

Report on Siting and Permitting Large-Scale Electricity Infrastructure



by the
OREGON
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REPORT ON SITING AND PERMITTING LARGE-SCALE ELECTRICITY INFRASTRUCTURE – 2026

Executive Summary

[Executive Order 25-29](#) directs Oregon agencies to streamline siting and permitting processes for clean energy projects, energy storage, and transmission infrastructure. In response, the Oregon Department of Energy's Energy Facility Siting Division evaluated its statutory authorities, rules, and practices to identify opportunities for greater efficiency while maintaining strong protections for public health, communities, and natural resources.

Oregon's centralized energy siting system is administered by the Energy Facility Siting Council (EFSC or Council) with staff support from ODOE's Siting Division. While EFSC is the final decisionmaker on all proposed energy projects and amendments to approved energy projects, ODOE staff conducts the day-to-day work and coordination in order to make recommendations to EFSC about whether a proposal complies with applicable requirements. The system was designed to consolidate multiple state and local reviews into a single, standards-based, quasi-judicial process. This approach ensures consistency, transparency, and robust environmental and public health protections, and reduces duplication across agencies. However, as the scale and urgency of renewable energy and transmission development have grown, pressures on EFSC and the Siting Division have increased.

This report finds that Oregon's current siting framework already includes many elements intended to streamline review, including consolidated state review; a single appellate path directly to the Oregon Supreme Court; statutory timelines; reimbursement mechanisms that support participation by Tribes, local governments, and peer state agencies; and a lifecycle compliance program that ensures projects are constructed and operated as approved. Over the last decade, EFSC and ODOE have undertaken significant modernization efforts through rulemaking, process improvements, digital tools, and clearer public guidance. Together these efforts have increased predictability and improved the efficiency of reviews while maintaining the state's commitment to environmental stewardship, public participation, and accountable energy development.

At the same time, several challenges continue to affect permitting timelines and workload. These include the growing size and complexity of proposed projects, increased interest and public participation, staffing limitations associated with the Siting Division's fee-based funding model, the length and resource intensity of contested cases, and coordination among Tribal, state, local, and federal review processes. In particular, transmission projects typically require coordination across multiple jurisdictions and agencies, adding inherent complexity independent of the state siting process.

This report highlights progress already made by ODOE and EFSC to improve and streamline the siting process, including restructuring EFSC's rules; improving the organization of application elements; strengthening coordination with Tribes and agencies; enhancing public engagement tools; updating standards, including wildfire prevention requirements; and modernizing the amendment processes. The report identifies ongoing efforts and recommendations for additional changes that could further improve efficiency and streamline permitting while maintaining meaningful public participation and robust environmental and public health protections. These efforts include ongoing rulemaking, improved internal financial and task-tracking accountability, expanded use of digital and geospatial tools, and early-phase coordination with applicants and Tribes.

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Finally, the report describes new and updated permit streamlining recommendations developed by ODOE. The recommendations reflect input received from interested parties, Tribes, the public, and EFSC members during review of the draft report. The recommendations identify actions that ODOE, the Siting Division, the Legislature, and other agencies could implement to achieve further efficiencies within the Siting Program. See [ODOE Recommendations to Streamline Siting Permitting](#) section and Table 1 below for a summary and report links for these recommendations.

Consolidated Review Process

Oregon's Energy Facility Siting Program is a consolidated review process. This means large energy project applicants do not need to seek multiple reviews from various jurisdictions and relevant agencies that have different review processes and appeal periods. Instead, the state's program works with the relevant jurisdictions and agencies within the single Energy Facility Siting Council review process.

While on balance the state's Siting Program simplifies the review of these projects by consolidating the reviews, it also means that the single review must be inclusive of numerous other agency standards, requirements, and permits, and have opportunities for those agencies to review and provide comments. Because large energy projects also have the potential to affect important state resources as well as adjacent landowners and communities, the review process is designed to be transparent and allow meaningful opportunities for public participation.

While there is a continued need to seek ways to streamline the review process and update the substantive requirements, care must be taken to ensure these efforts do not compromise the evaluation and protection of state resources or limit public participation.

Equity

The Siting Program's procedural and substantive requirements were developed before the state adopted a definition for environmental justice and equity. Through HB 4077, environmental justice is defined as, "equal protection from environmental and health risks, fair treatment and meaningful involvement in decision making of all people regardless of race, color, national origin, immigration status, income or other identifies with respect to the development, implementation and enforcement of environmental laws, regulations and policies that affect the environment in which people live, work, learn, and practice spirituality and culture." Throughout this report, ODOE summarizes opportunities for the public to participate in the EFSC process and provides examples of ongoing process improvements intended to incorporate environmental justice considerations and increase public accessibility to the siting process.

Report Organization

In addition to providing recommendations for streamlining clean energy siting, this report outlines the history of energy facility siting in Oregon, as well as current siting program fundamentals and past streamlining efforts, to provide a foundation for considering new ideas to further streamline the energy facility siting process in Oregon.

ODOE incorporated feedback from several opportunities to inform this Report on Siting and Permitting Large-Scale Electricity Infrastructure. ODOE reached out to the nine federally recognized Tribes through

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formal government-to-government letters, staff-to-staff discussion, individual in-person or virtual meetings with Tribal leaders and staff, and presentations through the Legislative Commission on Indian Services and cluster groups on clean energy topics through the development of multiple EO 25-29 directed activities and the implementation of the Oregon Energy Strategy.

Public comment opportunities included: an initial request for feedback on this report as well as ODOE's [Report on Reducing Barriers to Clean Energy Deployment](#), which had a comment period through March 20, 2026; request for comments on the draft Report on Siting and Permitting Large Electricity Scale Infrastructure, which had a comment period through July 24, 2026; and feedback received in public meetings, including a [June 26, 2026 Energy Facility Siting Council Meeting](#) and a [March 3, 2026 listening session](#). Additionally, ODOE considered comments relevant to this Report from the comment period held through July 2, 2026 on the draft Report on Reducing Barriers to Clean Energy Deployment. Recordings from these public meetings are available at the links above, and ODOE has posted a [combined pdf file](#) of the public written comments received on this report. ODOE received public feedback from 60 commenters in 26 unique comments and statements. ODOE also received technical assistance through the National Governor's Association to convene a retreat on transmission; a read-out from that retreat is available here: [Oregon Policy Academy Retreat on Energy Transmission](#).

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Tribal Land Acknowledgement

ODOE acknowledges that Indigenous Tribes and Bands have been with the lands that we inhabit today throughout Oregon and the Northwest since time immemorial and continue to be a vibrant part of Oregon today. We would like to express our respect to the First Peoples of this land, the nine federally recognized Tribes in Oregon:

- Burns Paiute Tribe
- Confederated Tribes of Coos, Lower Umpqua & Siuslaw Indians
- Confederated Tribes of Grand Ronde
- Confederated Tribes of Siletz Indians
- Confederated Tribes of the Umatilla Indian Reservation
- Confederated Tribes of the Warm Springs Reservation
- Coquille Indian Tribe
- Cow Creek Band of the Umpqua Tribe of Indians
- The Klamath Tribes

As the state engages in discussions about deployment of energy infrastructure in Oregon, it is important that we recognize and honor the ongoing legal and spiritual relationship between the land, plants, animals, and people indigenous to this place we now call Oregon. The interconnectedness of the people, the land, and the natural environment cannot be overstated; the health of one is necessary for the health of all. We recognize the pre-existing and continued sovereignty of the nine federally recognized Tribes who have ties to this place and thank them for continuing to share their traditional ecological knowledge and perspective on how we might care for one another and the land, so it can take care of us.

We commit to engaging in a respectful and successful partnership as stewards of these lands. As we are obliged by state law and policy, we will uphold government-to-government relations to advance strong governance outcomes supportive of Tribal self-determination and sovereignty.

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Executive Order 25-29 Section 2(C) Language

The [Oregon Energy Strategy](#), published by the Oregon Department of Energy in November 2025, identified five pathways that together represent the direction Oregon needs to take to meet its energy policy objectives – including an energy transition that will deliver clean, reliable, and affordable energy to all Oregonians. The five pathways are: (1) Energy Efficiency, (2) Clean Electricity, (3) Electrification, (4) Low-Carbon Fuels, and (5) Resilience. The second pathway, Clean Electricity, highlights the need to increase transmission capacity to access out-of-state generation resources as well as the potential benefits – from energy resilience to local economic development – of deploying more clean energy generation within the state. *The Energy Strategy calls for the state to facilitate energy infrastructure enhancement and expansion while avoiding, minimizing, and mitigating negative impacts on Tribal cultural resources, energy burden, natural and working lands, and communities ([Policy 2a](#)).*

Section 2(C) of Executive Order 25-29 builds on the Clean Electricity pathway of the Oregon Energy Strategy.

Section 2 - Get Clean Energy Projects Built. Agencies are directed to develop and implement a coordinated, proactive approach to streamline land use and environmental reviews, siting and permitting, and interconnection processes for clean energy projects, energy storage, and associated transmission and distribution infrastructure, with particular focus on those that contribute to energy affordability and reliability. This includes but is not limited to the following initiatives:

(c) Streamline Clean Energy Siting. Agencies identified in Section II.1.b of this Order shall evaluate and recommend actions to update siting and permitting processes to facilitate deployment of renewable energy, energy storage, and grid infrastructure needed to deliver reliable and affordable clean energy to Oregon consumers.

- i. Agencies shall evaluate existing authorities, rules, and practices to identify opportunities to streamline or increase the efficiency of siting and permitting processes within their jurisdiction for projects that:*
 - 1. Benefit Oregon ratepayers and enable clean energy projects to interconnect onto the grid; and/or*
 - 2. Involve upgrades to existing grid infrastructure and transmission expansion or co-location of renewable energy resources in existing rights of way.*
- ii. Where opportunities are found to exist, agencies shall recommend actions to:*
 - 1. Streamline existing processes;*
 - 2. Establish parallel paths that enable required studies, reviews, and approval processes to occur contemporaneously; and/or*
 - 3. Facilitate or accelerate interconnections for projects that reduce emissions, improve reliability, and benefit Oregon ratepayers.*

Agencies shall bring recommended proposed actions for discussion with their Boards or Commissions and will report their findings and recommendations to the Governor no later than September 1, 2026.

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ODOE Recommendations to Streamline Siting and Permitting

Table 1 identifies potential improvements that could help streamline and expedite permitting for energy facilities, some of which are in response to recommendations from comments received on the draft report. Each recommendation in this table is elaborated upon in the [Recommendations: Additional Opportunities for Improvement](#) section in the report; locations for this additional information are linked in the table.

