

Fixing Solar Energy Permitting Issues

Support HB 3179

Background

Facilitation of successful solar permitting in Oregon is critical, both to decarbonization success and to realization of immense economic opportunity for Oregon, comprising billions of dollars of opportunity for rural labor income, property taxes, grid resiliency investments, and economic alternatives for agricultural lands.

Problem

Permitting issues are slowing or stalling efforts to site and approve new renewable energy projects in Oregon. Specifically:

- The Oregon Department of Fish & Wildlife (ODFW) has imposed narrow and burdensome habitat mitigation requirements, which prevents counties from approving more impactful mitigation options to benefit local wildlife.
- The Oregon Department of Transportation (ODOT) has denied requests to place renewable energy transmission infrastructure in public rights-of-way.
- The Energy Facility Siting Council (EFSC) site certificate process has become increasingly burdensome, now expected to take 1-2 years and cost more than \$1 million. EFSC is also requiring site certificates for projects sited wholly on federal lands, which is duplicative of more onerous federal review under the National Environmental Policy Act (NEPA).
- A permitting backlog is anticipated to occur at EFSC, which has mandatory jurisdiction over utility-scale solar projects exceeding certain acreage thresholds. Smaller projects can be reviewed and approved at the local level.

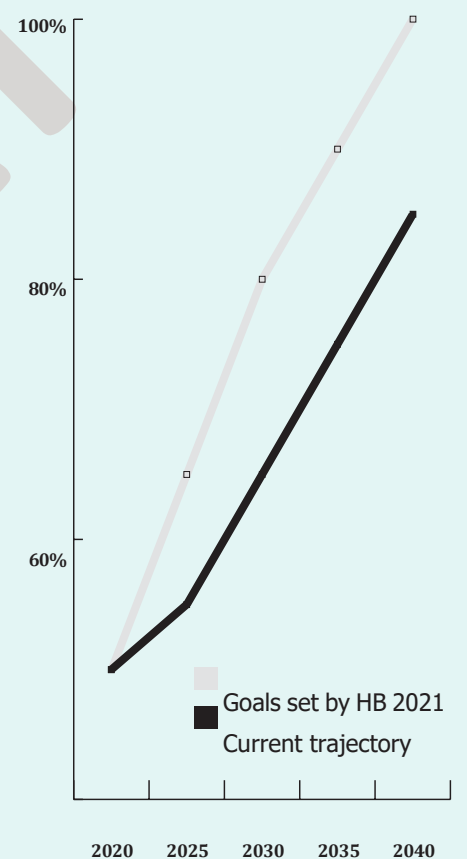
Solution

This bill provides targeted actions to facilitate and expedite successful solar permitting and remedy known and expected logjams that current policies create. To address the problems, the bill would:

- Expand county permitting jurisdiction for solar projects (doubling applicable acreage thresholds).
- Require EFSC to create a solar-specific fast-track permitting process, given the relative simplicity of solar projects, to reduce permitting backlogs expected to explode in years ahead, as well as mitigate the current \$MM permitting costs designed for nuclear and fossil plants. And Clarify that EFSC shall not require a duplicative state permit for facilities sited wholly on federal land that undergo NEPA review.
- Allow public highway ROWs to be used for gen-tie lines owned by independent power developers (not just electric utilities).
- Enable counties to consider mitigation solutions focused on improving wildlife outcomes (not just ratios of habitat acres, irrespective of habitat quality), to encourage better outcomes and/or focus development on lesser quality ground.

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Percentage of zero emission energy production in Oregon.