



March 4, 2019

House Committee on Energy and Environment
900 Court St. Salem, Oregon 97301
Subject: House Bill 2329

Chair Helm and Members of the Committee,

On behalf of the Community Renewable Energy Association (CREA) I appreciate this opportunity to submit these comments regarding House Bill 2329, legislation to allow counties in the state to evaluate and issue land use approvals for larger renewable energy projects in Oregon. CREA is an ORS 190 intergovernmental association. Members include counties, irrigation districts, councils of government, project developers, for-profit businesses and non-profit organizations. CREA supports business and economic opportunities through renewable energy development in a competitive environment. We support use of free enterprise principles to create economically and environmentally responsible electric generation within the State of Oregon. With both local governments and project developers as members, CREA has a unique perspective on this issue.

With these comments I would like to reiterate those submitted by the chair of CREA's executive committee, Morrow County Commissioner Don Russell. As commissioner Russell expressed in his comments, there is ample evidence to believe that energy generation permitting is done much more efficiently and **with greater** local public involvement when completed at the county level. Counties have planning commissioners comprised of local citizens and community leaders who listen to their neighbors opinions, pro and con, regarding projects within their communities. They work directly with developers to address the concerns their fellow citizens may have with proposed projects. Counties have professional in house staff and the capability of contracting for outside expertise to assist them in the permitting process. If concerns are identified with a project, the best and most effective way to deal with them is through a collaborative approach between project developers and the local officials and citizens most impacted by the proposed project.

This is contrasted by the current situation as exemplified by the comments of David Brown of Obsidian Renewables. While the situation Obsidian describes in his comments is a bit unusual due to the size of his referenced project, his experience is nonetheless reflective of the significant challenges developers face with the current EFSC process. Simply stated, the process is, in no small degree, simply too expensive, too time consuming and too uncertain.

This is not without repercussions. One cannot and must not assume that a project will be built irrespective of the time and financial burdens placed on these projects in the permitting process. Developers have limited capital with which they will deploy for their projects. They must make decisions on where to deploy that capital based on a number of factors. The time and expense of the EFSC

process is one of those factors. They have to make a decision to build a project in Oregon, or alternatively a solar project in Utah or a possibly a wind project in Wyoming or Montana. And this can be the case even if the purchaser of the project output is an Oregon based utility.

Oregon's legislature has for years now has expressed its intention to see renewable energy developed, and developed in Oregon. We believe that the current EFSC approach takes an overly narrow view of their responsibilities, at times exhibiting what can be reasonably characterized as bureaucratic over-reach. It at times fails to look at Oregon's land use, environmental, economic and energy policies sufficiently wholistically. As such CREA lends its support to HB 2329 believing that allowing developers to:

- utilize either EFSC or counties in which their projects are located as a permitting option,
- while continuing to require thorough review of standards when siting renewable energy projects, including
 - reviews and approval of solar projects greater than 200 acres on high-value farmland
 - compliance with all applicable state law, and
 - consultation with interested stakeholders and agencies

is an appropriate balancing of Oregon's energy, environmental and economic development interests, policies and laws. We urge your approval.

Sincerely,

A handwritten signature in blue ink, appearing to read "Brian Skeahan". The signature is fluid and cursive, with the first name being the most prominent.

Brian Skeahan
Executive Director.