Table 1: Recommendations to Improve and Streamline Siting and Permitting

Recommendation & Report Link Location (Ctl+Click)	Description
Increase Oversight and Capacity in Siting Division to Address Volume, Complexity, and Streamlining of Project Reviews	Stable and adequate staffing and managerial oversight is needed for Siting Division staff to conduct everything it is charged with doing on an annual basis, including supporting the implementation of the recommendations in this report. ODOE recommends adding an additional manager within the Siting Division to increase support and oversight. In addition, ODOE will conduct an evaluation of all of its annual requirements and determine the number and types of positions needed to complete those requirements for potential inclusion in the current and future budget cycles.
Align Siting Division Fiscal Policies and Procedures with Staffing Needs	To implement any staffing changes described above, adjustments will need to be made to the Siting Division’s funding model. ODOE will evaluate the Siting Division’s fiscal policies and procedures and recommend changes related to recommended staffing changes.
Streamline or Remove Contested Case Elements	The Contested Case phase includes several steps that may be reduced or eliminated without impacting the value of that phase. ODOE will recommend EFSC initiate a rulemaking to make appropriate changes. This group could also identify potential areas where legislation may be necessary if the proposed changes cannot be made through rule changes.
Identify Opportunities to Streamline Process for Low-Impact Facilities	Existing rules allow for an Expedited Review that omits the Notice of Intent phase for certain types of energy facilities (i.e. small MW capacity facilities). ODOE will recommend EFSC initiate a rulemaking to evaluate the potential for inclusion of low impact facilities.
Reduce Steps in Completeness Review Phase	ODOE currently conducts its completeness review of applications at the same time as it begins drafting findings in the Draft Proposed Order. ODOE will recommend EFSC initiate a rulemaking to evaluate the possibility of removing steps during the completeness review without impacting public and reviewing agency participation. This group could also identify potential areas where legislation may be necessary if the proposed changes cannot be made through rule changes.

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Recommendation & Report Link Location (Ctl+Click)	Description
Construction Extension Deadline Review	Beginning and ending construction deadline reviews serve as an important function to ensure a project complies with any changes to rules, laws, and requirements or facts on the ground after a site certificate is issued. If there have been changes, construction deadline reviews can be substantively significant. If there have not been changes, they are not. ODOE will recommend EFSC initiate a rulemaking project to evaluate streamlining the request to extend construction deadlines, while ensuring consistency with any changes in rules, laws, requirement or facts on the ground.
Reduce Time Between Notice of Intent and Project Order	Current rules establish what an applicant must include in their Notice of Intent and require ODOE to issue a Project Order no later than 140 days after the Notice of Intent is issued. The current average time for renewable energy projects is 104 days. ODOE will recommend EFSC initiate a to evaluate Notice of Intent submittal requirements and the possibility of reducing the 140-day timeframe.
Increase Standardization of Mandatory Conditions	Certain mandatory conditions in OAR 345 Division 25 are required to be used for all projects. There is the potential to include mandatory conditions which work in most circumstances and could minimize application submittal requirements and reduce the time associated with incomplete applications. During each Phase 3 described in the Rulemaking Section of this report, ODOE will seek opportunities to recommend mandatory conditions.
Appellate Rules Clarification	The opportunity and path to challenge certain elements of the siting process lacks clarity, which has led to challenges resulting in significant amounts of time and expenses for ODOE and the applicant/site certificate holder. ODOE will recommend EFSC initiate a rulemaking to evaluate clarifying these appeal paths. This group could also identify potential legislative ideas.
EFSC and NEPA Simultaneous Review Evaluation	While infrequent, there are projects that require both state and federal review. A subset of the standards required for both review processes is similar enough that information requirements can be the same or similar. ODOE will evaluate these subsets of standards in order to engage applicants and federal partners early in a review to clarify the timing and submission requirements that can work for both reviews.
Annual Exception to Goal 3 Exception Policy Memo Update and Workshop	In the last several years ODOE has drafted, shared, and updated its Policy Memo on EFSC Exceptions to Goal 3 to assist applicants in their understanding of which reasons EFSC accepts for exceptions to Goal 3 based on the projects it has reviewed during the last year. ODOE will recommend that EFSC annually include an agenda item to discuss the reasons it has accepted in approving exceptions to Goal 3 over the prior

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Recommendation & Report Link Location (Ctl+Click)	Description
	year and the acceptable evidence to support those reasons and invite questions and comments.
Enhance Early Engagement Efforts	Early engagement and participation with adjacent property owners and interested groups can lead to more efficient reviews. ODOE will work with developers to identify community outreach opportunities during the Notice of Intent and public commenting stages.
EFSC Training	EFSC regularly reviews extensive technical records and makes consequential decisions on applications, amendments and rulemakings. ODOE will evaluate existing onboarding materials and trainings and make changes to ensure Council members are well positioned to understand and be prepared for their responsibilities.
Project Updates to EFSC	ODOE provides quarterly financial and project schedule updates to applicants in writing which show the total hours and costs compared to those projected in the cost summary provided to applicants. ODOE will provide similar update to EFSC at a frequency they choose.
Responsible Use of Artificial Intelligence	Artificial Intelligence (AI) can be used to increase staff efficiency without compromising work product if implemented in a controlled manner, with clear limits, staff verification, and safeguards for accuracy, confidentiality, and public trust. ODOE is at the beginning stages of using AI and will evaluate potential additional uses
Implement Oregon Energy Strategy	The Oregon Energy Strategy includes two policy actions related to adequate division funding and enhancing the Oregon Renewable Energy Siting Assessment Tool. ODOE will implement these actions.
Implement the Oregon Department of Energy's 2026-2029 Strategic Plan	The Oregon Department of Energy's 2026-2029 includes Strategic Plan pillars related to engagement and collaboration; improving the understanding and clarity of the Siting Program; and identifying and addressing opportunities to make the program more accessible. ODOE will implement these pillars as related to the State Siting Program.

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Tribal Engagement Feedback and Themes

Throughout the development of the Oregon State Energy Strategy as well as this EO 25-29 directed Report, there was consistent emphasis on the importance of meaningful, early, and ongoing engagement in ODOE's discussions with many representatives of the nine-federally recognized Tribes in Oregon. In this section, ODOE is not including any specific priorities of Tribes or a level of detail that would run counter to our government-to-government process. Rather, staff synthesized feedback and reflected what was heard through these conversations so it could be internalized and applied in the development this report on siting and permitting of large-scale electricity infrastructure:

- **Comprehensive Review Framework with Depth and Consistency:** ODOE staff heard appreciation for the depth and consistency of consultation embedded within the EFSC process, noting that its structure, staff expertise, and statewide standards create an important pathway for evaluating potential impacts to culturally significant resources, First Foods, treaty-reserved rights, and Tribal homelands. ODOE staff also heard that EFSC's comprehensive review framework has historically provided a consistent venue for ensuring Tribal interests are incorporated into decisions.
- **Compensation for Tribal Government Review of Energy Facility Application:** ODOE staff heard appreciation for compensation provided for Tribal review of applications through the EFSC process. This financial support helps Tribal government staff meaningfully engage in technical review, cultural resource assessment, and government-to-government dialogue, particularly given the complex nature of the energy facility applications and the significant demands placed on Tribal governments' resources and capacity. ODOE staff heard that this compensation is not only practical but it also signals respect for Tribal expertise and acknowledges the time, knowledge, and stewardship responsibilities required to evaluate culturally significant landscapes, First Foods, and treaty-reserved rights.
- **Culturally Significant Landscapes, First Foods, and Treaty-Reserved Resources:** ODOE staff heard that rapid growth in large-scale solar, transmission, and data center development is accelerating long-standing pressures on culturally significant landscapes. Protection of First Foods, including water, fish, wildlife, roots, berries, and other habitat, is central to Tribal identity, cultural resilience, and treaty obligations. For example, these impacts are felt acutely in eastern Oregon where energy development is increasingly concentrated in areas that hold deep cultural, ecological and treaty-protected significance. Key concerns include habitat fragmentation, reduced access to traditional gathering places, and cumulative impacts on watershed health and species survival. ODOE staff heard that these impacts are not only environmental, but cultural and spiritual. There is interest in Oregon policymakers adopting clear, enforceable standards that prevent the degradation of First Foods and treaty-reserved resources.
- **Concerns Around County Review of Energy Facilities:** ODOE staff heard interest in having greater engagement on energy projects that are being evaluated at the county level. This has become more of an interest as more large-scale energy projects fall outside of the state's EFSC jurisdiction. During both the development of the Oregon State Energy Strategy as well as this EO 25-29-directed Report on Siting, ODOE staff heard concerns that county review processes can lack archaeological, cultural resource, and ecological expertise, making it difficult to fully evaluate project impacts to cultural landscapes, wildlife, fisheries, and traditional use areas. ODOE staff also heard that many counties have limited capacity, inconsistent notice practices,

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and incentives to approve development, which make Tribal participation challenging unless clear standards and structured engagement expectations are in place.

- **Prioritize Development on Disturbed or Non-Resource Lands:** ODOE staff heard forward-looking ideas aimed at reducing conflict and minimizing cumulative impacts. These include prioritizing development on disturbed or non-resource lands, aligning energy and land-use policies to reduce pressures on Tribal trust and cultural resource areas, and ensuring any streamlining permitting pathways include enhanced Tribal consultation and adequate support for Tribal participation.

It is important to recognize that Oregon's statewide land use planning system, established through SB 100 (1973), adopted statewide planning goals in the mid-1970s – including Goal 5 – a broad requirement for local governments to inventory, evaluate, and protect the state's natural, scenic, historic, and open space resources. Local comprehensive plans and exclusive farm use zoning areas were adopted through the late 1970s and 1980s. During this period of time, Tribes in Oregon did not exist as a matter of federal law due to the Western Oregon Indian Termination Act and the Klamath Termination Act, which were enacted by Congress on August 13, 1954 and terminated more than sixty western Oregon Tribes and bands. Federal recognition and restoration of Tribes came afterward and separately: Confederated Tribes of Siletz in 1977, Cow Creek Band of Umpqua Indians in 1982, Confederated Tribes of Grand Ronde Community in 1983, Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians in 1984, Klamath Tribes in 1986, and Coquille Tribe in 1989. Confederated Tribes of Umatilla Indian Reservation, Confederated Tribes of Warm Springs, and Burns Paiute Tribe were never terminated but this did not have a role in the creation of Oregon's land use system.

