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Renewable
Northwest
Project

October 6, 2011

Land Conservation and Development Commission
635 Capitol Street, N.E., Suite 150
Salem, OR 97301

RE: Proposed OAR Revisions for Solar PV Facility Permitting

Dear Commissioners:

Renewable Northwest Project (RNP) appreciated both the opportunity to serve on the Solar Rules Advisory Committee (SRAC) and the significant efforts borne by Commissioners Hanley Jenkins and Christine Pellet and DLCDC Staff throughout this process. The persistent efforts of the Commissioners and Staff, along with guidance provided by the Governor's Natural Resource Director Richard Whitman, were crucial in finding the greater degrees of compromise that were achieved later in the SRAC process. Notably, the removal of the alternatives (ESEE) analysis and the specific exclusions of small-scale net metering and feed-in tariff projects from the rules were significant steps towards bringing balance to the proposed amendment. However, we are still left with significant concerns and discuss these below.

Foremost, we believe that the broad authority given to wildlife management agencies to require site assessments and potentially mitigation not based on the existence of federal and state special status species at the project site places an undue and significant burden on parties seeking to develop solar PV facilities. Ultimately, this creates a high level of uncertainty for business planning purposes and does not accomplish our goal of creating a more streamlined and less burdensome permitting process for solar PV. This type of permitting regime is not required for other development activities on EFU land seeking conditional use permits and should not be required for solar PV facilities, which are relatively benign especially when sited on non-arable lands – where satisfying the wildlife criteria is required under the proposed amendment.

Furthermore, given the State's goal to create more homegrown and clean renewable energy and the associated jobs and economic development, we believe a 100-acre limitation for PV facilities on non-arable land is too restrictive. With the recent advance of the solar PV industry and significant decreases in technology cost, more utility-scale PV projects are being constructed throughout the West. Many of these projects are 20MW or larger in size, and some reach up to 500MW. A 100-acre limitation would allow for roughly 10MW of solar PV to be developed before needing to seek a Goal 3 Exception – a relatively small project when compared to developments in other states.

We believe that solar PV can provide farmers with diversified and stable income that strengthens their agricultural operations, and that state land use policy should accommodate this use. If at some point in the future, a policy is

put forward that recognizes the economic, environmental, and energy security benefits of truly encouraging solar PV on non-arable Oregon land, we would happily endorse and support that measure.

Sincerely,

A handwritten signature in blue ink, appearing to read 'ASchumaker', with a stylized, cursive script.

Adam Schumaker
Policy Associate
Renewable Northwest Project