
HOUSE BILL 3203

State of Washington

59th Legislature

2006 Regular Session

By Representative Chase

Read first time 01/25/2006. Referred to Committee on Natural Resources, Ecology & Parks.

1 AN ACT Relating to liquified natural gas terminals in coastal
2 areas; and amending RCW 43.143.010 and 90.58.160.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 43.143.010 and 1997 c 152 s 2 are each amended to read
5 as follows:

6 (1) The purpose of this chapter is to articulate policies and
7 establish guidelines for the exercise of state and local management
8 authority over Washington's coastal waters, seabed, and shorelines.

9 (2) There shall be no leasing of Washington's tidal or submerged
10 lands extending from mean high tide seaward three miles along the
11 Washington coast from Cape Flattery south to Cape Disappointment, nor
12 in Grays Harbor, Willapa Bay, and the Columbia river downstream from
13 the Longview bridge, for purposes of oil or gas exploration,
14 development, or production.

15 (3) There shall be a ten-year moratorium beginning on the effective
16 date of this act on the siting, construction, or operation of liquified
17 natural gas terminals within the coastal areas described in subsection
18 (2) of this section. For purposes of this section, "liquified natural
19 gas terminals" includes all natural gas facilities located onshore or

1 in state waters that are used to receive, unload, load, store,
2 transport, gasify, liquefy, or process natural gas that is imported to
3 the United States from a foreign country, exported to a foreign country
4 from the United States, or transported in interstate commerce by
5 waterborne vessels, but does not include waterborne vessels used to
6 deliver natural gas to or from any such facility or any pipeline or
7 storage facility subject to the jurisdiction of the federal energy
8 regulatory commission.

9 (4) When conflicts arise among uses and activities, priority shall
10 be given to resource uses and activities that will not adversely impact
11 renewable resources over uses which are likely to have an adverse
12 impact on renewable resources.

13 ((+4)) (5) It is the policy of the state of Washington to actively
14 encourage the conservation of liquid fossil fuels, and to explore
15 available methods of encouraging such conservation.

16 ((+5)) (6) It is not currently the intent of the legislature to
17 include recreational uses or currently existing commercial uses
18 involving fishing or other renewable marine or ocean resources within
19 the uses and activities which must meet the planning and review
20 criteria set forth in RCW 43.143.030. It is not the intent of the
21 legislature, however, to permanently exclude these uses from the
22 requirements of RCW 43.143.030. If information becomes available which
23 indicates that such uses should reasonably be covered by the
24 requirements of RCW 43.143.030, the permitting government or agency may
25 require compliance with those requirements, and appeals of that
26 decision shall be handled through the established appeals procedure for
27 that permit or approval.

28 ((+6)) (7) The state shall participate in federal ocean and marine
29 resource decisions to the fullest extent possible to ensure that the
30 decisions are consistent with the state's policy concerning the use of
31 those resources.

32 **Sec. 2.** RCW 90.58.160 and 1971 ex.s. c 286 s 16 are each amended
33 to read as follows:

34 (1) Surface drilling for oil or gas is prohibited in the waters of
35 Puget Sound north to the Canadian boundary and the Strait of Juan de
36 Fuca seaward from the ordinary high water mark and on all lands within
37 one thousand feet landward from said mark.

1 (2) There shall be a ten-year moratorium beginning on the effective
2 date of this act on the siting, construction, or operation of liquified
3 natural gas terminals within the coastal areas described in subsection
4 (1) of this section. For purposes of this section, "liquified natural
5 gas terminals" includes all natural gas facilities located onshore or
6 in state waters that are used to receive, unload, load, store,
7 transport, gasify, liquefy, or process natural gas that is imported to
8 the United States from a foreign country, exported to a foreign country
9 from the United States, or transported in interstate commerce by
10 waterborne vessels, but does not include waterborne vessels used to
11 deliver natural gas to or from any such facility or any pipeline or
12 storage facility subject to the jurisdiction of the federal energy
13 regulatory commission.

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