

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. While the focus of this bill has been the actual location of the 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 high value farm land whether irrigated or not when connecting the development to the grid. These right of way impacts can far exceed the land used for the solar development. Describing the proposed development as only impacting "waste land" which is arguable in the first place avoids the related impacts of this development.

Using a bill impacting the entire region to accommodate Umatilla Electric's desire to build solar developments makes no sense. 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, which by the accounts of many is too liberal already. 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 local 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 production, nearly all energy produced in Oregon is renewable. Electricity use has been flat or going down for several years due to things such 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) totaling 2312 Mw of additional wind which have been approved, but not yet 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 when a process exists for them to obtain approval through the local county? 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 can cause more damage than the solar development.

Submitted by Irene Gilbert, Legal Research Analyst on behalf of the  
Friends of the Grande Ronde Valley