

HOUSE AMENDMENTS TO HOUSE BILL 3595

By COMMITTEE ON ENERGY, ENVIRONMENT AND WATER

April 27

1 On page 1 of the printed bill, delete lines 5 through 13 and insert:

2 **“SECTION 2. (1) If a solar energy generation facility does not require a site certificate,**
3 **as defined in ORS 469.300, because the energy generated or the footprint of the facility is**
4 **below the threshold for which a site certificate is required, the governing body of a county,**
5 **or its designee, may conditionally approve under ORS 215.213 (2)(g) or 215.283 (2)(g) the siting**
6 **of the solar energy generation facility on farmland that:**

7 **“(a) Contains soils that are predominantly in capability classes IV to VIII, as determined**
8 **under an Agricultural Capability Classification System in use by the Natural Resources**
9 **Conservation Service of the United States Department of Agriculture; and**

10 **“(b) Does not have an appurtenant irrigation water right.**

11 **“(2) When a solar energy generation facility is sited pursuant to subsection (1) of this**
12 **section, an exception under ORS 197.732 to a statewide land use planning goal is not required.**

13 **“(3) A county shall require an applicant seeking approval to site a solar energy gener-**
14 **ation facility under subsection (1) of this section to demonstrate that the facility can be op-**
15 **erated in compliance with state law and local ordinances or resolutions protecting fish and**
16 **wildlife resources, including habitat areas that are necessary to sustain local or migratory**
17 **populations that are threatened or endangered.**

18 **“(4) A county shall refer an application to site a solar energy generation facility under**
19 **subsection (1) of this section to the Energy Facility Siting Council for a determination of**
20 **jurisdiction if:**

21 **“(a) The proposed site is within 1,320 feet of an existing or approved solar energy gener-**
22 **ation facility; and**

23 **“(b) It appears to the county that existing, approved and proposed facilities in the ag-**
24 **gregate constitute an energy generation area, as defined in ORS 469.300.**

25 **“(5) If the council asserts jurisdiction over an application referred to the council under**
26 **subsection (4) of this section, the council may, to the extent practicable, consolidate all**
27 **pending applications for consideration in a single review process.”.**

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