

HB 3422 STAFF MEASURE SUMMARY

House Committee On Climate, Energy, and Environment

Prepared By: Erin Pischke, LPRO Analyst

Meeting Dates: 3/25, 4/3

WHAT THE MEASURE DOES:

The measure allows the Energy Facility Siting Council (EFSC) to allow an exception to a one or more statewide planning goals for siting an energy facility if EFSC finds that the following standards are met: 1) reasons justify why the state policy embodied in the applicable goal should not apply; and 2) areas that do not require a new exception cannot reasonably accommodate the proposed facility. The Act applies to statewide planning goal exceptions taken on or after the effective date of this Act. It takes effect on the 91st day following adjournment sine die.

- *FISCAL: Minimal fiscal impact*
- *REVENUE: No revenue impact*

ISSUES DISCUSSED:

- Solar development on farmland
- Differences between county and state energy siting processes
- Comparison of Oregon and other states' energy siting laws

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Large energy facilities developers in Oregon must apply for a site certificate from the Energy Facility Siting Council before they can begin construction. The certificate or amended certificate authorizes the applicant to construct, operate, and retire the facility subject to the conditions set forth in the site certificate or amended site certificate, including on what land the facility can be built.

Oregon's statewide planning goals and guidelines indicate the state's preference for restricting urbanization and preserving farmland through the implementation of strict zoning rules. Under current Oregon law, lands zoned for exclusive farm use have a set of activities and structures allowed on their premises. Common non-farm uses include commercial activities in conjunction with farm use, home occupations, and utility facilities necessary for public service.