

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	7 - 0 - 0
Yeas:	Cameron, Davis, Frederick, Holvey, Thatcher, Unger, Clem
Nays:	0
Exc.:	0
Prepared By:	Lynn Beaton, Administrator
Meeting Dates:	4/16, 4/18

WHAT THE MEASURE DOES: Amends requirements for Energy Facility Siting Council (EFSC) to adopt standards for siting, construction, operation and retirement of facilities. Specifies that EFSC may issue site certificate for facility that does not meet one or more applicable standards after determining public benefits of energy facility outweigh adverse effects on resource or interest protected by applicable standards. Requires EFSC specify criteria used to make balancing determination by rule. Requires EFSC determine that preponderance of evidence on the record supports conclusion that facility either complies with applicable standards or that overall public benefits of facility outweigh any adverse effects on resource or interest protected by applicable standards facility does not meet. Applies amendments in Act to all applications for sites certificates made to EFSC on or after effective date of Act. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Work group developed language
- Mitigation for affected species

EFFECT OF COMMITTEE AMENDMENT: Replaces measure.

BACKGROUND: The Energy Facility Siting Council (EFSC) was created in 1975 to oversee the development of large energy facilities. The EFSC is made up of seven volunteer members appointed by the Governor and confirmed by the Oregon Senate. The large energy facilities that EFSC oversees include, but are not limited to, large electric generating facilities, high voltage transmission lines, gas pipelines and radioactive waste disposal sites. Proposed large energy facilities must meet EFSC siting standards and undergo a thorough review process before receiving a site certificate. After issuing a site certificate, EFSC has ongoing regulatory authority over the construction and operation of the facility. The EFSC may issue site certificates that do not meet one or more EFSC standards if the overall public benefit of the proposed facility outweighs the effects of the proposed facility on the resources those standards are intended to protect.

House Bill 2106 A requires EFSC to adopt rules identifying its criteria for making siting determinations based on public benefit.