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House Committee on Climate, Energy, and Environment

Testimony in opposition of HB 3422

Submitted by Lauren Link, TNC OR State Policy Advisor

Chair Lively, Vice-Chairs Gamba and Levy, and Members of the Committee:

Thank you for the opportunity to provide testimony on HB 3422, which adds standards that must be met for the Energy Facility Siting Council (EFSC) to take an exception to a planning goal for a proposed energy facility. **The Nature Conservancy (TNC) opposes HB 3422**, as we believe that the current goal exception process conducts a comprehensive analysis, providing adequate consideration for protecting Oregon's diverse land uses as well as balancing the need to meet our state's clean energy goals.

As a non-partisan, science-based organization, The Nature Conservancy (TNC) in Oregon works in communities across the state, manages lands and waters in varied ecosystems, and partners with ranchers, farmers, fishers, timber, and environmental interests on some of the most challenging conservation issues facing people and nature. TNC wants to help Oregon meet its clean energy goals with least impact to our natural and working lands, wildlife habitats, and communities and we have been working collaboratively in this space since 2007 to develop voluntary standards and conduct extensive analyses that include promising evidence that we can reach our clean energy future with least impact to wildlife and working land. HB 3422 does not help Oregon reach these goals.

In the current EFSC goal exception process, technical, environmental, and economic considerations, including proximity to transmission, are taken into account when determining whether a site is suitable for energy development. Adding additional requirements that ask EFSC to look at all alternative sites across the state creates a burdensome process, that could lead to increased costs and risk, along with lengthier permitting timelines which is counter to our statewide need to increase renewable energy resources.

This bill's added requirements also circumvent the 2023 legislative directive to convene a rulemaking led by the Department of Land Conservation and Development (DLCD) - a process that has thoughtfully convened diverse stakeholders to identify least conflict areas and new pathways for solar siting in Eastern Oregon. We agree on the importance of reconciling the urgent need for renewable energy development with other land use interests and community needs; however, we believe these collaborative efforts are already underway through the DLCD Solar Siting Rules Advisory Committee (RAC).

Over the last year, TNC has participated in the RAC, made up of various stakeholders, representing conservation, renewable energy advocates, counties, wheat growers, Farm Bureau, labor, and many others. We have had productive conversations on identifying least conflict areas of solar siting, habitat and agricultural mitigation needs, and how to engage local jurisdictions in energy development. We also have agreed upon rules that will be set for a vote at the Land Conservation and Development

Commission in June of this year. HB 3422 would undermine the time commitment and good faith collaboration that RAC members, agency staff, and community members have given to this process and the potential pathways identified.

We urge the committee to not move this bill forward. Thank you for your consideration of these comments.