

These bills undermine Oregon's Land Use Laws intended to protect Oregon's limited, irreplaceable farm lands by allowing the development of Solar power facilities on high value farm lands. Oregon has ample non-high value farm and forest lands which should be used for these types of commercial uses. While the Oregon Farm Bureau and 1000 Friends of Oregon indicated support for HB 3050, the language of the bill does not support the increased restrictions on developments on this land that both groups have testified they seek. In order to protect Oregon farm land, HB 3050 needs to be amended in the following ways at a minimum.

Section 2(3)(b) and the entire Section 3 should be removed from this bill. This language provides the opportunity to literally fill the state with solar developments and related transmission lines. The factors listed to justify ignoring Oregon Land Use laws are multiple, subject to liberal interpretation, and do not establish criteria such as the area that must be included in the evaluation of the need for a development to be constructed on high value farm lands. Developers will be able to justify construction on high value farm land by meeting one of several very broad justifications..

Oregon is already at risk of having large tracts of our farm land filled with solar and wind developments for several reasons including:

1. Oregon provides no requirement that developers show a need for the energy that will be developed.
2. Oregon taxpayers are forced to support generous tax credits and financial incentives for solar and wind developments which will not benefit Oregon electric users.
3. Energy developers are pushing the development of high voltage transmission lines like Boardman to Hemingway so that energy produced in Oregon can be marketed to other states.
4. The Idaho Public Utility Commission (PUC) now only requires 2 year contracts for solar energy producers. Oregon PUC requires 20 year contracts. Because of this, multiple solar developers now want to build solar developments in Oregon to produce energy for wholesale distribution to other states.
5. The impact of this law extends significantly beyond the actual solar development due to transmission lines required to move the energy to the grid.

Oregon is not in need of additional renewable energy resources which would be built as a result of this bill as evidenced by the following:

1. At the March meeting of the Integrated Resource Plan Advisory Council to Idaho Power, the representatives of Idaho Power stated they would not be needing additional energy resources until the mid 2020's. The draft material indicates power purchase agreements for small amounts of additional energy are predicted starting 2025. The Oregon Utilities are predicting an even longer time before needing additional energy resources and they report that demand has been virtually flat for multiple years.
2. Oregon does not need additional renewable energy. Attached is the list of Oregon Wind Developments currently in operation which totals 3,163.55 MW, a list of approved, but not yet constructed wind developments totaling 2, 342.40 MW, and a list of 50 MW of wind under construction.

3. In 2016 Oregon had 264.2 MW of Solar Installed according to the Solar Energy Industries Association report attached. They are predicting an additional 500 MW will be installed in 2017 and just under 500 MW in 2018.
4. According to the National Renewable Energy Laboratory report attached, it takes approximately 8.3 acres of land per MW of solar. Wind developments require on average of 84 acres of land per MW.

Attached is a map of the Wheatridge Wind Farm which was just sited as a single wind development in spite of the fact that there is a transmission line running over 25 miles between the two parts of this SINGLE development and a map of the land surrounding the recently approved Saddle Butte Wind development. This is what has occurred since the restrictions on the amount of farm land that could be used for wind developments was removed.

HB 3050 and HB 2023 will provide opportunity for the same run away destruction of Oregon's farm land that is already occurring with wind developments.

5. Umatilla Electric is planning to construct 300 acres of wind developments according to information they shared with the Umatilla County Commissioners. Adding the environmental costs of the related transmission lines and roads will significantly increase the damages of these developments
6. These two bills will undermine Oregon's Land Use Goals in order to meet the needs of other states by sacrificing Oregon resources, and requiring Oregon taxpayers to subsidize developments that are not intended to meet needs in Oregon. It is time to take a careful look at what this state can afford to sacrifice without destroying our quality of life and economic base. Is it the intent of this legislature to make Oregon nothing more than a giant renewable energy motor making energy for transport to other states? Oregon already is exporting renewable energy. Why do we need to produce more at the expense of our high value farm lands?.

We are already losing high value farm land due to impacts such as extending Urban Growth Boundaries. For example, during 2014/2015, there were 15 urban growth boundary amendments impacting 3,341 acres of EFU. From 1988 till 2015, Oregon lost 62,298 acres of farm land according to the 2014-2015 Oregon Farm and Forest Report. Other bills being considered this session will allow additional housing to be developed on farm lands.

These bills are not consistent with the protection of Oregon's farm land, and once it is lost to development, it does not return to agricultural uses. Decisions regarding the siting of solar and wind developments on farm lands should be strengthened, not weakened as both HB 3050 and HB 2023 will do.

In addition to removing the noted sections of HB 3050, if it goes forward, it should be amended in the following ways:

1. In order to site solar developments on high value farm lands (with or without water rights), the developer must show the energy will be used to serve Oregon customers.
2. There must be a showing that there is a need for the energy to meet Oregon's renewable energy requirements that cannot be met with currently approved developments.

3. Approval must be obtained from all landowners within ¼ mile of the development.
4. A bond must be issued to cover the costs of returning the site to its pre-construction state once the development is no longer producing energy.
5. Eminent domain will not be utilized to develop transmission lines necessary to connect the development to the grid.

HB 2023 should not be allowed to leave this committee as it has no redeeming qualities and is intended to serve Umatilla Electric's desire to build 300 acres of solar developments without having the inconvenience of having to obtain an exception to current land use laws.

Thank you very much for considering these comments.

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