



Oregon

Kate Brown, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: 503-373-0050

Fax: 503-378-5518

www.oregon.gov/LCD

February 23, 2021

TO: The Honorable Representative Pam Marsh, Chair
Members of the House Committee on Energy and Environment

FROM: Emma Land, Legislative Coordinator
Andy Lanier, Marine Affairs Coordinator
Palmer Mason, Senior Policy Advisor

RE: House Bill 2603



HB 2603 requires the owners or operators of undersea fiber optic telecommunication cables to obtain financial assurances for the placement of cables and create a removal plan. The bill also directs the Department of Land Conservation and Development (DLCD) and the Department of State Lands (DSL) to conduct a study and propose changes to the permitting and siting processes for the placement of subsea cables. DLCD is not taking a position on this bill but would like to share several recommendations to improve this legislation.

The department recognizes that HB 2603 is designed to provide financial assurance to the state in the case of subsea cable installation malfunctions or accidents. To provide a more comprehensive view of this process, the department recommends that in all references to subsea cables, the terms "and associated facilities" be included. We also recommend requiring an estimate of the costs of decommission and restoration of the cable route, easement parcel, and other impacted natural resources to their previous, natural condition.

Additionally, HB 2603 requires a study of the permitting and siting processes for the placement of subsea cables. The department recognizes the value of conducting a study and believes this process could be more streamlined if instead of dividing tasks, the bill jointly assigned all study responsibilities to both DLCD and DSL. This change would improve efficiency and help to avoid any duplication of work, given the interconnected nature of the permitting and application processes between the two agencies. Lastly, the department would like to recognize that successful completion of this study and the necessary rulemaking will require an appropriation of resources.

Thank you for this opportunity to provide testimony on HB 2603. The department has shared this information with the bill sponsor and is currently coordinating on potential amendment language.

Emma Land, Emma.Land@state.or.us, 503-779-9821
Andy Lanier, Andy.Lanier@state.or.us, 503-206-2291
Palmer Mason, Palmer.Mason@state.or.us, 503-269-2040