

House Committee On Climate, Energy, and Environment
Oregon State Capitol
900 Court St. NE
Salem Oregon 97301



March 24, 2025

From: *Community Renewable Energy Association - CREA*
Subject: *Testimony in opposition of HB 3422*

Honorable Chair Lively, Vice Chair Gamba, Vice Chair Bobby Levy, and members of the committee.

I am writing in opposition of **HB 3422**, on behalf of the Community Renewable Energy Association (CREA).

CREA is an ORS 190 intergovernmental association. Members include counties, irrigation districts, councils of government, project developers, for-profit businesses and non-profit organizations. CREA supports business and economic opportunities through renewable energy development in a competitive environment. We support creating economically and environmentally responsible electric generation within the State of Oregon.

The issue that this bill raises from CREAs perspective touches on both land-use and established process. We do not feel that it is practical for EFSC to be looking for alternative sites for applications on a statewide scale, rather than simply making a determination as to whether or not a site in question meets an allowable use, and making a ruling based upon facts and findings.

The exception process for the statewide planning goals is already established, and requiring an alternative site analysis for every project creates additional burdens for not only the state agencies, but especially the landowners across the state, when the process for seeking other uses of their land is already cumbersome and can be highly restrictive.

The true deciding factor in choosing a site for energy generation (aside from proximity to transmission), is the necessary presence of one thing... a willing landowner. This is also the individual whose property rights are typically in question.

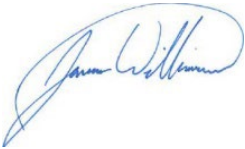
The applicant and the landowner are not always the same person. This is a piece that often gets forgotten, as we see the applicant as the party who loses when an application is denied, when in fact it's the property owner. Opening the conversation up to looking at other lands, on a statewide scale, owned potentially by people who are not in the room, becomes a dangerous slope. This is something that even on a local level, County planning commissions do not like to get in the habit of.

Evaluating an application based on personal preference in a quasi-judicial setting gets messy very quickly when we start looking at lands far outside of the scope of the application, and even into other governing jurisdictions.

It's always more appropriate to make determinations based upon the facts and findings of the individual case as to whether or not it's an allowable use? Does it qualify for an exception to the statewide planning goals? and not get into a question of personal preference around other lands in the state, or even county, that aren't part of the application.

CREA is currently opposed to HB 3422, but we look forward to continuing the conversation around the subject it raises. Thank you for your time and consideration on this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "James Williams", with a stylized flourish at the end.

James Williams
CREA Executive Director