Lolita Carl)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Establishes certain requirements before applicant seeking to construct liquefied natural gas terminal or related pipeline may be issued specified permits and authorizations.

Requires that liquefied natural gas terminal facilities may not adversely affect beneficial use of waters surrounding facilities.

Prohibits Department of Environmental Quality from waiving rights under federal law regarding certification, or authority to issue federal pollution control permits, regarding liquefied natural gas terminals.

Requires Environmental Quality Commission to review certain water quality standards and establish new standards. Requires Department of Environmental Quality to submit new standards at next regularly scheduled review of state's water quality standards.

## A BILL FOR AN ACT

1  
2 Relating to liquefied natural gas.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Before an applicant seeking to construct a liquefied natural gas terminal,**  
5 **or a pipeline directly related to the terminal, is issued a permit to appropriate water under**  
6 **ORS chapter 537, an authorization for the use of state lands under ORS chapter 274 or a**  
7 **permit to remove any material from the beds or banks of any waters of this state or fill any**  
8 **waters of this state under ORS chapter 196, the Water Resources Director and the Director**  
9 **of the Department of State Lands shall:**

10 (1) **Inform the Director of the State Department of Energy that an application exists for**  
11 **a permit to appropriate water under ORS chapter 537, an authorization for the use of state**  
12 **lands under ORS chapter 274 or a permit to remove any material from the beds or banks of**  
13 **any waters of this state or fill any waters of this state under ORS chapter 196; and**

14 (2) **Approve the application for the permit or authorization only if the Director of the**  
15 **State Department of Energy issues a written finding that:**

16 (a) **A significant need exists within Oregon for natural gas that the liquefied natural gas**  
17 **terminal will meet;**

18 (b) **Sources of natural gas in North America are insufficient to meet the significant need**  
19 **specified in paragraph (a) of this subsection;**

20 (c) **The price of natural gas derived from liquefied natural gas supplied by the terminal**  
21 **facility will not exceed the price of natural gas available from other sources of natural gas**  
22 **in North America; and**

23 (d) **The operation of the liquefied natural gas terminal is consistent with Oregon's**  
24 **strategies for addressing climate change.**

25 **SECTION 2. (1) A liquefied natural gas terminal, and any pipeline directly related to the**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 terminal, may not adversely affect the beneficial use, including, but not limited to, com-  
2 mercial and recreational fishing, recreation, agricultural and wildlife, of the waters sur-  
3 rounding the terminal and any pipeline directly related to the terminal.

4 (2) The Department of Environmental Quality may not waive its rights under 33 U.S.C.  
5 1341 regarding certification, or its authority to issue National Pollutant Discharge Elimi-  
6 nation System permits under 33 U.S.C. 1342, regarding a liquefied natural gas terminal.

7 **SECTION 3.** The Environmental Quality Commission shall review water quality standards  
8 that are affected by sections 1 and 2 of this 2009 Act in order to establish water quality  
9 standards consistent with those sections within one year after the effective date of this 2009  
10 Act. The Department of Environmental Quality shall submit the water quality standards at  
11 the next regularly scheduled review of the state's water quality standards pursuant to 33  
12 U.S.C. 1313.

13 **SECTION 4.** Sections 1 and 2 of this 2009 Act apply to permits to appropriate water under  
14 ORS chapter 537, authorizations for the use of state lands under ORS chapter 274 and per-  
15 mits to remove any material from the beds or banks of any water of this state or fill any  
16 waters of this state under ORS chapter 196 applied for before, on or after the effective date  
17 of this 2009 Act.

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