



March 28, 2023

House Committee on Agriculture, Land Use, Natural Resources, and Water  
Oregon State Capitol  
900 Court Street NE  
Salem, Oregon 97301

***Re: HB 3179 – Oppose***

Chair Helm, Vice-Chair Hartman, Vice-Chair Owens, and members of the Committee,

Thank you for the opportunity to provide testimony on HB 3179. Central Oregon LandWatch (“LandWatch”) is a conservation organization that, for more than 35 years, has protected Central Oregon’s forests and high desert, rivers and springs, fish and wildlife, and its vibrant communities. We work to conserve the region’s ecosystems, wildlife habitat, and working rural lands balanced with a responsible, sustainable approach to planning and fostering thriving communities.

**We oppose HB 3179 because it weakens protections for wildlife habitat.** Oregon must provide 100% clean, renewable energy to power our homes and businesses, and solar photovoltaic facilities are a crucial component of that goal. Oregon must also provide adequate habitat for its native wildlife populations that are critically stressed by the dual threats of climate change and the increasing encroachment of human development. These goals are not mutually exclusive, but HB 3179 unnecessarily threatens the survival of many of the state’s iconic species.

We echo other commenters who report that nearly half of the renewable energy needed to meet the State’s 100% clean energy goal by 2050 is represented in the 57,000 acres of solar photovoltaic facilities that have already been built, permitted, or are currently under review. This solar development has been accomplished pursuant to existing law and its protections for wildlife habitat.

Only four years ago, in the 2019 legislative session, a broad collaborative effort resulted in the passage of HB 2329. That bill provided meaningful habitat mitigation standards for solar photovoltaic facility development tied to the Oregon Department of Fish and Wildlife’s statewide conservation strategy. The current bill, HB 3179 and Section 1 of the -2 amendments, would significantly weaken those standards and provide broad authority for local decisionmakers to decide what type of habitat mitigation is satisfactory. HB 2329 (2019)’s framework for habitat mitigation provides for real, effective mitigation of habitat impacts and should remain in place.





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We also oppose increasing the acreage thresholds for county jurisdiction over solar photovoltaic facilities proposed in Sections 1 and 3 of this bill. Jurisdiction over projects of that size should remain at the Energy Facilities Siting Council (EFSC) to ensure that the impact of large facilities are reviewed from a statewide perspective and not subject to local processes and biases.

Finally, the state should continue to review projects either wholly or partially sited on federal land. Current EFSC review of these projects is not duplicative of federal NEPA review but rather ensures state-federal coordination of energy development and furthers public participation in both processes.

Current Oregon policy strives for a future that includes both 100% renewable energy and thriving ecosystems and wildlife populations. HB 3179 alarmingly disrupts that balance, and we respectfully request it not pass out of this Committee.

Thank you for your consideration of this testimony.

Regards,

Rory Isbell  
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Central Oregon LandWatch



WE DEFEND AND PLAN FOR CENTRAL OREGON'S LIVABLE FUTURE