Tribal restoration and recognition did not reopen acknowledged comprehensive plans, remap EFU zoning, or reconstitute Goal 5 inventories. Restored Tribes inherited a state land use framework assembled during their legal absence and have been working inside that framework ever since. The Goal 5 cultural areas rules, OAR 660-023-0210, adopted and effective January 1, 2027, are an effort by Land Conservation Development Commission and Department of Land Conservation and Development to pursue systematic correction. The new rule defines cultural areas as archaeological sites and landscape features of cultural interest, including landscape features that are:

- Integral to a Tribe's history, legends, traditions, and stories
- Traditionally used for wayfinding
- Traditionally used for gathering first foods and materials
- Integral to ongoing Tribal cultural practices
- Traditional trails
- Sites that support traditions of a culturally identified group.

ODOE staff heard that additional systematic corrections are needed for Oregon's clean energy transition to succeed with Tribal rights, knowledge, and sovereignty embedded throughout planning, siting, permitting, implementation, and construction of energy projects.

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Siting Program Overview

History

Oregon’s large-scale energy siting program was established in its current form by the Oregon Legislature in 1975. Its broad purpose is set forth in Oregon Revised Statute 469.310:

*In the interests of the public health and the welfare of the people of this state, it is the declared public policy of this state that the **siting, construction and operation of energy facilities shall be accomplished in a manner consistent with protection of the public health and safety and in compliance with the energy policy and air, water, solid waste, land use and other environmental protection policies of this state (emphasis added)**. It is, therefore, the purpose of ORS 469.300 to 469.563, 469.590 to 469.619, 469.930 and 469.992 to exercise the jurisdiction of the State of Oregon to the maximum extent permitted by the United States Constitution and to establish in cooperation with the federal government a comprehensive system for the siting, monitoring and regulating of the location, construction and operation of all energy facilities in this state...*

The Siting Program was developed in the context of three significant events. The first was the enactment of the National Environmental Policy Act in 1970. NEPA requires federal agencies to consider the environmental impacts of all “federal actions” and provide opportunities for public participation.

The second was the passage of Oregon Senate Bill 100 in 1973, which established Oregon’s Statewide Land Use Program. This legislation created a statewide framework for land-use planning and required development and conservation objectives to be balanced under the 19 Statewide Land Use Planning Goals.¹ This framework encouraged development in urban areas while protecting agricultural lands, forests, and natural areas.

The third event, also in 1973, was the global oil crisis, which prompted efforts nationally and in Oregon to increase energy independence. Through legislation, the state determined that certain large-scale energy generation, transmission, and storage facilities were of sufficient statewide and regional importance to warrant a consolidated state-level review process. This approach also reduced the potential for inconsistent decisions among local governments. The procedural and substantive elements of NEPA and Oregon’s Statewide Land Use Program significantly influenced the creation of the Siting Program and are described further in the [Siting Program Fundamentals](#) section below.

The Energy Facility Siting Council’s earliest reviews in the 1970s focused primarily on nuclear and coal facilities. During the 1980’s, the range of facilities under review expanded significantly to include steam-generation, underground natural gas storage, transmission lines, hydroelectric facilities, and wind energy projects. EFSC approved its first wind energy project in Curry County in 1983, authorizing up to 850 wind turbines. Although the project was never constructed and its site certificate was later terminated, the approval marked the beginning of wind energy development under EFSC jurisdiction.

Beginning in the 1990s, natural gas-fired power plants became the predominant facility type reviewed by EFSC. Wind energy projects re-emerged in the 2000s and remained the dominant project type until 2017, when the first solar energy project application was submitted. Since then, most projects reviewed by EFSC have been solar facilities, often paired with battery energy storage systems.

¹ Department of Land Conservation and Development – [Oregon Statewide Land Use Planning Goals](#)

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Siting Program Fundamentals

Decision Authority

The Energy Facility Siting Council has decision-making authority over all applications for and amendments to state jurisdictional energy projects. If a project is approved, the Council issues a site certificate, which is a binding legal contract between the Council, acting on behalf of the State of Oregon, and the project developer. The Council is independent of the Oregon Department of Energy, which provides staff support to the Council. In carrying out its decision-making responsibilities, the Council must adhere to the required elements of the established quasi-judicial process, for example relying solely on the record of review to determine if a proposed project should be approved or denied.

Council members are volunteers appointed by the Governor and confirmed by the Senate and may serve up to two 4-year terms. There is a continual effort to ensure geographic and professional diversity of Council members to best represent Oregonians. Council members cannot have a financial connection with a developer of a state jurisdictional energy facility, or with those interested in establishing one.² A violation of this requirement could result in the revocation of an issued site certificate.

Comparison to Local Land Use – Decision-making authority for utility-scale energy projects varies by county. In most Eastern Oregon counties, where many energy projects are currently being considered, this authority generally rests with the County Planning Commission. Similar to EFSC, Planning Commissions are typically composed of volunteers appointed by the local government who exercise quasi-judicial review and decision-making authority. In some jurisdictions, a Planning Department or appointed hearings officer may instead serve as the initial decision-making authority.

Comparison to NEPA – For federal actions subject to review under NEPA, a lead federal agency is established. A “Responsible Official” for that lead federal agency is designated with sole decision-making authority. The designated official may vary depending on the type, scale, or controversy associated with the proposed project.

Standards Based Review

To receive approval from EFSC, an applicant must provide a preponderance of evidence³ to prove that each applicable standard is met. Each step in the Siting Program is designed to provide the applicant with the opportunity to submit evidence demonstrating compliance with applicable standards, while also providing opportunities for the public and reviewing agencies to participate in the process and evaluate whether impacts to the resources protected by standards are appropriately avoided, minimized, or mitigated. The same 16 standards apply to all EFSC jurisdictional projects, and are described in Table 2. Wind and transmission projects are subject to additional standards which are further described in the [Renewable Energy Projects](#) section and the [Transmission Line Projects](#) section.

² ORS 469.450(3)-(5)

³ OAR-345-021-0100(2). Where the preponderance of evidence means that it is more likely than not that the applicant has provided evidence to support that a standard is met.

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Table 2: EFSC Standards

Standard	Purpose
General Standard of Review	Establishes the overall framework of the review process requiring the applicant to provide enough evidence that they meet each standard. Creates the opportunity for the applicant to request “balancing,” whereby they document why a specific standard cannot be met but that the overall public benefits of the project outweigh the impacts of not meeting the standard.
Organizational Expertise	The applicant must have the organizational expertise to construct, operate, and retire the proposed facility in compliance with standards and conditions in the site certificate.
Structural Standard	The applicant, through appropriate site-specific studies, has adequately characterized the seismic hazard risk and the potential geological and soils hazards of the site and can design, engineer, and construct the facility to avoid dangers to human safety and the environment. Aligns with environmental justice and equitable practices to protect the environment in which people live, work, learn, and practice spirituality and culture.
Soil Protection	The design, construction and operation of the facility, taking into account mitigation, are not likely to result in a significant adverse impact to soils. Aligns with environmental justice and equitable practices to protect the environment in which people live, work, learn, and practice spirituality and culture.
Land Use	The proposed facility complies with the statewide planning goals adopted by the Land Conservation and Development Commission (LCDC) through: -application to the local government for land use approval; or -electing to obtain Council determination of land use compliance. If the Council is making the determination, it would then evaluate all criteria from the affected local government’s acknowledged comprehensive plan and land use ordinances that are required by the statewide planning goals and that are in effect on the date the applicant submits the application. All solar projects that are in a farm zone and are large enough to be state jurisdictional require an exception to Statewide Planning Goal 3 (Agricultural Lands) because of the agricultural land being occupied by the project. This is functionally an additional set of review requirements. Unlike every other land use requirement, which comes from LCDC or the local government, EFSC has its own statute and rule related to a goal exception (ORS 469.504(2) & OAR 345-022-0030(4)). These are nearly identical to those of LCDC with one distinction: EFSC’s goal exception review does not require an alternatives analysis. Aligns with environmental justice and equitable practices to consider development, implementation and enforcement of environmental laws, regulations, and policies that affect the environment and people in it.
Protected Areas	The proposed facility will not be located within the boundaries of a protected area (as defined in OAR 345-001-0010(26)), and the design, construction and operation of the facility, taking into account mitigation, are not likely to result in significant adverse impact to protected areas. Aligns with environmental justice and equitable

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	practices to consider development, implementation and enforcement of environmental laws, regulations, and policies that affect the environment and people in it.
Retirement and Financial Assurance	The site, taking into account mitigation, can be restored adequately to a useful, non-hazardous condition following permanent cessation of construction or operation of the facility. Aligns with environmental justice and equitable practices to protect people and the environment from health risks.
Fish and Wildlife Habitat	The design, construction, and operation of the facility, taking into account mitigation, are consistent with the Oregon Department of Fish and wildlife habitat mitigation goals in OAR 635-415-0025(1) – (6). Aligns with environmental justice and equitable practices to protect the environment in which people live, work, learn, and practice spirituality and culture.
Threatened and Endangered Species	The design, construction and operation of the proposed facility, taking into account mitigation, must be consistent with: - the protection of listed plant species by the Oregon Department of Agriculture under ORS 564.105(2) - the protection of listed wildlife species by the Oregon Fish and Wildlife Commission under ORS 469.172(2) Aligns with environmental justice and equitable practices to consider development, implementation and enforcement of environmental laws, regulations, and policies that affect the environment and people in it.
Scenic Resources	The design, construction, and operation of the facility, taking into account mitigation, are not likely to result in significant adverse visual impacts to significant or important scenic resources identified in a current land use management plan adopted by a local, Tribal, state, regional, or federal agency. Aligns with environmental justice and equitable practices to consider fair treatment and meaningful involvement.
Historic, Cultural and Archeological Resources	The construction and operation of the facility, taking into account mitigation, are not likely to result in significant adverse impacts to: -historic, cultural or archeological resources that have been listed, or would likely be listed on the National Register of Historic Places -archeological objects as defined in ORS 358.905(1)(a) on private land -archeological sites as defined in ORS 358.905(1)(c) on public or private lands Aligns with environmental justice and equitable practices to consider development, implementation and enforcement of environmental laws, regulations, and policies that affect the environment and people in it.
Recreation	The design, construction, and operation of the facility, taking into account mitigation, are not likely to result in significant adverse impact to important recreational opportunities. Aligns with environmental justice and equitable practices to protect the environment in which people live, work, learn, and practice spirituality and culture.

