HB 4076 B STAFF MEASURE SUMMARY **Carrier:** Sen. Smith DB

Senate Committee On Energy and Environment

Action Date:	02/25/26
Action:	Do pass with amendments to the A-Eng bill. (Printed B-Eng.)
Vote:	4-0-1-0
Yeas:	4 - Golden, Pham, Robinson, Sollman
Exc:	1 - Smith DB
Fiscal:	Has minimal fiscal impact
Revenue:	No revenue impact
Prepared By:	Beth Reiley, LPRO Analyst
Meeting Dates:	2/25

WHAT THE MEASURE DOES:

The measure establishes criteria under which the Energy Facility Siting Council (EFSC) and local governments may justify an exception to statewide land use planning goals to permit certain energy facilities that use unused interconnection capacity at an existing facility. The measure takes effect on the 91st day following adjournment sine die.

Detailed Summary:

- Defines "surplus interconnection" as any capacity at the point of interconnection under an existing energy facility's interconnection agreement that is not being utilized and does not exceed the energy facility's original interconnection capacity
- Requires EFSC to find that the state policy reflected in the applicable statewide land use planning goal should not apply to the permitting of an energy facility if the facility will deliver electricity to the electric grid utilizing its surplus interconnection and does not require new transmission lines extending more than two miles beyond the site's boundaries
- Authorizes a local government to approve an exception to statewide land use planning goals relating to agricultural lands if the following are done:
  - The county adopts findings addressing specified land and infrastructure availabilities; public health and safety; compatibilities with surrounding land uses and mitigation plans to address potential impacts on such uses; and compliance with applicable local, state, and federal requirements
  - The proposed renewable energyfacility uses unused interconnection capacity at an existing facility without increasing the existing facility's originally authorized grid capacity and does not require new transmission lines extending more than two miles beyond the site's boundaries

ISSUES DISCUSSED:

- Types of energy
- Ability to utilize an energy facility's full capacity

EFFECT OF AMENDMENT:

The amendment allows a local government to justify an exception to statewide land use planning goals that protect agricultural land to permit a renewable energy facility if certain conditions are met. The amendment establishes that the measure takes effect on the 91st day following adjournment sine die.

Detailed Summary:

A local government may approve such an exception if all of the following apply:

- The proposed renewable energy facility uses unused capacity at an existing energy facility's connection to the electric grid, does not exceed the existing facility's original interconnection capacity, and does not require

new transmission lines extending more than two miles beyond the boundaries of the existing facility

- The county adopts findings addressing the availability of suitable non-resource land for the project; the availability and use of existing infrastructure, access, and rights-of-way; public health and safety; compatibility with surrounding agricultural and rural uses; a mitigation plan to address potential impacts; and compliance with applicable local, state, and federal requirements

BACKGROUND:

Energy Facility Siting

EFSC and county governments have the authority to site energy facilities in Oregon. Whether or not a project can be reviewed by EFSC or a county depends on the project's scope and size. EFSC has the authority to site large energy projects and those requested for review by developers. County governments have the authority for siting projects below certain thresholds as determined by the legislature.

Surplus Interconnection

Surplus interconnection refers to using an existing grid interconnection's unused capacity to add new electricity resources—renewable or nonrenewable—at the same location, without exceeding the original interconnection limit. By relying on already approved interconnection services, it may enable faster, lower-cost deployment of new generation compared to standard interconnection processes.