

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass as Amended and Be Printed Engrossed and Rescind the Subsequent Referral to the Joint Committee on Ways and Means and Be Referred to the Committee on Land Use
Vote:	9 - 0 - 0
Yeas:	Bentz, Boone, Dembrow, Johnson, Reardon, Vega Pederson, Weidner, Whitsett, Bailey
Nays:	0
Exc.:	0
Prepared By:	Adam Crawford, Administrator
Meeting Dates:	2/19, 2/21, 2/26

WHAT THE MEASURE DOES: Defines arable and non-arable lands. Adds solar thermal power plants to energy facility list requiring Energy Facility Siting Council approval. Increases acreage allowable on non-arable land to site solar photovoltaic energy facility before requiring Energy Facility Siting Council approval. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Contents of the measure
- Solar siting requirements in Eastern Oregon

EFFECT OF COMMITTEE AMENDMENT: Replaces measure.

BACKGROUND: The state Energy Facility Siting Council (EFSC), a seven-member board of appointed individuals associated with the Oregon Department of Energy, is responsible for permitting large energy facilities in Oregon. Smaller energy facilities are permitted by the county they are sited in. The EFSC review process consolidates all state, city, and county standards and permits into a single review.

Currently, the authorizing statute regarding solar projects contains two inconsistent standards for determining jurisdiction. The first statute declares a “solar collecting facility using more than 100 acres of land” is under EFSC jurisdiction; the second asserts EFSC jurisdiction is triggered by a solar energy system with 105 MW peak capacity or greater. Adding to the lack of clarity is that these solar energy facilities are often sited on exclusive farm use (EFU) zones. House Bill 2820 would clarify jurisdiction depending by type of solar energy facility and whether the proposed land is high value farmland, arable land or non-arable land.