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Public Services	The design, construction and operation of the facility, taking into account mitigation, are not likely to result in significant adverse impact to the ability of public and providers of sewers and sewage treatment, water, storm water drainage, solid waste management, housing, traffic safety, police and fire protection, health care and schools. Aligns with environmental justice and equitable practices to protect people and the environment from health risks.
Wildfire Prevention and Risk Mitigation	The facility will be designed, constructed, and operated in compliance with a Wildfire Mitigation Plan approved by the Council that takes into consideration: 1) baseline wildfire risk; 2) seasonal wildfire risk; 3) areas subject to a heightened risk of wildfire; and 4) high-fire consequence areas. Aligns with environmental justice and equitable practices to protect the environment in which people live, work, learn, and practice spirituality and culture.
Waste Minimization	The construction and operation of the facility will minimize the generation of solid waste and wastewater. Aligns with environmental justice and equitable practices to protect people and the environment from health risks. The accumulation, storage, disposal, and transportation of waste generated by the construction and operation of the facility will likely result in minimal adverse impacts on surrounding and adjacent areas.
State and Laws and Regulations	This standard requires review of state and local laws that are not specifically included in one of the standards above, but are included in EFSC’s jurisdiction to eliminate additional reviews that would otherwise be required for the proposed facility: - Water – This includes: 1) whether there could be impacts to waters of the state and if a removal fill permit is required; 2) the amount of water that will be needed for construction and operation, the sources of water and whether a water right is needed - Noise – An analysis of the noise that would be generated from any facility equipment, whether that increased noise level requires additional analysis and mitigation to surrounding noise sensitive receptors such as residences and schools, and whether that increased noise level exceeds human health thresholds - Other laws and regulations as identified in the Project Order

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Most of these standards are specifically mandated by statute,⁴ while others have been added in rules based on an identified need, such as the Wildfire Prevention and Risk Mitigation standard. The location of each project and the extent of resource impacts establish how much evidence must be submitted for each standard. For example, a project proposed in an urban brownfield site will require very minimal evidence to prove the Fish and Wildlife Habitat standard has been met. However, a project proposed in undisturbed habitat will have to conduct literature and onsite surveys and work closely with the Oregon Department of Fish and Wildlife to provide sufficient evidence related to that standard. Most standards are in line with environmental justice practices to mitigate harm and consider effects to "the environment in which people live, work, learn, and practice spirituality and culture."⁵

In recognition of the importance of renewable energy projects and EFSC jurisdictional facilities generally, several standards include provisions under which EFSC is not required to draft findings demonstrating compliance with the standard and may instead impose conditions on the site certificate. Other standards are allowed to be "waived" if the standard is not met. However, before approving a project under a waiver, EFSC must determine that the project's overall public benefits outweigh its adverse effects and that there is no reasonable means of meeting the applicable standards through avoidance.

Comparison to Local Land Use – Similar to the Siting Program, local land use decisions must be based on evidence⁶ and decision-makers cannot lawfully defer a determination of compliance with requirements. There are also similar rules precluding communication with the decision-makers outside the formal record.⁷

Most utility-scale projects are proposed on farm-zoned lands and require a conditional use review. The LCDC establishes baseline review requirements that all counties must apply. These include an exception to Statewide Planning Goal 3 (Agricultural Land) for solar projects that exceed specific acreage thresholds.⁸ Counties may also adopt additional standards and criteria. In the [Previous External Streamlining-Related Efforts](#) subsection below, this report describes the misconception that a county review is equivalent to an EFSC review. The Siting Program has 16 standards, one of which is the land use standard. The entirety of a county's land use review is incorporated into EFSC's evaluation under that standard. Although there may be similarities between the resources evaluated through a county's land use review and those evaluated under other Siting Program standards — such as Fish & Wildlife, and Historic, Cultural and Archaeological Resources — the scope and level of detail required in application materials and in final decisions differ substantially between county and EFSC review.

These comparisons provide context for understanding differences among jurisdictions and the scope, level of review, and accountability requirements of the Siting Program.

Comparison to NEPA – Rather than a standards-based review like the Siting Program or a local land use review, NEPA is an impacts-based review. NEPA is an umbrella law that requires documented compliance with all applicable federal, state, and local environmental laws and regulations. It is similar in that it evaluates a project against a specific set of requirements — ecological, aesthetic, historic, cultural, economic, social, and health impacts — and relies on technical studies and reports by qualified

⁴ ORS 469.501

⁵ ORS 182.535(3)

⁶ ORS 197.797(2)(a)(h) and 9(b)

⁷ ORS 197.835(12)

⁸ OAR 660-033-0130(38)

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professionals to make assessments of impacts and recommendations. Where it is different is that it requires an evaluation of alternatives to a proposed federal action in an Environmental Impact Statement (EIS). A Record of Decision (approval) can be issued prior to the completion of compliance with all applicable environmental laws, thereby deferring the type of evidence needed to determine compliance with specific requirements that EFSC must evaluate in order to issue a decision. Even though a project may receive approval from a federal agency, once a project developer completes the more detailed analysis outside of the public process, it still may not be able to construct the project based on a determination of the impacts to resources.

Participation by Other Agencies/Consolidated Review

In addition to consolidating applicable state and local standards, statutes, rules, permits, and land use regulations under EFSC jurisdiction, the Siting Program recognizes that evaluating a proposed energy facility requires expertise across numerous subject areas and resources. Therefore, the legislature established a consolidated review process that incorporates input from subject matter experts. Throughout the review process, ODOE notifies numerous agencies and governments, and requests their review and comments. These include:

- Any Tribal Governments who could be affected by the projects, as identified by the Legislative Commission on Indian Services
- State natural resources agencies:
 - The Department of Environmental Quality
 - The Water Resources Department
 - The Oregon Department of Fish and Wildlife
 - The Department of Geology and Mineral Industries
 - The Department of Forestry
 - The Public Utility Commission
 - The Oregon Department of Agriculture
 - The Department of Land Conservation and Development
 - The Oregon Department of Aviation
 - The Pacific Northwest Electric Power and Conservation Planning Council
 - The State Fire Marshal
 - The Department of State Lands
 - The State Historic Preservation Office
- Local governments:
 - Those that have jurisdiction where the project is proposed
 - Those within 10 miles of the project location because of potential public service impacts as described in the Public Services Standard

While consolidating these requirements under the authority of EFSC creates a much bigger review process, it also reduces duplication, eliminates variation in decisions and conditions, and creates a single appellate path.

State agencies and local governments are legally required to review and comment on project applications.⁹ To support participation in the review process, Tribal Governments, state agencies, and

⁹ ORS 469.350(3)

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local governments can receive reimbursement for eligible time and resources incurred in responding to requests from ODOE.¹⁰

Coordination with Federal NEPA Review

Although few state-jurisdictional energy projects also require review under NEPA, when joint reviews do occur, the Siting Program has a statutory obligation to minimize duplication between state and federal processes. Coordination may include the shared use of application materials and studies, joint hearings where appropriate, alignment of decision timelines, and efforts to maintain consistent outcomes between the reviews.¹¹ Siting Program staff make substantial efforts to coordinate with federal agencies during joint reviews. However, important differences between the EFSC and NEPA processes can make full alignment difficult. The review of the Boardman to Hemingway Transmission Line illustrates some of these challenges. The applicant initially intended to pursue concurrent state and federal reviews. However, two major differences between the processes ultimately led the applicant to pause the state review until the federal NEPA review was completed.

First, under NEPA, the lead federal agency has authority to require evaluation of alternative routes or locations not proposed by the applicant. EFSC does not have comparable authority, and its evaluations are limited to the facilities and routes included in the application. Second, as noted previously, the EFSC review process generally requires a higher level of evidentiary support before approval can be granted, while some evidentiary requirements under NEPA may be deferred until after the federal decision is issued.

For the Boardman to Hemingway project, the applicant first needed to determine which route alternatives the federal agency would require for analysis. Then the applicant had to determine which alternatives to include in its EFSC application and conduct the analysis necessary to demonstrate compliance with applicable EFSC standards. For this project, sequencing the federal and state reviews reduced the work and complexity associated with attempting to conduct both reviews concurrently, although sequential review may have contributed to a longer timeline.

Comparison to Local Land Use – For projects above certain size thresholds on exclusive farm use zoned lands, where most utility-scale energy projects are proposed, there is a statutory requirement¹² to provide notification to the following:

- The State Department of Fish and Wildlife (ODFW);
- The State Department of Energy;
- The State Historic Preservation Officer;
- The Oregon Department of Aviation;
- The United States Department of Defense; and
- Federally recognized Tribes that may be affected by the application.

¹⁰ ORS 469.360(2)(a) & (4)

¹¹ ORS 469.370(13)

¹² ORS 215.446

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The statute and a corresponding Oregon Administrative Rule¹³ also require applicants to consult with ODFW, conduct a habitat assessment of the site, and develop a mitigation plan that is acceptable to the county.

Despite these notification requirements, ODOE has not received such a notice. In addition, during a recent meeting, staff from one of Oregon’s nine federally recognized Tribes indicated that the Tribe has not received such a notice. This observation is limited to ODOE’s experience and the experience reported by staff of one Tribe.

Comparison to NEPA – The NEPA process includes an internal review team at the lead federal agency consisting of professionals from various disciplines to assess an application. The process also includes a Code of Federal Regulation¹⁴ (CFR) requirement to include other federal agencies, as well as Tribal, state, and local governments as Cooperating Agencies who review NEPA documents and provide comments outside of the public process, much like the Siting Program does, as further described in the [Siting Program Review Steps](#) subsection below.

Participation by the Nine-Federally Recognized Tribes of Oregon

ODOE’s Siting Division notifies and coordinates with Tribal governments regarding proposals for new and modified state-jurisdictional energy facilities and rulemakings. Over the years, several Tribes have expressed concerns about the potential for negative effects on cultural, natural, and Tribal treaty resources from transmission, solar, and wind project proposals that are evaluated through the state’s energy facility siting process. Tribes receiving notification for each specific project are those identified by the Legislative Commission on Indian Services as having potential interest or information on sensitive resources that could be affected by a proposed or modified energy facility. Communication with each Tribal government is accompanied by an offer from ODOE staff to meet with the Tribe’s Council and/or staff to discuss the notice and review process, along with guidance for cost reimbursement.

In early 2026, ODOE’s Siting Division strengthened its requirements for early Tribal engagement by mandating that developers reach out to potentially affected federally recognized Tribes *before* submitting their Notice of Intent. These updated rules were shaped through a [multi-year rulemaking process](#) that included engagement with the Tribes, cultural resource working groups through the Legislative Commission on Indian Services, and public hearings.

Once a Notice of Intent is submitted, Siting Division staff coordinate with Tribal governments’ natural resource and cultural resource staff to request feedback and guidance on potential impacts from certificate holder-proposed changes to approved energy facilities or proposed energy facilities located around the state. The Siting Division communications to Tribal governments consist of a notice or memorandum requesting review and feedback during three parts of the application process: Receipt of Notice of Intent under OAR 345-015-0120, Receipt of Preliminary Application for Site Certificate under OAR 345-015- 0180, and Determination of a Complete Application for Site Certificate under OAR 345-015-0200. In addition, each notice includes guidance for Tribes to request cost reimbursement for their time reviewing and providing feedback on project applications.

