

To House Committee on Climate, Energy and the Environment

Support for HB 3681 – Clean Energy Permitting

10 March 2025

Chair Lively, Vice-chairs Gamba and Levy, and members of the Committee:

My name is Dr. Pat DeLaquil. I am an energy system modeler and climate policy analyst, and I organize with MCAT (Mobilizing Climate Action Together), a community of volunteers working on advancing a healthy climate and a green economy for future generations.

I testify today in support of HB 3681, which will update regulations for siting clean electric power plants and transmission lines by streamlining the permitting process, while still ensuring proper oversight of environmental and other impacts. HB 3681 is critical legislation that is essential to meeting Oregon's goal of supplying abundant, zero-carbon electricity to consumers by 2040.

Much of Oregon's environmental regulations governing the siting of electric power plants were written predominantly to minimize the air, water and solid waste pollution from fossil-fuel fired power plants. This required very thorough rules, which were successful, in part, to cleaning up our land, air and water. However, these strict rules don't apply to renewable energy resources and are creating excessive delays to permitting and building the clean power infrastructure necessary for Oregon to meet its climate targets. In addition, state requirements for permitting new transmission lines are both complex and duplicative, hampering efforts to expand the electricity grid in response to increased demand.

To address this issue, a transmission workgroup was formed to address the need for technological upgrades and better coordination among public utilities, grid operators and state/federal agencies. The workgroup consisted of 80+ members, representing utilities and stakeholders, who met over the past year and a half to review the current state of our energy and transmission grid in Oregon and around the West, and to brainstorm policy ideas. HB 3681 is a result of that process.

The bill makes a number of changes to administrative regulations that are designed to speed the permitting process, while still ensuring proper oversight of environmental and other impacts. The most important changes are to:

- Speed reviews of EFSC (Energy Facility Siting Council) contested cases by shortening timelines to a maximum of one year. Require that EFSC include, in all its final orders about site certificates, any decisions related to or arising from a contested case. Direct all appeals of contested case decisions directly to the Oregon Supreme Court.
- Allow minor site boundary changes without the need for amending an EFSC-issued site certificate, and allow companies with site certificates to file requests to extend, by up to three years, the specified deadlines for beginning or completing construction. Requests to extend deadlines will be granted if (i) they are first or second-time requests, (ii) the applicant is in substantial compliance with the site certificate, AND (iii) if the site certificate is for a solar PV generating facility, an electric power generating plant or a battery energy storage system.
- For overhead transmission lines, narrow the criteria for Oregon Public Utilities Commission (OPUC) review of petitions for certificates of public convenience and necessity (CPCN). Direct OPUC to review petitions for CPCNs without first requiring the petitioner to obtain land use approvals.

- For high voltage transmission lines, allow site certificates to serve as conclusive proof of public convenience and necessity in condemnation proceedings or other proceedings involving interests in land. Allow high voltage lines with statewide significance to be placed in areas zoned exclusively for farm use.

I urge you to support HB 3681 to modernize and streamline the permitting process for clean energy infrastructure, while still ensuring proper oversight of environmental and other impacts. This legislation is critical to meeting Oregon's goal of supplying abundant, zero-carbon electricity to consumers by 2040.

Thank you.

Dr. Pat DeLaquil
Gresham, OR

