



FRIENDS OF THE COLUMBIA GORGE

March 5, 2019

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

RE: Oppose HB 2329 to remove all wind energy projects and all but the largest solar projects from the jurisdiction of the Energy Facility Siting Council

Dear Chair Helm and Members of the Committee:

Friends of the Columbia Gorge (“Friends”) is a nonprofit organization with approximately 7,000 members dedicated to protecting the outstanding resources of the Columbia River Gorge National Scenic Area and supporting its communities. Friends is dedicated to protecting the outstanding scenic beauty, natural resources, cultural heritage, and livability of the Columbia River Gorge National Scenic Area.

HB 2329 would exempt from Energy Facility Siting Council (“EFSC”) jurisdiction all geothermal and wind energy projects, all but the largest solar energy projects on high-value farmland, and high-voltage transmission lines of any length that connect new projects – whether powered by wind, solar, coal, natural gas, or any other mechanism – to the grid. Staffed by the Oregon Department of Energy, EFSC is the expert agency for siting energy projects in the state. EFSC consults with other Oregon agencies (ODFW for wildlife, DOGAMI for seismic hazards, SHPO for historical and cultural resources, etc.) to ensure that the resources that are supposed to be protected under law are, in fact, protected.

This bill would cut the expert agency out of the decision-making project. Despite this, the industry says that it would reduce the time for review, and it would lower costs for industry. The only way to cut out the expert agency and still reduce cost and time would be to curtail the level of review. Friends is concerned about going from a system that gives robust process in front of

an expert agency to something that is a patchwork of standards and processes in front of 36 decision-makers with different capabilities both fiscally and in levels of expertise.

The -1 amendments do not fix the problem. “[S]hall consider, to the extent applicable” is a pretty weak standard. Friends suggests: “the application must address, and the local government shall require, that the standards adopted by the Energy Facility Siting Council under ORS 469.470 (2) and 469.501, to the extent that they are more protective than the local government regulations, are fulfilled.” That could help ensure that there is a baseline for the standards. However, it still leaves open the issue of less process and, potentially, the capabilities of some of the local governments to carry out thorough review within the 150-day time period.

For the reasons above, Friends opposes HB 2329.

Thank you for this opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. McCoy', written in a cursive style.

Steven D. McCoy
Staff Attorney