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Insist FERC adhere to established law

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Both proponents and opponents of the three liquefied natural gas siting proposals currently being considered in Oregon are understandably confused by the complex state/federal regulatory process involved - so much so that a school of thought is gaining favor that says, as long as Oregon's "strict environmental standards" are met, the Federal Energy Regulatory Commission should just go ahead and license them all and let the market place decide which would actually be constructed.

This idea certainly warrants further discussion.

Ron Sadler

Unfortunately, Oregon's existing environmental management machinery is simply inadequate to meet modern-day needs. In September 2000, the Oregon Progress Board issued a report that stated: "Measuring ecological conditions, trends, and risks is fundamentally different from the problems Oregon's environmental programs were initially established to address. Resolving (current problems) will require new approaches ..." Yet, there has been no mention at all of any serious attempt to even look into upgrading our state's environmental management system to come up with new approaches adequate in today's world.

The idea that FERC should issue permits for all proposals and trust the marketplace to select the one or ones to build is, unfortunately, the process it is currently attempting to implement in Oregon.

There is a major problem with this approach, however.

It is simply that this approach is a direct violation of a federal law (NEPA) that has been on the books, and consistently upheld and interpreted by case law, for 39 years.

Simply stated, FERC is charged with describing the need for a project, and describing all reasonable alternative ways to meet that need. It is then charged with analyzing and documenting the environmental, technical, and socio-economic effects of each alternative, and recommending for implementation that alternative that meets the described need with the most acceptable level of environmental impact. The entire process is required to be transparent to and understandable by the public, and must not be simply a justification of a pre-determined position.

The sad fact is that, as part of a well-documented seven-year effort on the part of the current administration to eviscerate and/or ignore that law, FERC is attempting to shortcut the process by relying on the marketplace rather than its own rigorous analysis as required by existing laws and regulations.

Oregonians should rightly be outraged, but their indignation is understandably tempered by a lack of understanding of the full requirements of existing federal environmental regulations. In addition, the degree of hubris exhibited by FERC in its willful disregard of existing law is almost beyond belief.

Oregonians are not well served when the future of their state can be so directly impacted by the legal and ethical shortcomings of a rogue agency. The machinery for a full and comprehensive analysis is clearly spelled out in the Federal regulations.

Let's insist that FERC follow them.

(Ron Sadler lives in North Bend.)

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