

Honorable Representatives:

House Bill 2023 is a bad idea. This bill will undermine Oregon's Land Use Laws and sets a precedent for future actions to eliminate Land Use Planning that has been effective for years in order to benefit one utility company.

While the focus of this bill has been the location of solar developments, the impacts extend far beyond the site and will impact the most fertile high value farm land including irrigated land. Umatilla Electric has the power of eminent domain. They can and will force property owners to allow them to build transmission lines over irrigated high value farm land when connecting developments to the grid. These right of way impacts can far exceed the land used for the solar developments. Using a bill impacting the entire region to accommodate Umatilla Electric's desire to build, according to their statements to the Umatilla County Commissioners, 300 acres of solar developments makes no sense. Umatilla Electric has already constructed a 5 acre solar development, and they have obtained county approval to construct 80 acres of solar. There is already a local process for obtaining an exception to the existing land use laws through the county. Umatilla Electric should not be allowed to change the definition of "high value farmland" in order to avoid that local process. This decision process should remain with the local counties who are in the best position to make a determination on a case by case basis regarding the appropriateness of siting of this and other developments impacting high value farm lands in the local area.

Proponents of this bill claim that it will help Oregon meet its renewable energy requirements. Consider the following: Oregon currently produces more energy than it uses. Counting the hydro-power, nearly all energy produced in Oregon is renewable. Electricity use has been flat or going down due to such things as microgrids, batteries and conservation.

Oregon currently has operating 2015 Mw of wind developments which were sited by the Energy Facility Siting Council and the Department of Energy. There are 6 additional wind developments (Wheatridge, Golden Hills, Montegue, Perennial Wind Chaser, Saddle Butte, and Summit Ridge) totalling 2312 Mw of additional wind which have site certificates, but have not been built due to a lack of customers. This does not include the wind and solar developments which have been approved by the counties and are either operating or are planned to be constructed.

Oregon taxpayers will be paying for tax incentives for most if not all of these developments. Why would this legislature feel the need to overrule long standing land use laws that all other users must abide by in order to allow a utility to avoid local land use rules? Do not remove protections for thousands of acres of high value farm land to benefit Umatilla Electric and do not lose sight of the fact that every time a wind or solar development is built, there is a transmission line built to connect it to the electric grid. These transmission lines often cause more damage than the solar development.

I am not alone in my concerns regarding the amount of farm land that has been removed from the state already in order to accommodate wind and solar developments.

Mary Ann Nash speaking for the Oregon Farm Bureau had the following to say:

“In the last several years, we have seen an increase in solar projects on high-value farmland in Oregon. With the new renewable portfolio standard in 2016, we have heard reports of all farmers in a certain area getting mass mailings from solar companies seeking to lease their land for solar projects. Concerns over the growing impact of solar facilities on farmland lead the Oregon Farm Bureau to pass a policy in 2016 opposing the siting of non-agricultural solar panel facilities on high-value soils if alternative sites are available.”

“Allowing certain non-agricultural uses on farmland can drive up land prices, impact neighboring operations, and impact the overall stability of the land use pattern across the region.”

Meril Darzen, Staff Attorney for 1000 Friends of Oregon has stated the following:

“High-value farmland is Oregon’s best and most productive agricultural land. It is limited and irreplaceable.

Solar development is not a farm use. It is land-intensive and it takes land out of production for a long period of time. It does not create long-term jobs within a community.” She also stated: “Oregon’s rules governing solar development should direct solar development away from productive farmland and rangeland and towards already-impacted or otherwise unusable and undevelopable land. The current laws governing solar development do not achieve that goal and are not sufficiently protective of Oregon’s productive farmland.”

There is no reason why solar developments should be occurring on High Value farm land or that the definition of high value farm land should be changed in order to accommodate these developments. There is ample land that is not high-value that they can be using for these developments.

HB 2023 takes a giant step in the wrong direction and should be opposed.

Submitted by Irene Gilbert
2310 Adams Ave.
La Grande, Oregon 97850