¹³ OAR 660-033-0130

¹⁴ CFR § 1501.8

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In some cases, Tribes may elect to seek resolution of their concerns about a proposed energy facility outside of the EFSC process. If applicable, siting division staff requests a formal response from the Tribe to document the Tribes’ determination that potential impacts to Tribal resources from a proposed or modified facility were adequately evaluated and mitigated. The Department recognizes that each Tribe has its own history, present-day experience, preferences, and legal rights; accordingly, Siting Division staff seek to continually educate themselves to best coordinate with each Tribe.

Comparison to Local Land Use – ORS 215.446(6) requires counties to notice federally recognized Tribes that may be affected by the application for most utility-scale renewable energy projects.

Comparison to NEPA – Under NEPA, federal agencies must assess the effects of major actions – including energy projects – on Tribal lands or resources, and agencies are required to consult with Tribes. Federal requirements for Tribal consultation can also be found in Section 106 of the National Historic Preservation Act.

Participation by the Public

Large-scale energy projects have the potential to affect both natural and built environments, and renewable energy projects typically have an anticipated lifespan of 30-40 years. The Siting Program therefore recognizes the importance and value of public participation. The process provides numerous opportunities for meaningful community involvement in the decision-making process, consistent with environmental justice and equitable engagement practices.

These opportunities include submitting written comments and presenting oral comments directly to Council at hearings, either in person or virtually. Please see the [Siting Program Review Steps](#) subsection below for more details.

When public notice is required, it is sent to:

- Anyone who has requested to receive notice by physical mail or email for the specific project or all projects.
- Properties within the following specified distances of the property or properties on which the project is proposed as required by statute:¹⁵
 - Those within 100 feet if wholly or partly within an urban growth boundary
 - Those within 250 feet if outside of an urban growth boundary but not in a farm or forest zone
 - Those within 500 of a farm or forest zone

The applicant is responsible for submitting the property information for EFSC review. This information must come from the most recent county assessor records available before each required notice is issued.

This process is consistent with “meaningful involvement” as is defined in ORS 182.535(7). Meaningful involvement requires that:

- Members of vulnerable populations have appropriate opportunities to participate in decisions about a proposed activity that will affect their environment or health;

¹⁵ ORS 469.370(2)

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- Public involvement can influence a decisionmaker’s decision;
- The concerns of all participants involved are considered in the decision-making process; and
- Decision makers seek out and facilitate the involvement of members of vulnerable populations.

Comparison to Local Land Use – The Statewide Land Use Program also recognizes the importance of public participation, which is why Statewide and Planning Goal 1¹⁶ is Citizen Involvement. For local quasi-judicial land use hearings there is an LCDC statute¹⁷ that requires the same notification as the Siting Program. In fact, the required notice distances in the Siting Program’s statute are a reference to the LCDC rule.

Comparison to NEPA – The NEPA review also includes public notice and the opportunity to comment. Public Comment Periods are required on the Purpose and Need/Scoping Phase, and for the Draft Environmental Assessment or Environmental Impact Statement (typically requires minimum comments periods of 30 days for EA, and 45 days for EIS, but agencies have some discretion). However, as was previously indicated, unlike the Siting Program and the Local Land Use program, substantive evidence related to specific requirements can be provided after an approval, outside of the public review and comment opportunities.

Appeal Path

In recognition of the importance of state jurisdictional energy projects to the state and to the region, as well as the thoroughness of the final decision by EFSC as a result of the steps described in the [Siting Program Review Steps](#) below, any appeal of an EFSC decision bypasses other appellate steps and goes directly to the Oregon Supreme Court with a six-month mandate to render a decision.¹⁸

ODOE is unaware of any projects that were appealed to the Oregon Supreme Court where EFSC’s decision was overturned. This is due to the thoroughness of the Siting Program review.

Comparison to Local Land Use – After a final decision by a local government, the appellate process includes the following sequential appellate authorities, subject to the schedules of each appellate body, which can collectively take years:

- Oregon Land Use Board of Appeals
- Oregon Court of Appeals
- Oregon Supreme Court

Comparison to NEPA – “Federal courts have long allowed plaintiffs to challenge an agency’s compliance with NEPA under the Administrative Procedure Act (APA, 5 U.S.C. §§ 701–706). Most NEPA-related complaints are brought under the APA, as NEPA does not contain a broad judicial review provision addressing challenges to agencies’ actions under the statute.”¹⁹

¹⁶ Goal 1: Citizen Involvement - <https://www.oregon.gov/lcd/OP/Pages/Goal-1.aspx>

¹⁷ ORS 197.797(2)

¹⁸ ORS 469.403(6)

¹⁹ National Environmental Policy Act: Judicial Review and Remedies – Update June 26, 2025 - https://www.congress.gov/crs_external_products/IF/PDF/IF11932/IF11932.6.pdf

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Funding

The Siting Program has two sources of funding. The first comes from fees. ORS 469.421(1) requires that applicants for site certificates and site certificate holders requesting amendments “shall pay all expenses incurred by the Energy Facility Siting Council and the department related to the review and decision of the council.” ORS 469.421(5) requires certificate holders to pay an annual fee to cover the costs of ensuring each facility is being constructed, operated, and decommissioned consistent with the terms and conditions of the site certificate. Additionally, this statute allows each certificate holder to be charged up to 35 percent on top of that fee to cover the costs of supporting the Council that cannot be attributed to a specific project. Fees typically cover 75 percent of the Siting Program’s annual costs.

The second funding source comes from ORS 469.421(8)(a), which establishes an annual fee to be paid by each energy resource supplier in the state, referred to as the Energy Supplier Assessment (ESA), “to fund the programs and activities of the council and the department.” While the Siting Program is authorized to be funded by the ESA, because the Siting Program also has access to fees, the Department has made a concerted effort over the last 15 years to maximize the Siting Program’s reliance on fees and minimize its reliance on the ESA. The ESA typically covers 25 percent of the Siting Program’s Annual costs.

Siting Program staff have developed systems and procedures to ensure the Siting Program funding remains largely fee based. These include:

- A daily time-tracking tool for each staff member with entries down to the half hour with enough detail to clearly document that fees charged are justifiable.
- A billable model that establishes minimum monthly fee targets that vary by position. For the Senior Siting Analysts who review applications and amendments and the Compliance Officers who ensure projects are built, operated, and retired consistent with approved site certificates, the monthly target is 80 percent.
- Prorating Council meeting costs based on agenda items.
- Carefully evaluating reviewing agency, Department of Justice, and contractor invoices to determine that each invoice has sufficient detail to justify the requested reimbursement.

While these efforts have ensured the Siting Program’s costs to the annual ESA remain consistently around 25 percent, they have created some program limitations, most notably the ability to be responsive to changes in workload volumes. There are a multitude of state, regional, and national variables that increase or decrease the annual volume of applications and amendments. Some of these can be reasonably forecasted and some cannot be. If there are long-term foreseen increases, the Department can take the time to request additional staff in the biennial budget process, which begins over a year before the budgets are finalized. Staff can then be hired and trained, which takes another year. However, if there are unforeseen or short peaks in workload levels, the current model makes it difficult to be responsive because the Siting Program is unable to maintain more Senior Siting Analysts than the 80 percent billable model allows.

While the Siting Program contracts with consultants to help, consultants are largely relied on to provide the expertise that Siting Program staff do not have and that the Reviewing Agencies do not have or are unable to provide in a timely way. Additionally, during the times the contractor has been relied on to provide staffing help, it has resulted in substantially more costs per task because a specific Work Order

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Contract must be established to detail the work tasks, a Siting Program staff member must manage the WOC, they must review and potentially edit the work, and the contractor necessarily must charge for their own administrative and supervisory work associated with the tasks.

Comparison Local Land Use – ORS 215.416 requires that a local governing body must establish fees that are no more than the actual or average cost of a reviewing an application. A review of several county fee schedules shows that specific fees for wind and solar reviews vary greatly.²⁰ \$200 for a conditional use review of a utility-scale energy facility was the lowest found. The high end for wind was over \$6,000 for the base review, with an additional per wind turbine cost. For solar it was \$5,000 for the base review, with an additional per-megawatt charge for anything over 50 MW. Lower fees likely mean that the level of effort of the review is not as thorough if it matches the cost of the review, most of the cost of the review is subsidized by the county's general fund, or some combination of the two. Additionally, unlike the Siting Program, counties do not charge a compliance fee and therefore have minimal capacity to determine projects are constructed, operated. and retired in compliance with the approval. See the [Compliance](#) subsection below for more details.

Comparison to NEPA – NEPA review and compliance for a federal action proposed by a federal agency is typically funded by that federal agency through the employment of qualified federal employees and contractors through federally appropriated dollars in their agency budgets.

- Federal agency cost: NEPA review is a federal procedural requirement, not a cost imposed on the project sponsor. The lead agency covers the cost of review.
- NEPA Review for private land projects: If a federal agency is funding, permitting, or approving a project on private land, the agency's NEPA compliance office (often the Council on Environmental Quality or agency-specific NEPA office) will initiate and pay for the review.
- New Expedited review option: A 2025 law change (Section 112 of NEPA) allows project sponsors to pay an optional fee to cut the EA or EIS timelines in half. This is an expedited process, not a standard NEPA requirement, and the sponsor pays the fee directly to the Council on Environmental Quality.

²⁰ Klamath, Lake, Linn, Morrow, Sherman and Wasco County

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Siting Program Review Steps

The steps in the Siting Program are designed to implement a timely, consistent, inclusive, transparent, and predictable process that balances the need for and importance of state jurisdictional energy projects with the potential negative impacts to the built and natural environment. It is also designed to ensure a complete and legally defensible record is available for the Oregon Supreme Court to meet their mandate to render a decision within six months.

