

### Jordan Cove LNG terminal on ice after permit denials

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A rendering of the proposed Jordan Cove liquefied natural gas export plant in Oregon is shown. Jordan Cove LNG

The developer of the Jordan Cove liquefied natural gas export project will temporarily halt development of the Oregon facility and its associated pipeline.

In filings to the U.S. Court of Appeals for the District of Columbia Circuit yesterday, Pembina said it was reviewing its options after failing to obtain key approvals for the controversial project.

"Jordan Cove and Pacific Connector ... have decided to pause the development of the Jordan Cove Liquefied Natural Gas Project while they assess the impact of recent regulatory decisions involving denials of permits or authorizations necessary for the Project to move forward," the company **wrote** to the court.

Pembina asked the D.C. Circuit to freeze the legal challenge to the Federal Energy Regulatory Commission's approval for the project in the meantime.

"I think this means that [the Jordan Cove export project] is finally reading the writing on the wall," said David Bookbinder, chief counsel at the Niskanen Center, who is representing landowners opposing the Pacific Connector natural gas pipeline.

"If they haven't already decided to cancel it, chances are that they will do so in the very near future," he added.

Pembina did not immediately respond to a request for comment on next steps for the project.

The company's decision comes after FERC in January rejected Pembina's request to overturn Oregon's denial of a Section 401 certification under the Clean Water Act, which assesses whether a federally approved project complies with state water quality standards ([Energywire](#), Jan. 20). The Commerce Department concluded the following month that the harms of the \$10 billion LNG project to the coastline and to local tribes outweighed potential benefits of the embattled facility. NOAA found the project was "inconsistent" with the Coastal Zone Management Act (CZMA) ([Energywire](#), Feb. 10).

The request to pause the litigation comes just ahead of Pembina's deadline to file its initial brief in the D.C. Circuit case.

FERC attorneys submitted their own opening brief yesterday.

In it, they called for the court to dismiss the case, stating that FERC's approval was conditional on the project receiving necessary authorizations, including Oregon authorizing the project under the CZMA.

"Because Oregon has denied these authorizations — and because the U.S. Secretary of Commerce upheld the former denial and the Commission found that the state had not waived its authority to issue the latter denial — conditions underlying the FERC authorizations have failed," attorneys for the agency [wrote](#).

"The Project cannot proceed, absent a change in circumstances."

Bookbinder called for FERC to revoke the certificate for the project if the commission agreed the project was dead.

He also urged Pembina to "stop playing games" and cancel the project. Otherwise, the court should move ahead with briefing and oral argument as scheduled, he said.

"The landowners have been dealing with this for 15 years, and they are not going to delay any more than absolutely necessary," Bookbinder said.

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