

Opposition to Proposed Amendments to SB 1034 (Amendment SB 1034-3)

Senate Committee On Rules
Oregon State Capitol
900 Court St. NE
Salem Oregon 97301

June 3, 2025

Dear Chair Jama, Vice-chair Bonham, and members of the committee,

We are writing to express strong opposition to Senate Bill 1034 as well as the proposed -3 amendments to Senate Bill 1034, which would significantly alter ORS 469.504 and undermine the clarity, consistency, and integrity of Oregon's renewable energy facility siting process.

While the stated intent of the amendment may be to enhance local engagement, the practical effect is to further complicate and obscure a process that should be governed by objective, statewide criteria. These changes would subject renewable energy developers to unpredictable, subjective decision-making by locally selected boards through the special advisory group structure, rather than the uniform standards currently administered by the Energy Facility Siting Council (EFSC).

Key Concerns:

1. Subjectivity and Inconsistency Replace Objectivity

The proposed amendment introduces new requirements that force solar and wind projects to either comply with local ordinances or "work with" counties to address unspecified concerns. This language is vague and creates uncertainty. The current EFSC process already allows for local input and integrates local criteria where appropriate, this amendment distorts that balance by giving loosely defined local bodies veto-like power, outside a standardized framework.

2. Creates Redundancy and Legal Ambiguity

Requiring compliance both with state-level planning goals and potentially conflicting local ordinances introduces a new layer of bureaucracy. It also increases the risk of contradictory rulings and legal challenges. Rather than streamlining renewable energy development, which Oregon desperately needs to meet climate goals, this amendment makes the process murky and fragmented.

3. Discourages Renewable Investment

Energy developers require certainty to make long-term infrastructure investments. The inclusion of "county concerns" as a quasi-formal hurdle, especially without defining the threshold or process for resolution, signals to clean energy investors

that Oregon is no longer a predictable place to do business. The amendment deters projects from moving forward or even being proposed, especially in more rural counties where political dynamics may shift frequently.

4. Undermines the Role of EFSC

The EFSC was designed as an expert, statewide body to apply consistent and rigorous review to energy projects. This amendment erodes EFSC's authority by tying its hands when local advisory groups either do not respond or impose incompatible standards. It would no longer be an expert-driven process, but one overly politicized and vulnerable to local pressure.

A Better Path Forward:

If the goal is to strengthen local involvement, that can be achieved through better engagement within the existing EFSC framework, not by rewriting the rules in a way that elevates subjectivity over established process. The state should preserve and improve the existing objective siting system, one that is transparent, equitable, and based on statewide needs and goals.

For these reasons, We respectfully urge you and your colleagues to reject SB 1034 and the proposed -3 amendments to SB 1034.

Thank you for your attention to this important matter.

Sincerely, Sherman & Wasco County Land Owners

Daniel Earl

David Earl

Stan Earl

Terri Earl

Debra Bates

Bruce Bates

Johnny Buether

Wendell Clodfelter

Ormand Hilderbrand, PaTu Wind Farm

Jean Hulbert

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