Table 3: Siting Program Review Steps

Step	Sub-Step	Responsible Party	Description & Analysis
Notice of Intent (NOI)	N/A	Applicant	ORS 469.330(1) & OAR 345-020 – Like in a NEPA review, the NOI is a pre-application submittal. The applicant must provide high level information about the type and location of the project as well as any preliminarily identified potential environmental and community impacts of the project.
NOI	Notice to Public and Comment Period	ODOE	ORS 469.330(2) & OAR 345-015-0110 – Allows adjacent property owners and other members of the public the opportunity to understand the location and scope of project and to identify issues the developer may not be aware of or could avoid or minimize through project design prior to application submittal. ODOE receives all comments, provides them to the applicant, and analyses the information for possible inclusion of requirements in the Project Order. There is no established minimum comment timeline, but the NOI public comment period is typically at least 30 days to provide adequate time for the public to review the NOI, attend the public information meeting, and have at least another week or so to submit comments. The notice must also be published in a newspaper of general circulation available in the vicinity of the project.
NOI	Memo to Reviewing Agencies and Comment Period	ODOE and Reviewing Agencies	ORS 469.350(2) & OAR 345-015-0120 – Allows Tribal Governments, state agencies, and local governments the opportunity to identify issues the developer may not be aware of or could avoid or minimize through project design prior to application submittal. They also provide detailed information about what must be included in the application associated with standards related to their area of expertise. ODOE

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Step	Sub-Step	Responsible Party	Description & Analysis
			receives all comments, provides them to the applicant, and analyzes the information for possible inclusion of requirements in the Project Order. There is no established minimum comment timeline, but the comment period is typically at least 30 days to provide adequate time for review of the NOI and to generate project specific comments. If deemed valuable, ODOE may hold a pre-application conference with reviewing agencies consistent with ORS 469.330(3).
NOI	Public Information Meeting in Vicinity of Project Location	ODOE and Applicant	OAR 345-015-0130 – While optional, it is frequently valuable for the applicant and ODOE to meet with those who will be living near the proposed facility. This meeting can result in information that would not otherwise be provided until later in the review. It also begins to prepare the public for how to participate in the review, which can save time in later steps.
NOI	Project Order	ODOE	ORS 469.330(3) & OAR 345-015-0160 – Establishes the specific requirements that the applicant must submit in their application based on the site-specific issues. ODOE must issue the Project Order within 140 days after receiving the NOI.
Preliminary Application for Site Certificate (pASC)	N/A	Applicant	ORS 469.350(1) & OAR 345-021 and 022 – The pASC includes the evidence required by the applicant to prove they meet each standard. The applicant has two years from the date of submitting the NOI to submit the pASC, unless they request and receive approval from EFSC for an additional one-year extension, making it three years.
pASC	Notice to Public	ODOE	OAR 345-015-0171 – The purpose of this notice is to make the public aware the pASC has been submitted because of the potential amount of time since the NOI was submitted. The pASC is included on the project website and is available for review by the public, but there is no comment period because the application has not yet been deemed complete and could have significant changes.
pASC	Memo to Reviewing Agencies and comment period	ODOE & Reviewing Agencies	ORS 469.350(2) & OAR 345-015-0180(2) – Tribal Governments, state agencies, and local governments review the pASC to ensure the issues they identified in the NOI were responded to and that it includes all necessary information related to the standards in which they have subject matter expertise.

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Step	Sub-Step	Responsible Party	Description & Analysis
			There is no established minimum comment timeline, but the comment period is typically at least 30 days to provide adequate time for review of the NOI and to generate project specific comments.
pASC	Completeness review	Applicant & ODOE	OAR 345-015-0190 – An application is complete when there is sufficient evidence for ODOE to review each standard. What is submitted and how it relates to the requirements in the Project Order is within the applicant’s control. ODOE must determine whether the application is complete or incomplete within 60 days after receiving the pASC. Depending on the location and the required studies related to important state resources, some applications can be very large. A recent solar project pASC was approximately 2,000 pages. If deemed incomplete, ODOE requests additional information from the applicant and these requests can vary greatly. Some require relatively minor changes that can be completed within a short period of time. Others may require much more significant information that can take months. For example, some pASC’s have been submitted knowingly without the required fish and wildlife surveys that cannot be conducted until the next spring, when they are required to be done. ODOE often completes this stage while also working on the Draft Proposed Order as an efficiency measure as well as to help better identify information necessary to review the application for completeness.
Complete Application for Site Certificate (ASC)	N/A	ODOE	ORS 469.350(4) & OAR 345-015-0190 – Once ODOE has determined the applicant has submitted sufficient evidence to review each standard, it determines the application complete and notifies the applicant.
ASC	Notice to Public	ODOE	ORS 469.350(4) & OAR 345-015-0194 – The purpose of this notice is to make the public aware that the ASC has been submitted. The ASC is included on the project website and is available for review by the public but there is no comment period associated with this notice. The notice must also be published in a newspaper of general circulation available in the vicinity of the project.

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Step	Sub-Step	Responsible Party	Description & Analysis
ASC	Notice to Reviewing Agencies and comment period	ODOE & Reviewing Agencies	ORS 469.350(2) & OAR 345-015-0200 and 0205 – Reviewing agencies are requested to provide reports including the following which is governed by EFSC: • Recommendations on applications and permits • Significant issues • Conclusions about compliance with agency requirements • Other useful information There is no established minimum comment timeline, but the comment period is typically at least 30 days to provide adequate time to provide the required reports.
ASC	Public Information Meeting in Vicinity of Project Location	ODOE	OAR 345-015-0198 – While optional, it is frequently valuable for the applicant and ODOE to meet with those who will be living near the proposed facility to prepare them to review the application and prepare them to provide comments that are related to Council standards.
Draft Proposed Order (DPO)	N/A	ODOE	ORS 469.370(1) & OAR 345-015-0210 – The DPO is the Department’s first recommendation to EFSC whether the application has adequate evidence to meet each standard. This is in the form of findings of facts, conclusions of law, and conditions of approval.
DPO	Public Notice and Comment Period	ODOE	ORS 469.370(2) & OAR 345-015-0220 – A minimum 20-day comment timeframe is required once the DPO has been issued. However, given the volume and complexity of applications and DPO’s, at least 30 days is typically established to afford members of the public enough time for their review and comment submittal. During this comment period, any issue that may be included in the contested case phase must be raised with sufficient specificity to afford the council, ODOE, and the applicant and adequate opportunity to respond. The applicant is afforded the opportunity to respond to all comments after the close of the public comment period, but prior to the close of the record of the DPO. A notice must also be published in a newspaper of general circulation available in the vicinity of the project.

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Step	Sub-Step	Responsible Party	Description & Analysis
DPO	Public Hearing(s) in Vicinity of Project Locations	ODOE/EFSC	ORS 469.370(2) & OAR 345-015-0220 – While public hearings are not required to be at a Council meeting, that has been the long-established practice to allow members of the public to testify directly to the decision makers. The public comment period typically closes a week or so after the public hearing.
DPO	Council’s Review of the DPO and Comments	ODOE	OAR 345-015-0230 – After the close of the record of the DPO, the Council reviews the DPO, all comments and responses to comments submitted, and provides any thoughts or direction to ODOE related to changes to findings of facts, conclusions of law, or conditions of approval.
Proposed Order (PO)	N/A	ODOE	ORS 469-370(4) & OAR 345-015-230(2) – The PO is the Department’s second recommendation to EFSC whether the application has adequate evidence to meet each standard. The findings of facts, conclusions of law and conditions of approval have been amended as necessary to respond to all comments, responses to comments and direction by the Council.
PO	Public Notice of PO and Opportunity to Request to Participate in the Contested Case	ODOE	ORS 469-370(4) & OAR 345-015-230(3) and 0403 – Public notice is provided to make the public aware of the issuance of the Proposed Order, and also to allow those who commented during the DPO comment timeframe the opportunity to request to participate in the contested case.
Contested Case	N/A	Hearing Officer	ORS 469-370(5) through (6) & OAR 345-015-0405 through 0475 – The contested case is a mandatory step and is run by a hearing officer appointed by Council. The applicant and the Department participate as parties. Eligible issues must: 1) have been raised during the DPO comment period; 2) must be within the jurisdiction of EFSC; and 3) have been provided with enough specificity to afford the applicant and EFSC the ability to respond during the DPO phase and for the Department to respond in the form of changes to findings of facts, conclusions of law, or conditions of approval in the PO. If there are no requests to participate, this step concludes quickly.

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Step	Sub-Step	Responsible Party	Description & Analysis
			This step allows for new evidence that was not submitted during DPO phase. If there are requests to participate, the hearing officer must run the process according to the Council’s contested case rules which can include the following steps: • Informal Discovery • Motions for Discovery Orders • Motions for Summary Determination (potentially) • Written Direct Testimony • Written Rebuttal Testimony • Requests for Cross-Examination • Oral Cross-Examination Hearing • Written Closing Argument • Written Response Briefs • Hearing Officer Proposed Contested Case Order • Written Exceptions • Written Responses to Exceptions • Council Hearing on Proposed Contested Case Order and Exceptions
Final Order	N/A	ODOE/EFSC	ORS 469.370(7) – Council reviews the Department’s Proposed Order and the Hearing Officer’s Proposed Contested Case Order, if there were parties and issues in the contested case, and issues their Final Order determining whether the applicant has submitted sufficient evidence to demonstrate they have met all applicable standards. If Council approves the request, they issue a site certificate as well, which is a binding agreement between the applicant and the State of Oregon that they will build, own, operate, and decommission the project consistent with the Final Order and all conditions of approval.
Appeal to Oregon Supreme Court	N/A	Oregon Supreme Court	ORS 469.403 – Appeals to the Supreme Court must be within 60 days of serving the Final Order on parties to the Contested Case step. Only issues that were evaluated in the Contested Case step are eligible for review by the Oregon Supreme Court. If no issues were raised, there is no opportunity for appeal.

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Comparison to Local Land Use – Most utility-scale energy projects are proposed in Exclusive Farm Use zoned lands and are within the jurisdiction of counties, so this subsection focuses on those projects. ORS 215.213 and 215.283 establish which non-farm uses are allowed in Exclusive Farm Use zones and establish standards and criteria to ensure that these developments are compatible with agricultural operations in the surrounding area. Uses are broadly broken down into two categories. The first category, or Sub(1) uses, mandates very limited procedural and substantive review requirements. This is the process a county uses to review a transmission line if the towers are less than 200 feet in height. This review process is further described in the [Transmission Line Projects](#) Section below.

Sub(2) uses include energy generation projects and transmission lines if the towers are over 200 feet in height, which are subject to the LCDC conditional review use substantive requirements, any additional substantive requirements adopted by the local government, and the quasi-judicial procedural requirements of ORS 197.797.

