

Senate Bill 773

Sponsored by Senator BEYER

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**.

Directs State Department of Energy to develop climate test to conduct reviews for approval of proposed fossil fuel infrastructure projects.

Requires department to adopt rules to establish standards and criteria for developing and administering test.

A BILL FOR AN ACT

1
2 Relating to fossil fuel infrastructure projects.

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

4 **SECTION 1. (1) As used in this section:**

5 (a) **"Application"** means a request for approval of a proposed fossil fuel infrastructure
6 project.

7 (b)(A) **"Carbon-based fuel"** means coal, natural gas, petroleum products and any other
8 product used for fuel that contains carbon and emits carbon dioxide when combusted.

9 (B) **"Carbon-based fuel"** does not include any product used for fuel that is derived from
10 a resource that is less than 1,000 years old in its natural state.

11 (c) **"Climate science"** means science relating to the state of climate change including bi-
12 ological, physical and social science.

13 (d) **"Fossil fuel infrastructure project"** means a project for new or expanded large-scale
14 infrastructure used to produce, transport or store carbon-based fuels.

15 (e) **"Global warming"** means an increase in the average temperature of the earth's at-
16 mosphere that is associated with the release of greenhouse gases.

17 (f) **"Greenhouse gas"** means any gas that contributes to anthropogenic climate change,
18 including but not limited to carbon dioxide, methane, nitrous oxide, hydrofluorocarbons,
19 perfluorocarbons and sulfur hexafluoride.

20 (2)(a) **The State Department of Energy shall, in consultation with the Environmental**
21 **Quality Commission and any other interested state and federal agencies, develop a climate**
22 **test to be used by state permitting agencies for evaluating applications for proposed fossil**
23 **fuel infrastructure projects in this state.**

24 (b) **The purpose of the climate test is to reduce the impact of greenhouse gas emissions**
25 **on global warming consistent with international goals to limit the global temperature in-**
26 **crease and to ensure energy decisions are guided by the best available climate science by**
27 **including as a part of an evaluation of any future fossil fuel infrastructure project an anal-**
28 **ysis of the economic viability of a proposed project when considering the effects of climate**
29 **change.**

30 (3) **At a minimum, rules adopted by the department under this section shall ensure that**

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 **the climate test:**

2 (a) Incorporates data from existing climate change models that evaluate and project fu-
3 ture global warming changes;

4 (b) Specifies standards and protocol using climate science to assess the direct and indi-
5 rect environmental impacts of a proposed fossil fuel infrastructure project;

6 (c) Provides standards to evaluate and measure the life cycle greenhouse gas emissions
7 of a proposed fossil fuel infrastructure project;

8 (d) Evaluates alternatives to a proposed fossil fuel infrastructure project; and

9 (e) Reviews the economic value added by a proposed fossil fuel infrastructure project to
10 a community in relation to any adverse environmental impacts.

11 (4) The rules adopted under this section:

12 (a) Do not limit the authority of any state agency to adopt and implement measures to
13 reduce greenhouse gas emissions; and

14 (b) Shall be interpreted in a manner consistent with federal law.
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