



House Committee On Agriculture, Land Use, Natural Resources, and Water

To: Chair Ken Helm, Vice Chair Annessa Hartman, Vice Chair Mark Owens, Representatives Court Boice, Mark Gamba, Bobby Levy, Pam Marsh, Susan McLain, and Anna Scharf.

This letter serves as my testimony in favor of HB 3180. Thank you to the bill sponsors and proponents for their effort in drafting these concepts. This bill offers the urgent relief needed for proposed solar projects to move forward in Oregon. I am grateful to have participated in some of the robust conversations held at the co-convened siting table workgroup over these past months, where diverse stakeholder interests have provided plentiful input on the concepts contained within this bill.

I am an experienced solar project developer in both Oregon and adjacent western states. Though I love my home state, it's inarguable that it is one of the hardest states to work in for renewable energy development. Many renewable energy development companies view the Oregon Market as completely infeasible due to extreme land use hurdles that cannot be overcome without intensive repair, hurdles that have been in place for years. The siting table collaborative approach merging its concepts with HB3180 is the closest we have ever come to achieving meaningful land use relief in Oregon for siting projects. Bill concepts and goal 13 reform aimed at fixing these issues have been proposed incessantly for years, but the can has always been kicked further down the road. As a state, we have come to the end of the road. We must pass HB3180 with the proposed amendments to the next phase of approval.

As a practitioner and proponent of responsible development, having worked closely with several Oregon counties for stakeholder engagement and permitting projects, I have witnessed county staff act expertly in their local community's time and time again, siting all sorts of complex developments successfully while balancing land use and community perspectives. For this reason, I am strongly in favor of raising the sizing and threshold acreages of projects that can site at the county level. The size of a project can often feel like an arbitrary constraint in contrast to our lack of transmission capacity in Oregon. HB3180 with the proposed amendments doesn't remove any of the meaningful robust aspects of siting projects in Oregon; instead, it works to remove roadblocks on land adjacent to transmission corridors, particularly focused on land with water and soil constraints. Transmission is the resource that solar projects are dependent on, it is absolutely essential to unshackle the renewable energy community when assessing these lands for proposed projects.

Projects above 12, 20, and 320 acres, depending on the soil classification, must take a Goal 3 exception and seek a conditional use permit on the practical land type for development in Oregon. The conditional use permitting process is robust and comprehensive, while the current Goal 3 exception is subjective, extremely expensive to generate land use applications with and, most important of all, very unlikely to have legal standing. Even besides that, the Goal 3 exception process is needlessly expensive to both county resources and time. The approval of a Goal 3 exception puts counties at risk of said approval being appealed to LUBA before anything meaningful is accomplished at all. Both the time and the money invested in this process could easily be put to much better use in a multitude of ways.

Mirroring the Goal 3 exception relief, on certain lands as described in the bill and proposed amendments at the ESFC siting council, will enable clean energy development in Oregon to have more than one



pathway forward. State agencies can easily get backlogged with work. Ensuring that County and State processes are aligned is an intelligent and strategic means to expediting the State's clean energy goals.

Project development often takes upwards of five years. Short term and quick relief is necessary if Oregonians want to encourage the increased energy independence that comes with well sited and responsibly developed projects in the state, as well as reap the benefits of increased tax income to counties and more jobs construction and clean energy sectors. Without it, we risk these benefits passing us by in favor of other, more decisive states.

Allow counties and landowners to utilize their lands for renewable energy development in a way that practically works. With the 5% cap on EFU lands per county, focused on water and soil constrained parcels adjacent to transmission corridors, Oregon will be well poised to take advantage of the benefits that come with incorporating clean energy into the state, finally freed of outdated constraints.

In Service

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