Table 4: Local Land Use Sub(2) Review Steps

Step	Sub-Step	Responsible Party	Description & Analysis
Pre-Application Conference	N/A	County	While this is not a statutorily required step, some local governments include a mandatory or optional pre-application conference and invite applicable agencies to meet with a prospective applicant to provide their initial thoughts on the applicant's general proposal.
Preliminary Application Submittal (PAS)	N/A	Applicant	ORS 215.427 – Includes the evidence required by the applicant to prove they meet each standard.
PAS	Notice to Agencies	County	ORS 215.446(6) – For most utility scale renewable energy projects, the County is obligated to provide notification to the following: • The State Department of Fish and Wildlife (ODFW); • The State Department of Energy; • The State Historic Preservation Officer; • The Oregon Department of Aviation; • The United States Department of Defense; and • Federally recognized Indian Tribes that may be affected by the application.
PAS	Completeness review	Applicant & County	ORS 215.427 – The County has 30 days to review an application for completeness and either determine it complete or provide information about what is missing to the applicant. If an applicant does not provide the required information and does not

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Step	Sub-Step	Responsible Party	Description & Analysis
			state they wish to move forward with what was submitted, the application expires on the 181 st day after being submitted.
Complete Application	N/A	County	ORS 215.427 – Once the County has determined the applicant has submitted sufficient evidence for review, it determines the application complete and notifies the applicant.
Staff Report (SR)	N/A	County	ORS 197.797 – Evaluates the application against requirements.
SR	Public Notice and Comment Period	County	ORS 197.797(3) – A minimum 20-day notice prior to any evidentiary hearing. The application and the staff report must be available for inspection at the date of notice.
Initial Decision (ID)	N/A	County	ORS 197.797(5) – Most renewable energy projects in Eastern Oregon counties are initially reviewed by a Planning Commission. However, some specific counties could have the initial review done by a hearing officer or the Planning Director.
ID	Evidentiary Hearing	Varied	Presentation of the staff report with the recommended findings and conditions presented by staff. The applicant has an opportunity to comment and provide additional evidence. Members of the public are also allowed to comment and provide evidence. However, failure to raise an issue accompanied by statements or evidence sufficient to afford the decision maker and the parties an opportunity to respond to the issue precludes appeal based on that issue.
ID	Decision	Varied	ORS 197.797(6) – Typically, the hearing officer or Planning Commission makes their decision at the conclusion of the hearing. However, any participant may request an opportunity to present additional evidence, arguments or testimony regarding the application prior to the closing of the hearing and their request must be granted.
Appeal	N/A	N/A	Appeals are limited to those who timely commented and provided sufficient evidence related to the basis of their appeal.
Appeal	Appeal of Initial County Decision	County	ORS 215.422 – Unless the County Ordinance defers the final local land use decision to the Planning Commission or a hearing officer, the first appellate opportunity is to the County Board of Commissioners.

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Step	Sub-Step	Responsible Party	Description & Analysis
			ORS 215.427 – The final local land use decision, including any appeal to the County Board of Commissioners, must occur within 150 days of deeming the application complete.
Appeal	Appeal of Final County Decision	Land Use Board of Appeals	ORS 197.825 & 830 – The first appellate step from the local government, must be filed withing 21 days of final decision. Timing is subject to the LUBA docket.
Appeal	Appeal of Land Use Board of Appeals Decision	Court of Appeals	ORS 197.825 – The second appellate step, subject to the Appellate Court docket
Appeal	Appeal of Court of Appeals Decisions	Oregon Supreme Court	The final appellate step. Timing is subject to the Supreme Court docket.

Comparison to NEPA – There are three types or NEPA reviews:²¹

- Categorical Exclusion – A federal action may be "categorically excluded" from a detailed environmental analysis when the federal action normally does not have a significant effect on the human environment.
- Environmental Assessment – The EA determines whether a federal action has the potential to cause significant environmental effects, specifically whether an Environmental Impact Statement is required. Generally, the EA includes a brief discussion of:
 - The purpose and need for the proposed action
 - Alternatives
 - The environmental impacts of the proposed action and alternatives
 - A listing of agencies and persons consulted.

Based on the EA, the following actions can occur:

- If the lead agency determines that the action will not have significant environmental impacts, the agency will issue a Finding of No Significant Impact. A FONSI is a document that presents the reasons why the agency has concluded that there are no significant environmental impacts projected to occur upon implementation of the action.

²¹ <https://www.epa.gov/nepa/national-environmental-policy-act-review-process>

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- If the EA determines that the environmental impacts of a proposed federal action will be significant, an Environmental Impact Statement is prepared.
- Environmental Impact Statement – An EIS is required if a proposed major federal action is determined to significantly affect the quality of the human environment. The basic steps are included below.

Table 5: EIS Review Steps²²

Step	Sub-Step	Responsible Party	Description & Analysis
Notice of Intent (NOI)	N/A	Lead Federal Agency	Informs the public, affected federal, state and local agencies, and Tribal governments of the upcoming environmental analysis and describes how to be involved in the EIS preparation.
NOI	Published in Federal Register	Lead Federal Agency	The NOI is published as soon as practicable after the agency determines that the proposal is sufficiently developed to allow for meaningful comment on alternatives, information, and issues.
NOI	Scoping	Lead Federal Agency	The purpose of scoping is to define the range of issues and potential alternatives to be addressed in the EIS. The extent of scoping is determined by the lead federal agency. For agencies and governments, this could include establishing them as cooperating agencies and engaging them to review materials and provide feedback. For the public, this could include any combination of in-person meetings, virtual meetings, workshops and written comment periods.
Draft EIS (DEIS)	N/A	Lead Federal Agency	Includes: • A Purpose and Need statement describing the proposal.

²² A Citizens Guide to NEPA - <https://ceq.doe.gov/docs/get-involved/citizens-guide-to-nepa-2021.pdf>

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Step	Sub-Step	Responsible Party	Description & Analysis
			• Reasonable alternatives of meeting the purpose and need of the proposal. • A no action alternative • The lead agency’s preferred alternative • Impacts of all alternatives including: ecological, aesthetic, historic, cultural, economic, social and health. • Potential mitigation options for adverse environmental impacts • Summary of comments submitted during scoping
DEIS	Published	Lead Federal Agency	The DEIS is published on the agency’s website and in the federal register.
DEIS	Notice	Lead Federal Agency	Notice is done at the discretion of the agency and can include websites, local paper, or other means
DEIS	Review	Public	Public review and comment requires a minimum of 45 days.
Final EIS (FEIS)	N/A	Lead Federal Agency	Changes are made to the DEIS based on comments and further analysis. Additionally, a summary is included that identifies all relevant alternatives, information, and analyses submitted by commentors.
FEIS	Published	Lead Federal Agency	The FEIS is published on the agency’s website and the federal register.
FEIS	Wait period	Lead Federal Agency	Typically, the agency has a minimum 30 day wait period after issuing the FEIS before issuing the Record of Decision.
Record of Decision	N/A	Lead Federal Agency	The agency’s formal decision that a proposed action is the best available alternative after considering environmental impacts. It does not create an irrevocable commitment to proceed. It is a decision document, not a binding contract, and agencies retain the authority to change course if

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Step	Sub-Step	Responsible Party	Description & Analysis
			circumstances change. Changes in circumstances can include new information, project or mitigation changes not included in the Record of Decision, and may cause the lead federal agency to cancel the project or require supplemental review. Must be within two years of the filing of the NOI
Supplemental EIS	N/A	Lead Federal Agency	An agency must prepare a supplement to either a draft or final EIS if the proposed action has not been completed and the agency makes substantial changes in the proposed action that are relevant to environmental concerns or there are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts.
Compliance with applicable environmental laws and regulations identified in the EIS	Implementation	Lead Federal Agency	Requires completion of any required studies and documents pending final approval after the Record of Decision is issued. Documented compliance with all applicable environmental laws is required if not completed in the EIS phase. This can include completion of compliance requirements per the National Historic Preservation Act and Section 106 requirements. Also required in this phase is evidence of obtaining all required permits prior to implementing the action. Any mitigation measures must be implemented and environmental monitoring and reporting of environmental impacts are required.

For the Boardman to Hemingway 500-kV Transmission Line Project, the initial Notice of Intent was submitted to the Bureau of Land Management and ODOE in August 2008. After receiving concerns about the proposed route locations, the applicant sought additional input on route locations and resubmitted the Notice of Intent in July 2010. The Record of Decision was issued in November 2017. Please see [Appendix B: Boardman to Hemingway Transmission Line Review Chronology](#) for more detail.

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Compliance

ORS 469.310 establishes the policy that energy projects, as defined, must be constructed and operated “in a manner consistent with protection of the public health and safety and in compliance with the energy policy and air, water, solid waste, land use and other environmental protection policies of this state.” ORS 469.430 further establishes the authority to review and inspect each project to ensure compliance with the terms and conditions of its site certificate. While this compliance authority is consistent with other regulatory programs, most do not have the resources to ensure that what is approved gets constructed, operated or decommissioned consistent with the approval. For ODOE’s Siting Program, ORS 469.421(5) establishes funding to ensure that all facilities remain in compliance throughout their entire lifecycle in the following ways:

- **Pre-construction conditions review** – This review requires verification of specific conditions prior to any ground disturbing activity, such as submittal of a bond or letter of credit for the amount to decommission what is being constructed.
- **Construction condition review** – This review requires verification that the facility is being constructed consistent with the approval and requires frequent onsite inspections. Large-scale renewable energy projects often cause physical disturbances to agriculture and habitat. If there is not consistent and timely oversight during the construction phase, there is potential for long term impacts. For example, ODOE Compliance staff has seen unmitigated soil disturbances leading to run-off into waters of the state, significant over-drawing of wells in critical ground water areas, and incursion into protected wildlife resources buffers.
- **Annual operational review** – By April 30 of each year, certificate holders must submit an annual report for the prior calendar year documenting how the facility is being operated consistent with the approval. In addition to reviewing the submitted materials, this typically involves ODOE staff having multiple check-in meetings with the certificate holder prior to submittal and during review, as well as an on-site inspection. Noteworthy elements of the annual review are the requirements for updates to the bond or letter of credit adjusted for inflation, inspecting that site restoration is successful, and that the certificate holder is managing that area to prevent noxious weed proliferation.
- **Retirement/Decommissioning review** – When a facility is ready to be decommissioned, the certificate holder must submit a decommissioning plan that is reviewed by the Council and subject to public comment. Once approved, the facility must be decommissioned to restore the site to a useful non-hazardous state. If a site certificate holder is unable to decommission the facility, EFSC will utilize the bond or letter of credit to decommission the facility on their behalf.
- **Incidents** – Certificate holders are required to provide notification with specified times of issues that occur at the facility, such as fire or personnel injuries. The majority of these do not constitute violations of conditions of approval.
- **Violations** – When a facility is being constructed or operated inconsistent with conditions of approval or the facility description or facility location, this constitutes a violation. These are typically self-reported and Siting Program staff work with the certificate holder to resolve these to bring the facility in compliance. On rare occasions, a violation is significant enough, or the site certificate holder is not sufficiently responsive enough in resolving the violation, that a Notice of

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Violation will be issued. This establishes a prescriptive process²³ that can include classification of the violation, an enforcement conference, civil penalties, a contested case proceeding, and ultimately revocation or suspension of the site certificate if the issue is not resolved.

