

Senate Committee on Energy and the Environment
Oregon State Capitol
900 Court St. NE
Salem Oregon 97301

March 27, 2025

Dear Chair Sollman, Vice-chair Smith, and members of the committee,

My name is Daniel Earl, and I am a Partner and Owner Representing The Earl Family, Earl Ranch Partnership and Earl Ranch LLC. Our operations are located in Grass Valley, Oregon. I am the third generation to farm, live and work on this land. Land on which I was born and raised here in Sherman County. We are a 100% family-owned and operated farm.

I am writing to express our strong opposition to Oregon Senate Bill 1034, which poses a significant threat to the established, objective, and science-based process currently employed by the Energy Facility Siting Council (EFSC) for renewable energy facilities. This bill aims to subvert and undermine the thorough and evidence-based approach with a subjective process that could be influenced by local political winds, personal bias and misinformation. Such a shift would be detrimental to the development of renewable energy in Oregon and undermine the integrity of our judicial system.

One of the most concerning aspects of SB 1034 is its attempt to limit the jurisdiction of the Oregon State Supreme Court by restricting the judicial review process. The bill proposes a local review process that is vaguely defined, leaving crucial decisions to be dictated by local individuals without regard to the comprehensive, fact-based studies currently mandated by the EFSC. While not a comprehensive list, these studies required by EFSC include such things as, assessments of soil, wetlands, bats, raptors, wildlife (large and small), native plants, cultural resources, ecological and economic impacts. All studies required by EFSC ensure responsible and sustainable renewable energy development. Not a single one of these objective, science based, studies will be required to be considered by the local board, but instead the decision can be made on a subjective whim.

The politics and interactions within rural communities must also be considered. Every community has its own unique culture and set of interpersonal relationships. For instance, if Farmer A signs a solar lease while Farmer B doesn't, and Farmer B holds a long-standing grudge against either Farmer A or renewable energy in general, there's a high likelihood that the project won't be locally approved, regardless the EFSC determination that Farmer A's land is perfectly suitable for it. Even though Farmer A's project is backed by sound science-based studies, Farmer

B's subjective 'feelings' could overshadow within the community the impartial, objective assessment by EFSC. There's no way to guarantee that a fair and impartial local committee can be selected to objectively review and assess a renewable energy project. I'm seeing this in my region right now. People are either for pursuing renewable energy or against any renewable development at all. There's very little, if any, middle ground. This is why it's crucial that the State Supreme Court's role in these matters must be preserved.

Moreover, the proposed changes would introduce significant delays to the already lengthy approval timeline for renewable energy projects. From the day a lease is signed, it takes several years to complete the required studies and secure EFSC approval. SB 1034 would exacerbate these delays, creating a chilling effect on renewable energy companies' willingness to invest in Oregon. This is particularly concerning at a time when we should be encouraging, not discouraging, the growth of clean energy solutions.

Additionally, this bill poses a serious threat to individual landowner rights. By shifting control away from a structured, objective process, SB 1034 undermines landowners' ability to utilize their land as they see fit for renewable energy purposes. This not only hampers personal freedoms but also stifles opportunities for economic growth and environmental sustainability.

For these reasons, I urge you to oppose SB 1034 and advocate for the continuation of the EFSC's proven, science-based approach to renewable energy facility siting. Let us not allow misguided policies to derail Oregon's progress toward a cleaner, more sustainable future.

Thank you for considering my perspective on this critical issue.

Sincerely,

Daniel Earl
Earl Ranch
Earl Ranch LLC