



February 15, 2024

Oregon State Legislature  
House Committee On Agriculture, Land Use, Natural Resources, and Water  
900 Court St. NE  
Salem, OR 97301

**RE: Opposition to House Bill 4090**, Relating to the permitting of energy facilities.

Dear Chair Helm, Vice-Chair Hartman and Owens, and Members of the House Committee On Agriculture, Land Use, Natural Resources, and Water,

On behalf of the more than 74,000 members and supporters of the Sierra Club Oregon Chapter, we are writing in opposition to HB 4090. If this bill passes, Oregon will lack state-level oversight of energy facilities that help ensure that Oregon protects its unique environment, ensuring public safety as it secures an adequate energy supply. And without the -3 amendment, it will exempt nuclear power plants built on federal land specified in the 1980 ballot measure law.

The Energy Facility Siting Council (EFSC) protects Oregonians by thoroughly reviewing proposals to ensure they meet [siting standards](#). These standards cover issues such as land use, environmental impacts, noise concerns, and cultural and archeological artifacts. If a developer meets those standards they are authorized to construct and operate the facility. The council then has ongoing regulatory authority over the construction and operation of the facility.

In a Sightline article titled: "[Is the Permitting Process for Transmission Lines Really Broken?](#)" the author draws attention to ongoing pressure for permitting reform. There is concern that environmental reviews have taken too long; federal and state permitting processes may be redundant; and state and local interests hold too much sway over nationally important lines. However, it is dangerous to get rid of state and local interests in favor of national decision-making.

**It is critically important to note that existing policy and regulatory efforts are underway to shorten review processes and improve permitting coordination.** This year on federal

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land for these types of projects the National Environmental Policy Act (NEPA) permitting process is under significant review and potential modification.

Instead of HB 4090, please consider revising [HB 3181](#), which is a similar effort in 2023 that was considered, but did not pass. That bill would have required state agencies to identify ideal locations and streamline the siting of transmission lines and renewable energy. The bill included funding “Opportunities and Reducing Conflict in Energy Siting process.”

A collateral problem with HB 4090 (without the -3 amendment) is that it would remove EFSC jurisdiction over nuclear facilities on federal land. This would exempt nuclear reactors sited on federal land in Oregon from requirements of the 1980 ballot measure passed by Oregon voters. The Sierra Club opposes nuclear power plants that generate high-level radioactive waste poisoning land, air and water for generations. This issue was remedied by the -3 Amendment, but this highlights the need for greater scrutiny of HB 4090 as a whole. We strongly urge you to vote no on HB 4090 and move this conversation to the interim and next legislative session.

Research performed by the Nature Conservancy called [The Power of Place - West](#) analyzed many possible scenarios for achieving clean energy and climate goals across the West. It revealed that it is possible to avoid harm from development of new clean energy infrastructure. It found that Western states can affordably and reliably meet all their future energy needs, achieve economy-wide net-zero greenhouse gas emissions reductions, and dramatically reduce impacts to wildlife and natural areas.

The climate crisis and transition to renewable energy is of critical concern, but compromising core environmental principles, public input, and valuable local expertise and conditioning is not the answer. Instead, support ongoing rulemaking efforts to establish streamlined renewable energy and transmission line permitting and collaborative proposals to carefully ensure that we find the right places for our ongoing and accelerating renewable energy transition.

Thank you for this opportunity to comment. We urge your opposition to HB 4090.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Damon Motz-Storey', written in a cursive style.

Damon Motz-Storey, Chapter Director  
Sierra Club Oregon Chapter