

February 26, 2024

Senate Committee on Energy and Environment
900 Court St. NE
Salem, OR 97301

Re: SB 969 - oppose

Chair Sollman, Vice-Chair Smith, and Members of the committee:

Thank you for the opportunity to provide testimony on SB 969. Central Oregon LandWatch (“LandWatch”) is an Oregon non-profit, public interest organization of about 950 members. Its offices are located in Bend, Oregon. LandWatch’s mission is to defend and plan for Central Oregon’s livable future, and it has advocated for the preservation of natural resources in Central Oregon for over 30 years.

LandWatch is concerned by SB 969, which removes jurisdiction of the Energy Facility Siting Council (EFSC) over renewable energy and transmission projects located exclusively on federal lands. While we support efforts to accelerate the transition to clean energy, we believe that such changes should be made carefully, with appropriate stakeholder engagement, and in a manner that ensures the continued protection of environmental and community interests.

Key Concerns:

1. Lack of Stakeholder Engagement

SB 969 has the potential to impact a wide range of stakeholders. Major changes to renewable energy siting, like those proposed in SB 969, should be refined through a transparent, process-based approach that includes meaningful input from all interested parties. Unfortunately, this bill has not undergone a robust public process, and stakeholder consultation has been limited. We strongly urge that the legislature ensure that decisions of this nature involve collaborative and inclusive dialogue to achieve the best possible outcomes for Oregon’s communities and environment.

2. Lack of Demonstrated Need

LandWatch is unaware of any renewable energy projects in Oregon that have been developed exclusively on federal lands. Without clear evidence of the need for this policy shift, it is difficult to justify removing EFSC jurisdiction. We are concerned that this



proposal may not be a necessary or priority step in advancing Oregon's clean energy goals.

3. Ongoing State Efforts to Address Solar Siting

Oregon has already initiated significant work to address solar siting challenges. Specifically, HB 3409, passed in 2023, directs the Land Conservation and Development Commission (LCDC) to adopt administrative rules aimed at "Finding Opportunity and Reducing Conflict in siting Photovoltaic Solar Power Generation Facilities." The relevant rules advisory committee (RAC) has been meeting since March 2024 and is currently seeking public input on proposed rules for Eastern Oregon.

4. Uncertainty at the Federal Level

There is significant uncertainty at the federal level regarding potential changes to the National Environmental Policy Act (NEPA) and public land management policies. Considering this uncertainty, it is more critical than ever that Oregon safeguard our state's natural resources and wildlife by ensuring that renewable energy projects undergo thorough environmental review.

We respectfully request that you do not pass SB 969. We would be happy to engage further with your offices and other stakeholders to explore ways to improve solar siting in Oregon while ensuring that environmental protections and community interests are maintained.

Sincerely,



Jeremy Austin
Wild Lands & Water Program Director
Central Oregon LandWatch
2843 NW Lolo Dr St. 200
Bend, OR 97703

