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February 13, 2026

House Committee on Climate, Energy, and Environment  
Oregon Legislative Assembly

Re: Concerns with HB 4076-1

Chair Lively, Vice-Chair Gamba, Vice-Chair Levy, and Members of the Committee:

On behalf of the Oregon Farm Bureau (OFB) and our 6,500 members from across the state, thank you for the opportunity to provide our perspective on HB 4076 with the -1 amendment. OFB is the state's most inclusive agriculture organization, proudly representing family farms and ranches that produce more than 220 agricultural commodities. From hops and hazelnuts to cattle, cranberries, and timber with operations spanning from just a few acres to thousands, our members utilize all farming methods including organic, conventional, regenerative, biotech, and even no-tech.

Like other sectors, Oregon agriculture depends on reliable, affordable energy, and we recognize the importance of increasing energy generation in Oregon and doing so efficiently. We also appreciate the technical work that goes into aligning energy facility siting with statewide planning goals.

That said, we submit these comments in cautious opposition to HB 4076-1 because we still have questions about how this amendment would operate in practice. The proposal is highly technical, and its real-world effects are not yet well understood by many impacted stakeholders. When policy changes are complex and process-driven, unintended consequences can be easy to miss until after they are embedded in statute.

Our principal unease is that HB 4076-1 appears to adjust the pathways by which the Energy Facility Siting Council may determine compliance with statewide planning goals and related exceptions. Even if the intent is to improve clarity or efficiency, we are concerned the changes could, in practice, reduce the rigor of safeguards that help keep energy development from expanding into valuable agricultural land.

Does HB 4076-1 inadvertently create an incentive to obtain a permit for an artificially large energy development facility in hopes that the “supplemental generation” pathway can later backfill the capacity gap? If the answer is “possibly,” then the bill could unintentionally encourage applicants to pursue oversized initial approvals, with later “supplemental” development becoming more of an expected second step than a truly limited add-on. That kind of incentive structure would be difficult to unwind once established.

We are concerned about creating a system that could lower the threshold for encroachment upon farmland and are uncertain if HB 4076-1 could serve as a mechanism for that. Oregon’s land use framework has long sought to balance the need for energy infrastructure with the protection of agricultural land and the long-term viability of farming. Statutory changes that make it easier—directly or indirectly—to site or expand facilities in rural areas should be approached with great care, especially where the practical effect could be a gradual conversion of farmland to nonfarm uses.

For this reason, Oregon Farm Bureau is currently opposed to HB 4076-1.

Thank you for the opportunity to submit testimony for the record.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ryan J. Krabill', with a long horizontal flourish extending to the right.

Ryan J. Krabill  
Oregon Farm Bureau