

D R A F T

SUMMARY

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

Relating to fossil fuel infrastructure projects.

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

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

(a) “Application” means a request for approval of a proposed fossil fuel infrastructure project.

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

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

(c) “Climate science” means science relating to the state of climate change including biological, physical and social science.

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

(e) “Global warming” means an increase in the average temperature of the earth’s atmosphere that is associated with the release of greenhouse gases.

1 (f) “Greenhouse gas” means any gas that contributes to
2 anthropogenic climate change, including but not limited to carbon
3 dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons
4 and sulfur hexafluoride.

5 (2)(a) The State Department of Energy shall, in consultation with
6 the Environmental Quality Commission and any other interested state
7 and federal agencies, develop a climate test to be used by state per-
8 mitting agencies for evaluating applications for proposed fossil fuel
9 infrastructure projects in this state.

10 (b) The purpose of the climate test is to reduce the impact of
11 greenhouse gas emissions on global warming consistent with interna-
12 tional goals to limit the global temperature increase and to ensure
13 energy decisions are guided by the best available climate science by
14 including as a part of an evaluation of any future fossil fuel
15 infrastructure project an analysis of the economic viability of a pro-
16 posed project when considering the effects of climate change.

17 (3) At a minimum, rules adopted by the department under this
18 section shall ensure that the climate test:

19 (a) Incorporates data from existing climate change models that
20 evaluate and project future global warming changes;

21 (b) Specifies standards and protocol using climate science to assess
22 the direct and indirect environmental impacts of a proposed fossil fuel
23 infrastructure project;

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

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

29 (e) Reviews the economic value added by a proposed fossil fuel
30 infrastructure project to a community in relation to any adverse en-
31 vironmental impacts.

1 **(4) The rules adopted under this section:**

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

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

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