

HOUSE AMENDMENTS TO SENATE BILL 518

By COMMITTEE ON ENERGY, ENVIRONMENT AND WATER

June 3

- 1 On page 1 of the printed bill, line 2, delete “196.643 and”.
- 2 Delete lines 5 through 30 and delete page 2 and insert:
- 3 “**SECTION 1.** ORS 196.817 is amended to read:
- 4 “196.817. (1)(a) Notwithstanding ORS 196.810, the Department of State Lands may establish [*by*
- 5 *rule*] a removal or fill general permit:
- 6 “(A) **By rule** for processing applications on a statewide or geographic basis; or
- 7 “(B) **By order** for an applicant or group of applicants to cover activities that are substantially
- 8 similar in nature, are recurring or ongoing, and have predictable effects and outcomes.
- 9 “(b) The department must find that the project is in compliance with the review standards set
- 10 forth in ORS 196.600 to 196.905 and would not result in long-term harm to water resources of this
- 11 state.
- 12 “(c) The department shall condition any such general permit upon actions necessary to minimize
- 13 environmental effects.
- 14 “(2)(a) Any person proposing to conduct an action under a general permit **specified in sub-**
- 15 **section (1)(a)(A) of this section** shall apply to the department in accordance with procedures set
- 16 forth by the department by rule.
- 17 “(b) **Any person proposing to conduct an action under a general permit specified in sub-**
- 18 **section (1)(a)(B) of this section shall apply to the department in accordance with procedures**
- 19 **set forth by the department by order.**
- 20 “(3) The department shall amend or rescind any general permit upon a determination that the
- 21 activities conducted under the permit have resulted in or would result in unacceptable individual
- 22 or cumulative environmental effects or long-term harm to the water resources of this state.
- 23 “(4) Any person proposing to conduct an action under a general permit shall pay the applicable
- 24 fee required under ORS 196.815 for individual permit applications.
- 25 “**SECTION 2. The amendments to ORS 196.817 by section 1 of this 2011 Act apply to ap-**
- 26 **lications for removal or fill general permits filed with the Department of State Lands on**
- 27 **or after the effective date of this 2011 Act.”.**
- 28
-