



October 17, 2016

Greg Macpherson, Chair  
Oregon Land Conservation and Development Commission  
635 Capitol Street N.E.  
Salem, Oregon 97301

Dear Chair Macpherson:

Recently the Board of Agriculture received a request from the Oregon Soil and Water Conservation Commission (SWCC) for assistance in dealing with concerns they have related to the siting of solar power generation facilities on valuable farmland in the Willamette Valley. They are particularly concerned about the use of Land Conservation & Development Commission (LCDC) rules that allow for the siting of solar facilities on high-value farmland as long as a facility does not preclude more than twelve-acres from commercial enterprise. This has proven to be a very real issue because several facilities have already been approved for development on high-value farmland and there are ongoing outreach efforts by solar energy companies to landowners within exclusive farm use zones to acquire rights to develop more.

The SWCC has questioned why solar facilities are allowed to be sited on high-value farmland when other nonfarm land uses are not. They also question why alternative sites not involving high-value farmland are not required to be considered first. Discussion also involved a suggestion of the need for a working group to consider issues such as:

- The possibility of a moratorium on land use applications involving solar facilities.
- A review and analysis of the criteria used to approve solar facilities.
- Consideration of rule changes that would give better protection to Willamette Valley farmland.
- Better consideration of the impacts to nearby landowners.
- Better consideration of the impacts to wildlife, livestock or other agricultural enterprises.
- Better consideration of the impacts to soils and other natural resources.
- The need for financial bonding or other assurances to mitigate removal and restoration of sites that are approved for solar facilities to their original agricultural production capability.

At its September 2016 meeting, the Board of Agriculture considered the request of the SWCC for assistance. After a good discussion, the Board expressed similar concerns to those expressed by the SWCC. The board believes that the LCDC rules related to the siting of solar facilities on exclusive farm use lands may not be working out the way that was hoped when developed.



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After consideration of several options, the Board unanimously voted to request that the LCDC initiate an evaluation of the current administrative rules that address the siting of solar energy facilities on lands zoned for exclusive farm use. The Board was particularly concerned about the following issues: 1) the conversion of high-value farmland both individually and cumulatively, 2) the consideration of alternatives that do not involve high-value farmland, 3) the effectiveness of current review requirements related to the implications of solar development on surrounding farm operations, 4) the consideration of the cumulative impacts on the loss of agricultural land and the continued ability of area farms to operate effectively.

Thank you for your consideration of our concerns and request.

Sincerely,

A handwritten signature in black ink, appearing to read "Pete Brentano". The signature is written in a cursive, flowing style.

Pete Brentano  
Chair

Cc: Land Conservation & Development Commissioners: Sherman Lamb, Barton Eberwein, Catherine Morrow, Robin McArthur, Jerry Lidz, Melissa Cribbins

Board of Agriculture Members: Barbara Boyer, Tyson Raymond, Tracey Liskey, Laura Masterson, Pete Brentano, Sharon Livingston, Stephanie Hallock, Marty Myers, Luisa Santamaria

Jim Rue, Director, Land Conservation & Development  
Lisa Hanson, Acting Director, Oregon Department of Agriculture