

HB 4076 A -2, -3 STAFF MEASURE SUMMARY

Senate Committee On Energy and Environment

Prepared By: Beth Reiley, LPRO Analyst

Meeting Dates: 2/25

WHAT THE MEASURE DOES:

The measure requires the Energy Facility Siting Council (EFSC), while evaluating an energy facility's compliance with statewide planning goals, to find that certain standards are met if the energy facility will deliver electricity to the electric grid utilizing its surplus interconnection and does not require associated transmission lines more than two miles from the energy facility's site boundaries. It defines "surplus interconnection" as any capacity at the point of interconnection under an existing energy facility's interconnection agreement that is not being utilized and does not exceed the energy facility's original interconnection capacity.

Minimal Fiscal Impact

No Revenue Impact

House Vote: Ayes, 36; Nays, 5

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-2 The amendment allows a local government to justify an exception to statewide land use planning goals that protect agricultural land in order to permit a renewable energy facility, if certain conditions are met. The amendment establishes that the Act takes effect on 91st day following adjournment sine die.

Detailed Summary:

A local government may approve such an exception if the proposed facility:

- uses unused capacity at an existing energy facility's connection to the electric grid and does not exceed the facility's original interconnection capacity
- does not require new transmission lines extending more than two miles beyond the boundaries of the existing energy facility
- county adopts findings addressing: availability of suitable non-resource land for the project, availability and use of existing infrastructure, access, and rights-of-way, public health and safety, compatibility with surrounding agricultural and rural uses. mitigation plan to address potential impacts, and compliance with applicable local, state, and federal requirements.

The Act would take effect 91 days after the end of the 2026 regular legislative session.

- No Revenue Impact
- Minimal Fiscal Impact

-3 The amendment establishes that the Act takes effect on 91st day following adjournment sine die.

- No Revenue Impact
- Minimal Fiscal Impact

BACKGROUND:

Energy Facility Siting

According to the Oregon Department of Energy, EFSC is "responsible for overseeing the development of large electric generating facilities, high voltage transmission lines, gas pipelines, radioactive waste disposal sites, and

other projects.” State law requires developers to apply for a site certificate and undergo an EFSC review to ensure the potential project meets certain siting standards. If the developer’s site certificate is approved, the developer is authorized to construct and operate the facility.

Surplus Interconnection

Surplus interconnection refers to using an existing grid interconnection’s unused capacity to add new electricity resources—renewable or nonrenewable—at the same location, without exceeding the original interconnection limit. By relying on already approved interconnection services, it may enable faster, lower-cost deployment of new generation compared to standard interconnection processes.

Executive Orders

In October and November 2025, Governor Tina Kotek issued two executive orders relating to supporting Oregon’s clean energy development: Executive Order (EO) 25-25 explicitly targets accelerating wind and solar energy development before federal clean energy tax credits are eliminated. EO 25-29 declares that reliable clean energy and related infrastructure are necessary to enable sustained economic growth and meet rising energy demands.

In part, EO 25-29 directs executive branch agencies to support investment in and deployment of clean electricity infrastructure. It also directs agencies to take actions to “develop and implement a coordinated, proactive approach to streamline land use and environmental reviews, siting and permitting, and interconnection processes for clean energy projects, energy storage, and associated transmission and distribution infrastructure.”