



April 16, 2021

To: Senate Committee on Energy and Environment

From: Oregon Association of Conservation Districts (OACD)

Re: HB 2109 Renewable Energy Facility Permitting

Chair Beyer and Committee Members,

The Oregon Association of Conservation Districts (OACD) opposes HB 2109 unless amended. OACD represents Oregon's 45 Soil and Water Conservation Districts, which are special districts governed by countywide elected boards. The Districts protect and enhance soil quality, water quality and quantity, and habitat by supporting voluntary conservation in partnership with private landowners and managers as well as federal, state, and nonprofit partners.

OACD appreciates the effort in this bill to clarify requirements for siting certain renewable energy facilities. However, OACD contends that this bill is a missed opportunity for further improvement in the way the state permits renewable energy facilities.

OACD's primary concern is locating solar facilities on farmland because these facilities can require large land areas that take important farmland out of production. Other concerns are as follows:

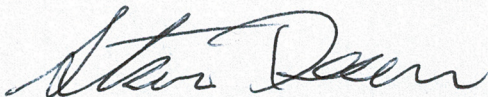
- Solar facilities are disproportionately located on private land compared to public lands, and in certain regions of the state, private farmland is already in short supply.
- The current laws for siting solar facilities are very complex and are difficult for the public to understand which hinders participation in the process.
- The definition of high value farmland, which ties to the siting criteria, does not adequately recognize the difference in soil types between the east and west sides of the Cascades. On the east side there are predominantly soils of lesser quality according to our soils classification system, however, they are still vital to agriculture and need to be kept in production.

It is recommended that this bill be amended to require the Department of Land Conservation and Development (DLCD) to lead a study in conjunction with the Energy Facilities Siting Council (EFSC) and counties to:

- Evaluate ways to simplify the regulatory process for siting solar facilities,
- Evaluate options that will further protect farmland from being taken out of production by solar facilities,
- Evaluate options to modifying the definition of high value farmland in ORS 195.300 to adequately recognize the differences in soil types on the east and west side of the Cascades in relation to the local agricultural practices, and
- Make recommendations to Legislature on statutory and regulatory improvements.

OACD recognizes the importance of solar facilities to our renewable energy future. However, developing solar facilities to secure our energy future can be done without sacrificing valuable farmland.

Thank you for the opportunity to provide input in your decision-making process.



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