



NEWS RELEASE

FOR IMMEDIATE RELEASE: February 19, 2020

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**Department Objects to the Jordan Cove Energy Project
Federal Consistency Certification**

SALEM - Oregon Department of Land Conservation and Development (DLCD or department) is Oregon’s designated coastal management agency responsible for reviewing the required certification of consistency with the Oregon Coastal Management Program (OCMP) pursuant to Coastal Zone Management Act (CZMA) section 307(c)(3)(A). An applicant for any federally-permitted project must obtain a CZMA consistency concurrence for the federal permit or license to be granted in Oregon’s coastal zone. The DLCD has reviewed the Jordan Cove Energy Project and Pacific Connector Gas Pipeline (JCEP) for consistency with the enforceable policies of the (OCMP) under the federal nexus of JCEP’s applications for the following federal permits:

- **Clean Water Act Removal-Fill Permit - US Army Corps of Engineers (USACE)**
(404/Section 10 Permit, Permit #NWP-2017-41)
- **Energy Citing Certificate - Federal Energy Regulatory Commission (FERC)**
(FERC Docket #CP17-495-000 & CP17-494-000)

DLCD has completed its evaluation of the Federal Consistency Application and Joint CZMA Certifications submitted by JCEP and has determined the proposed project has not established consistency with multiple enforceable policies of the OCMP. **DLCD objects to JCEP’s consistency certifications.** On the basis of the current record, the JCEP has not established that the project is consistent with the following enforceable policies and underlying standards:

Enforceable Policy	Mechanism for Inconsistency
Goal 6 - Air, Water, and Land Resources	Permit Application Denied
ORS chapter 196 - Removal-Fill	Permit Application Withdrawn
ORS chapter 274 - Submersible and Submerged Lands	Authorization Applications Withdrawn
ORS chapter 468B - Water Quality	Permit Application Denied
ORS chapter 469 - Energy; Conservation Programs; Energy Facilities Public Health and Safety	Insufficient Information to Establish Consistency
ORS chapter 496 - Wildlife Administration	Insufficient Information to Establish Consistency
ORS chapter 509 - General Protective Regulations (Fish Passage)	Insufficient Information to Establish Consistency

Due to these inconsistencies, and in accordance with federal regulations and Oregon Administrative Rules, DLCD has notified the JCEP, FERC and the USACE of its objection to

JCEP's consistency certification, and findings that the project is inconsistent with the enforceable policies of the OCMP. As a result of this objection, the **FERC and the USACE cannot authorize this project** unless and until this objection is overridden on appeal by the U.S. Secretary of Commerce. Pursuant to 15 CFR Part 930, Subpart H, and within 30 days from receipt of the decision notice, JCEP may appeal to the U.S. Secretary of Commerce to override this objection.

DLCD Statement on Decision

Economic development is a high priority and cornerstone of the core work conducted by DLCD. The agency respects and highlights that Oregon's economy and well-being are in large part dependent upon proper management of the state's natural resources for current and future generations. These resources afford Oregonians the economic, physical, cultural, and scientific benefits that make our communities unique.

DLCD has dedicated its mission to non-biased, science-based planning efforts for sustainable land conservation and development. This decision was issued after a four-year coordination process between state agency partners and the applicant (Pembina). After long deliberation and review of the record before the department, it is clear that there is no reasonable assurance that the proposed project is or will be consistent with the laws, regulations, and policies that continue to maintain the Oregonian way of life. Overall, the issuance of this decision protects the interests of the State of Oregon and those who call Oregon home.

The department's full Federal Consistency Decision document can be found at:

Decision Letter

https://www.oregon.gov/lcd/OCMP/FCDocuments/FINAL-CZMA-OBJECTION_JCEP-DECISION_2.19.2020.pdf

Appendices (separated to reduce file size)

- Appendix 1-4
https://www.oregon.gov/lcd/OCMP/FCDocuments/Appendix_1-4_JCEPdecision.pdf
- Appendix 5-6
https://www.oregon.gov/lcd/OCMP/FCDocuments/Appendix_5-6_JCEPdecision.pdf
- Appendix 7-8A
https://www.oregon.gov/lcd/OCMP/FCDocuments/Appendix_7-8A_JCEPdecision.pdf
- Appendix 8B - 8C
https://www.oregon.gov/lcd/OCMP/FCDocuments/Appendix_8B-8C_JCEPdecision.pdf
- Appendix 8D
https://www.oregon.gov/lcd/OCMP/FCDocuments/Appendix_8D_JCEPdecision.pdf
- Appendix 9-12
https://www.oregon.gov/lcd/OCMP/FCDocuments/Appendix_9-12_JCEPdecision.pdf

Frequently Asked Questions (FAQ) with additional information on this objection can be found at: https://www.oregon.gov/lcd/OCMP/FCDocuments/JCEP_CZMA-Decision_FAQ.pdf

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The Oregon Coastal Management Program (OCMP) is Oregon's federally recognized program housed within the Oregon Department of Land Conservation and Development (DLCD). Originating from the Coastal Zone Management Act (CZMA), we work in partnership with local coastal and tribal governments, state and federal agencies, and other stakeholders to ensure that Oregon's coastal and ocean resources are managed, conserved, and developed consistent with statewide planning goals. Oregon's program is uniquely networked and consists of 10 state agencies, 33 cities, and 7 counties. DLCD is the lead agency of the Oregon Coastal Management Program. The OCMP has been charged by the Legislature with managing coastal areas and the resources for the existing and future benefits that they hold.

Oregon's statewide land use planning program — originated in 1973 under Senate Bill 100 — protects farm and forest lands, conserves natural resources, promotes livable communities, facilitates orderly and efficient development, helps coordination among local governments, and enables citizen involvement. The program provides predictability and sustainability to the development process by allocating land for employment and residential development, as well as transportation and protections for farm and forestlands. The Department of Land Conservation and Development (DLCD) administers the program. A seven-member volunteer citizen board known as the [Land Conservation and Development Commission \(LCDC\)](#) guides DLCD. Under the program, all cities and counties have adopted comprehensive plans that meet mandatory state standards. The standards are 19 Statewide Planning Goals that deal with land use, development, housing, transportation, and conservation of natural resources. Periodic review of plans and technical assistance in the form of grants to local jurisdictions are key elements of the program. Find more information online at <https://www.oregon.gov/lcd>.