

To: Chairman Clem and Members of House Rural Communities, Land Use, and Water Committee

From: Diana Gardener

Date: 14 April 2015

Re: SB 873 Overhead Transmission Line Siting in Highly Productive Farmland (HB 2508)

I reside on my farm about eight miles east of Salem and produce hazelnuts and seed crops. This 165 acre farm is bisected by a BPA overhead transmission line. I support the intent of SB 873 and encourage the Committee's approval.

Since the 1980s I have been involved in four protracted land use issues, a road through our orchard, a subdivision on high value farmland, and transmission line site proposals by BPA and PGE.

In each of these cases, local government and public agencies either did nothing to help the farmer beyond the minimum of conducting public hearings, or actively supported the conflicting projects. Each of these issues took years to resolve.

The point to emphasize before this committee is that in the cases of the road through the 250 acre orchard and the 30 houses on 30 acres miles from the nearest urban area I was able to use existing land use law to defeat the proposals. However, in the face of the transmission line projects, we farmers were relatively helpless. Had the PGE and BPA proposals been financially feasible for the utilities, owners of many thousands of acres of Oregon's best farmland would have been unable to modify or stop them. Regulation protecting farmers from overhead transmission lines overwhelmingly favors utilities, even where suitable alternatives routes through less critical resource land are available.

In fact, highly productive farmland can be preferred by utilities because there are relatively few owners in the way and because the land is cleared and level. Compensation for costs and encumbrances created by overhead lines is pathetically inadequate and is a one time payment for raw land value which makes no provision for ongoing expenses, loss of productive potential, and limited crop and management choices.

If there were clarity of responsibility requiring local government and public agencies to participate actively in protecting highly productive farmland, these issues could be settled fairly in ways that accomplish both energy delivery and land preservation. ^{HB 2508} Senate Bill 873 offers this balance. Oregonians have demonstrated their desire to maintain intact farming regions and economies, and appropriate legislation and statute can provide a process that will avoid wasteful and destructive transmission line intrusions while furnishing necessary electrical energy.

Thank you for hearing the farmer's view.