



Association of  
Oregon Counties

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Testimony before the Senate Committee on Environment and Natural Resources  
in Support of A-Eng HB 4006  
Doris Penwell on behalf of AOC and CREA  
February 21, 2012

I am Doris Penwell, representing Assoc. of Oregon Counties, and the Community Renewable Energy Association (a non-profit organization made up of public and private entities who are involved in developing renewable energy facilities in Oregon).

HB 4006 proposes that affected people (and their local officials) have a direct voice in government processes that have immense impacts on their way of life, culture and social well-being. This bill is about good governance. It is intended to assure citizens of cities and counties, who will be affected by Oregon Dept. of Fish and Wildlife plans and rules, that they will be given consideration as equal partners in trying to sensitively develop and maintain vibrant communities, while the Department carries out its duty to protect threatened and endangered species in Oregon.

HB 4006 simply requires two things: that the Department and its Commission (1) make determinations of threatened or endangered species on the basis of science but after **consultation** with others including affected landowners, cities, counties and special districts on the impact of decisions that are to be made by the agency; and (2) to work with these entities to help "mitigate" adverse impacts on local economies. In this context, mitigate means that the department and local entities will work together to accommodate a state plan while trying to avoid adverse impacts to local economic opportunities, conditions and processes.

During the last year or so counties, federal and state representatives and environmental and private organizations have spent a good deal of time working through a Governor's Oregon Solutions process because of competing interests to (on the one hand) site clean energy generation projects in rural areas, while at the same time the state and the federal government seek to increase protection for certain endangered species.

Biologists and leadership at ODFW are working hard to accomplish the job they have in law. But the current statutory framework does not, in a meaningful way, encourage the agency to address or even consider local government or community economic responsibilities in adopting changes to protections for threatened or endangered species. The proposal in HB 4006 will allow affected landowners, cities, counties and special district representatives to be at the table

with ODFW when considering protection strategies and plans that directly affect the way communities and businesses may operate.

We believe there is a way to protect the species and also allow for improved economic conditions for communities if we work together and respect each others responsibilities. The Oregon Solutions process has worked toward these ends, in this instance, but we shouldn't have to convene an Oregon Solutions project every time a new issue arises.

In the last several years Eastern Oregon areas have had some great opportunities to develop renewable energy, increase investment and jobs to local economies. Though our economy is struggling, we continue to site and smaller facilities with due process for any environmental or social issues. Preparing those studies and addressing those issues are part of the local and the statewide process for siting facilities. But when we are not considered partners with state agencies in carrying out these duties alongside theirs, a satisfying end product cannot be achieved effectively or efficiently. Thus, this bill is before you.