



Oregon

Tina Kotek., Governor

Department of Fish and Wildlife

Office of the Director

4034 Fairview Industrial Drive SE

Salem, OR 97302

(503) 947-6044

FAX (503) 947-6042

odfw.com

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To: The Honorable Ken Helm, Chair
House Committee on Agriculture, Land Use, Natural
Resources, and Water



House Bill 3179

Debbie Colbert, Deputy Director for Fish and Wildlife Programs
Oregon Department of Fish and Wildlife

The Oregon Department of Fish and Wildlife (ODFW) appreciates this opportunity to provide information relevant to the House Bill 3179 -2 amendments and has no position on the bill or amendments.

As Oregon progresses toward its renewable energy goals to address climate change, the State has maintained its commitment to responsibly siting projects to avoid, minimize, or mitigate impacts fish and wildlife habitats.

Development of energy projects without adequate mitigation for impacted habitats can negatively affect species reliant upon those landscapes, including Oregon Conservation Strategy species and big game species. For example, fenced solar fields that cover hundreds of acres can have significant negative impacts to ungulate populations (e.g., deer, elk, pronghorn) by creating barriers to migration, removing critical winter forage, displacing animals onto adjacent highways (creating mortality and safety risks) or onto adjacent farmlands (creating conflict risks).

It is possible to thoughtfully site renewable energy projects while addressing these species and habitat needs – in fact, over 57,000 acres of solar have been permitted, are under review, or have been built since 2011 (4,485 MW; 90 square miles). This accounts for nearly half of the 100% clean energy goal by 2050 scenario described in the [State's Biennial Energy Report 2022](#).

The -2 amendments to HB 3179 would reduce species and habitat protections by:

- Introducing undefined criteria for considering and mitigating impacts to species populations and habitats;
- Removing accountability for mitigation by allowing “future performance” obligations;
- Accepting fee funded mitigation without standards or assurances of the permanence and sufficiency of mitigation provided; and

- Abdicating the state's authority to review project proposals on federal lands.

In considering the -2 amendments proposed, it is important to note the extensive effort and collaborative conversations that went into the wildlife habitat mitigation standard for siting renewable energy projects adopted in HB 2329 in 2019. The -2 amendments would reduce the 2019 standard in exchange for standards that have had little conversation and provide less transparency. Perhaps additional amendments could be considered that increase the project thresholds as proposed in the -2 amendments but retain the habitat protections negotiated in the 2019 statute changes, or perhaps there is opportunity to have conversation about specific siting zones that have less overall conflict. Overall, the lack of a statewide energy strategy makes it difficult to know whether changes in the current regulatory framework are necessary.

The Department appreciates the opportunity to provide background on this bill. **Renewable energy resources are vital to reducing greenhouse gas emissions and these projects can be permitted and constructed in a way that supports climate resiliency for both people and species.**

CONTACTS:

Debbie Colbert, Deputy Director, (503) 947-6072