

## **SB 958 -1 STAFF MEASURE SUMMARY**

### **Senate Committee On Environment and Natural Resources**

---

**Prepared By:** Beth Patrino, LPRO Analyst

**Meeting Dates:** 4/13

---

#### **WHAT THE MEASURE DOES:**

Authorizes Director of Department of State Lands (DSL) to issue a removal/fill permit that facilitates the transport of crude oil only if the project is for public use and would satisfy a public need that outweighs harm to navigation, fishery, and recreation and if the proposed fill meets all other criteria established in state wetlands statutes (ORS 196.600- 196.905). Applies to applications received by DSL on or after effective date of Act.

*REVENUE: May have revenue impact, but no statement yet issued*

*FISCAL: May have fiscal impact, but no statement yet issued*

#### **ISSUES DISCUSSED:**

##### **EFFECT OF AMENDMENT:**

-1 Replaces measure. Defines "bulk oil terminal." Specifies that "worst case spill" for bulk oil terminal means a spill equal to the crude oil storage capacity of the terminal. Requires person causing or permitting the operation of a bulk oil terminal to have proof of financial responsibility for the clean up of a worst case spill. Prohibits grants from Connect Oregon Fund for transportation projects that involve development of a new bulk oil terminal. Authorizes Department of State Lands (DSL) director to issue a permit that facilitates the transportation of crude oil or issue or amend a lease for state submerged or submersible lands only if the project meets specified criteria. Specifies that crude oil is not "goods and merchandise" for purposes of statute authorizing wharf construction. Establishes applicability and effective dates of measure provisions. Takes effect on 91st day after 2017 legislative session adjourns sine die.

*REVENUE: May have revenue impact, but no statement yet issued*

*FISCAL: May have fiscal impact, but no statement yet issued*

##### **BACKGROUND:**

Oregon's Removal-Fill Law (ORS 196.795-990) requires anyone who plans to remove or fill more than 50 cubic yards of material in a wetland or waterway to obtain a removal-fill permit from the Department of State Lands (DSL). For activities in state-designated essential salmonid habitat, State Scenic Waterways, and compensatory mitigation sites, a permit is required for any amount of removal or fill.

Senate Bill 958 would authorize the DSL director to issue a removal-fill permit for a project that facilitates the transport of crude oil only if the project is for public use and would satisfy a public need that outweighs harm to navigation, fisheries, and recreation and meets all other statutory requirements.