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Via e-mail: hee.exhibits@oregonlegislature.gov

House Committee on Energy and Environment
900 Court Street NE
Salem, OR 97301

RE: HB 2329 EFSC Jurisdiction on Energy Facilities

Dear Chair Helm and Honorable Members of the Committee:

Thank you for the opportunity to provide testimony on HB 2329. 1000 Friends of Oregon has been closely tracking the work around renewable energy facility siting in Oregon. We participated in the recent DCLD Solar Energy RAC as well as the ODOE RAC that is on-going and addresses siting issues. We are opposed to this bill in its current form.

HB 2329 would allow renewable energy projects of almost any size to avoid the EFSC permitting process. Our major concerns are:

This bill requires counties to review large infrastructure projects with no financial or technical support. This bill would result in energy projects of all sizes, regardless of complexity, being reviewed through the local county land use process. In most cases, the current county land use process is the inappropriate forum for review of a large energy infrastructure project, such as a 7000-acre solar array, a 20,000 acre wind farm, or geothermal energy production wells. Counties, especially rural counties with low populations and fewer local government resources, lack capacity to address and review the complex siting issues relating to these large projects. For example, a county would need to review issues including: wildlife habitat mitigation across larger areas, cultural resources impacts, water quantity and quality impacts, and conflicts with other surrounding uses, as well as manage multiple stakeholders and a public involvement process. No additional funding is being provided as part of this bill to help counties navigate such a process.

Second, as you may know, most counties have not updated their Goal 5 resources inventories for many years. And, they are not required to apply ODFW's Habitat Mitigation program. We are concerned that if large projects with substantial conflicts with wildlife habitat are sited through a county process, there will be no coordination

with ODFW or adherence to their mitigation programs, which are connected to Oregon's larger Conservation Strategy. This type of ad hoc approach to siting will have negative impacts on Oregon's efforts to conserve species and habitats across the state.

Third, energy infrastructure development is inherently a statewide issue, not conducive to being reviewed at the local level with no coordination. EFSC's process may not be the perfect vehicle, but we urge you to focus on improving that process for all participants, including the public, instead of reinventing the wheel.

In closing, 1000 Friends of Oregon wholeheartedly supports Oregon's goals to divest of fossil fuel dependence and reduce carbon emissions. We do not see the EFSC process as a barrier to those goals, as many renewable energy projects have been successfully site through EFSC. In fact, we are uncertain but believe that no project has even been denied by EFSC. We urge the Legislature to focus on how to achieve a sustainable, appropriate and successful siting process that meets the needs of all stakeholders by improving the current process. For all of the above reasons, we request that you oppose this bill.

Thank you for your consideration.

Sincerely,

Meriel L. Darzen
Rural Lands Staff Attorney