

House Committee on Climate, Energy and the Environment  
Oregon State Capitol  
900 Court St. NE  
Salem Oregon 97301

March 23, 2025

Dear Chair Lively, Vice-chairs Gamba and Levy, and members of the committee,

Hello,

My name is Daniel Earl, and I am a Partner and Owner Representing Earl Ranch Partnership and Earl Ranch LLC. Our operations are located at 60906 Hwy. 216, Grass Valley, Oregon. I am a farmer who lives and works on the land where I was born and raised here in Sherman County. We are a 100% family-owned and operated farm. I am the third generation to tend the land, a fourth generation is actively involved, with a young fifth generation waiting to come alongside and learn the business.

My grandfather and father founded Earl Ranch in 1948. The farm is operated by family members: my two brothers, my brother's wife, and myself, with one nephew full-time and assistance from other nieces and nephews during our peak seasons. We own approximately 4,800 acres, of which 3,200 acres is suitable for crop cultivation, while the remaining 1,600 acres is scab land with gravelly and thin soils that are unsuitable for farming.

Our primary wheat cultivation practice involves a Summer Fallow rotation. Given our location in a low-rainfall region and the absence of irrigation, we are limited to raising one crop every two years on our land. The soil depth in my area of South Sherman County ranges from 18 to 36 inches, with a solid basalt base in many areas. The success of our wheat crop hinges on timely winter rains and the potential for springtime precipitation. Our average yield per acre is approximately 35 bushels. However, during drought years, this yield can plummet into the single digits, while exceptional years may reach 50 bushels on our best soils.

The past few years have been challenging due to declining commodity prices and escalating input costs. Diesel, fertilizer, chemicals, repairs and equipment have experienced significant price increases that exceed our income. The falling commodity prices have rendered it impossible to offset the inflationary pressures associated with inputs. As a wheat farmer, we are price takers, and our product's market value is determined by the Chicago Board of Trade. Factors such as weather conditions in Russia and Australia, embargoes and tariffs, conflicts in Eastern Europe, and trade policies in China significantly influence these prices.

The installation of solar panels on our property presents a significant opportunity for our family, providing us with the means to establish a degree of stability in our operations. This development has enabled us to maximize the value of our land by making it available for solar power production. As a family, we have been contemplating solar contracts for over four years. We have thoroughly evaluated contracts and offers from approximately a dozen companies, gaining a comprehensive understanding of their terms and conditions. Additionally, we sought guidance from individuals who have already signed contracts with other companies, gaining insights into their requirements and concerns to inform our legal counsel in crafting a contract that addressed all of our concerns.

The land has always held paramount importance for our family. Among the most crucial considerations was the ability, as descendants of generations who have managed the land, to exclude areas of our property that we cherish from solar development. We have preserved several hundred acres of our most productive cropland to continue farming and other areas to serve as a wildlife habitat. With our working knowledge of the land, we recognize that the land we set aside for solar development, combined with the land reserved for farming and wildlife, represents its optimal, most productive, and reasonable use.

Furthermore, we have engaged in discussions with Brookfield Renewables, the solar developer, regarding the potential integration of agrivoltaics into the project. Meetings with Chad Higgins from Oregon State University, an expert in the field of agrivoltaics, have piqued our interest in its possibilities. Brookfield has expressed openness to this concept, and we are eager to collaborate with them to foster innovation in this emerging field.

We have serious concerns regarding HB 3422, which includes broad language regarding the siting of energy facilities. Oregon already has an equitable and thorough process to determine if an energy facility is appropriate for a proposed site. HB 3422 introduces new uncertainty that would allow individuals outside the area to have undue influence on the siting of a project. It's hard for me to accept the notion that, if this bill passes and becomes law, a future group without any direct knowledge of my land or ultimately a court of law would have a better understanding of its suitability for a solar project. It already takes years of rigorous studies and a meticulous process from the time we signed our contract until the project may finally be built. No additional processes or delays are necessary.

As a landowner, I strongly oppose any attempts to dictate what constitutes a "reasonable" use of my land. I am aware of the existing laws governing my land and should be permitted to operate within them. This bill unnecessarily introduces new uncertainty into our existing legal framework and processes. It stipulates that

a goal exception cannot be granted if an area cannot "reasonably accommodate the proposed facility." However, what may seem unreasonable to someone unfamiliar with the land, may not necessarily be unreasonable to me and my nearly 50 years of experience in tending it. If this bill were to become law, most proposals would likely end up in the courts, leaving it to them to determine what my land can "reasonably accommodate."

My farm will benefit from renewable energy. If HB 3422 were to pass, it could jeopardize my family's farm operation. By setting aside a portion of our land to generate a stable source of income, we can ensure that future generations will not be threatened by factors beyond our control, such as drought, falling commodity prices, inflationary effects on inputs, or international political posturing. As a family farmer responsible for ensuring the stability of our operation, I urge you to reject advancing HB 3422 and any other bill that infringes upon a landowner's right to put their property to its best use.

Sincerely,

Daniel S. Earl  
Partner/Member  
Earl Ranch/Earl Ranch LLC  
Grass Valley, Oregon