- **Requests for Inspection** – As a way to ensure the construction, operation, and decommissioning of a project is open and transparent to the public, any person is authorized to request the Department inspect a facility²⁴ if they believe there is or will imminently be a violation of the Council’s Final Order or a specific condition.

Should the Council require the assistance of a reviewing agency to help evaluate and inspect a facility for compliance, they are authorized to provide reimbursement for that work.²⁵

Comparison to Local Land Use – Counties are not explicitly obligated to ensure compliance with land use decisions. Siting program staff are aware of some counties that have sufficient compliance resources to be complaint driven, but have not seen counties with enough resources to undertake consistent, proactive compliance activities.

Comparison to NEPA – The actions, terms, and conditions stated in the record of decision are enforceable by federal agencies and private parties. The ROD can be used to compel compliance with or execution of mitigation, monitoring, and enforcement measures identified therein (40 CFR 1505.3). Once the ROD has been issued, the Lead Agency Official for the NEPA review remains responsible for overseeing and demonstrating compliance with the ROD and all applicable requirements. As of February 25, 2025, Council on Environmental Quality rescinded its long-standing NEPA-implementing regulations, meaning agencies now follow their own NEPA rules or guidance.²⁶ The CEQ now serves more of an advisory role to federal agencies on NEPA compliance.

Rulemaking

Authority – ORS 469.470 authorizes Council to adopt standards and rules to perform their functions that are vested by law, including the adoption of standards and rules for the siting of energy facilities.

OAR 345-001-000 provides some direction to Council regarding rulemaking, but largely refers to the Oregon Secretary of State’s rulemaking statutes in ORS 183.325 to 183.410, which applies to all agencies, boards, and commissions that have rulemaking authority.

EFSC Rulemaking Project Steps – A typical Council rulemaking project includes the following steps:

1. Informal Rulemaking
 - Council approves initiation of informal rulemaking with scope, early public input, and timeline at a Council meeting
 - Staff seeks early public input, typically in the form of a Rulemaking Advisory Committee
 - Staff drafts propose rules based on public input received
2. Formal Rulemaking

²³ OAR 345-029

²⁴ OAR 345-026-0050(2)

²⁵ ORS 469.430(3)

²⁶ <https://www.federalregister.gov/documents/2025/02/25/2025-03014/removal-of-national-environmental-policy-act-implementing-regulations>

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- Staff provides draft proposed rules to Council at a Council meeting and they either approve to move forward, approve to move forward with changes, decide not to move forward
- Staff files proposed rules with SOS
- Staff provides required notice
- Council holds a public hearing at a Council meeting
- Council approves final rules at a Council meeting
- Staff files permanent rules with SOS
- Staff provides required notice of final rule adoption

Past EFSC Rulemaking Program – ODOE administers rules that are separate from EFSC rules and are adopted under the authority of ODOE’s Director. Prior to 2013, ODOE maintained a centralized rulemaking function in which Rulemaking Coordinators provided procedural support for all ODOE and EFSC rulemaking projects. Subject matter expertise for individual rulemakings was provided by staff from the relevant program areas. For EFSC rulemakings, this meant that projects could generally move forward only when Siting Division staff had sufficient capacity to serve as subject matter experts for the rulemaking effort.

The Secretary of State rules encourage early input from interested groups and individuals ²⁷ and public hearings, but neither are required. The latter is only required if requested based on specific circumstances.²⁸ A review of pre-2013 EFSC rulemaking projects found that while there was occasional early input sought from interested groups and individuals, no Rulemaking Advisory Committees were used. Additionally, while rulemaking hearings typically occurred, they were never held in front of the Council.

Current Rulemaking Program – Since 2013 key changes have been made to the rulemaking program:

- **Rulemaking Coordinator Position** – The Siting Division has its own dedicated Rulemaking Coordinator rather than relying on the availability of an ODOE centralized Rulemaking Coordinator and the availability of a Siting Division staff member who has subject matter expertise in the rulemaking project. This allows that person to be an expert in all of Council’s statutes and rules and to quickly become the subject matter expert in all rulemaking projects, with the assistance of other staff.
- **Annual Rulemaking Prioritization** – At the end of every calendar year, the Council’s Rulemaking Coordinator drafts the next calendar year’s proposed rulemaking project list after seeking internal feedback, and presents that to Council during a Council meeting. Prior to the Council making a final decision on the forecasted rulemaking calendar, there is a specific public comment period for that agenda item to seek input from any interested groups and individuals on their thoughts, ideas, and recommendations for the next year’s rulemaking calendar.
- **Early Outreach** – Interested groups and individuals in the EFSC process are diverse and often have contradictory opinions on what EFSC’s rules should say and allow. These interested groups and individuals include but are not limited to:
 - Tribal governments

²⁷ ORS 183.333

²⁸ ORS 183.335(3)(a)

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- Applicants for and holders of site certificates
- Advocacy groups for applicants and site certificate holders
- Members of the public who live in proximity to proposed and existing projects
- Natural resource advocacy groups
- State agencies
- Local governments
- Federal agencies

For most rulemaking projects, the Rulemaking Coordinator requests that the Council appoint a Rulemaking Advisory Committee representing these interests. Most RACs include 2-3 meetings where the Rulemaking Coordinator first seeks general input, then more specific input on draft rules before requesting authorization to submit draft rules to the Secretary of State and begin the formal rulemaking process. Because of the diversity of participants and their likely conflicting ideas, consensus is not the forecasted outcome of any RAC. Rather, the RAC is designed to allow the Rulemaking Coordinator to hear a diversity of interests and opinions before recommending draft rules to EFSC.

- Public Hearing in front of EFSC: Another important change is that, unless a rulemaking project is considered so minor that minimal interest is forecasted, public hearings occur in front of Council. This allows Council, the ultimate decisionmakers, to directly hear comments on the draft rules.
- These changes in the rulemaking program better align the process with environmental justice and equitable practices to include fair treatment and meaningful involvement in decision making.

Local Land Use – For a local government to adopt or amend their comprehensive plan or land use ordinances, in addition to any local requirements, they must follow the LCDC Post Acknowledgement Plan Amendment process.²⁹ The following are the typical steps: (*LCDC requirements in Italics*)

- *Notice to the Department of Land Conservation and Development (DLCD) 35 days prior to holding the first evidentiary hearing*
- *DLCD must provide notice to persons who have requested such notice within 15 days of receiving notice by the local government*
- *DLCD must provide notice to the local government at least 15 days prior to the first evidentiary hearing if it determines whether the changes are not in compliance with land use statutes or statewide land use goals*
- Public Hearing in front of Planning Commission regarding proposed changes
- Recommendation of Planning Commission to County Commissioners
- Notice to those who participated in the Planning Commission Hearing
- County Commission hearing to review and possibly adopt changes recommended by Planning Commission. No sooner than 20 days after notice is provided.
- *Local government provides notice to DLCD within 20 days after the proposed changes are adopted*

NEPA – Section 102 in Title I of NEPA requires federal agencies to incorporate environmental considerations in their planning and decision-making through a systematic interdisciplinary approach.

²⁹ ORS 197.610 - OAR 660 Division 18.

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Specifically, all federal agencies are to prepare detailed statements assessing the environmental impact of and alternatives to major federal actions with the potential to significantly affect the environment.

The Council on Environmental Quality was created in 1970 to develop regulations for the implementation of NEPA and assist federal agencies in NEPA compliance. The CEQ issued the implementing guidelines for federal agency NEPA compliance in 40 CFR Part 1500-1508. As of February 25, 2025, CEQ rescinded its long-standing NEPA implementing regulations, meaning agencies now follow their own NEPA rules or guidance. Consistent with this, each federal agency has developed its own NEPA procedures in its own implementing section of Code of Federal Regulations (CFRs).

Renewable Energy Projects

Executive Order 25-29 focuses on “clean energy projects and associated infrastructure.” For the purposes of this report, ODOE considers this to mean wind, solar, geothermal, and battery storage facilities, as well as transmission projects that facilitate delivery of clean energy. This section describes EFSC’s jurisdictional authority over clean energy projects and associated infrastructure, specific standards these projects must meet, an overview of clean energy projects currently in the siting process, and the timelines for considering these projects through the siting process.

Authority

ORS 469-300(12)(a) is the definition of an “Energy Facility” and establishes the size of state jurisdictional renewable energy projects.

- Solar photovoltaic power generation facilities – As projects that occupy significant swaths of land and are surrounded by tall fences, larger facilities traditionally are under state jurisdiction, while smaller facilities are permitted by counties. Over the last decade, the legislature has increased the size of projects permitted at the county level, responding to developers wanting to permit projects more quickly. Prior to HB 2820 in the 2013 legislative session, the thresholds for state jurisdiction were anything over 100 acres. Table 6 shows how solar jurisdictional thresholds have changed over time.

Table 6: Solar Photovoltaic Power Generation Facility State Jurisdictional Threshold Changes

Agricultural Capability	Pre-2013	After 2013 HB 2820	After 2019 HB 2329	After 2023 HB 3179	After 2026 HB 4031
High Value Farmland	>100 Acres	>100 Acres	>160 Acres	>240 Acres	Developers can elect review by county for all projects until December 31, 2028
Predominantly cultivated land	>100 Acres	>100 Acres	>1,280 Acres (2 square miles)	>2,560 Acres (4 square miles)	Developers can elect review by county for all projects until

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					December 31, 2028
Other land	>100 Acres	>320 Acres	>1,920 Acres (3 square miles)	>3,840 Acres (6 square miles)	Developers can elect review by county for all projects until December 31, 2028

- Wind energy power generation facilities – The thresholds for these projects are megawatts rather than acreage because they occupy relatively small footprints in terms of direct land use. Unlike solar facilities, wind facilities are typically sited and constructed to minimize impacts to agriculture uses. However, individual wind turbine production capabilities and the associated heights have increased over time from 662 KW (242 feet high) in 2002, to currently over 4 MW (greater than 600 feet high). The thresholds for wind facilities are somewhat complicated. The statute referenced above provides the threshold for the average electrical generating capacity, which is the peak or nameplate capacity of the combination of all proposed wind turbines divided by the factor included in the “Average electric generating capacity³⁰” definition (which is 3) based on the idea that these facilities produce power about a third of the time. Similar to the solar thresholds, the wind thresholds have changed over time, increasing the size of projects permitted at the local level.

Table 7: Wind Power Generation Facility State Jurisdictional Threshold Changes

Capacity	Pre-2019	After 2019 HB 2329	After 2025 HB 3874	After 2026 HB 4031
Average MW Capacity	35	50	100	Developers can elect review by county for all projects until December 31, 2028
Peak or Nameplate MW Capacity	105	150	300	Developers can elect review by county for all projects until December 31, 2028
No. of Turbines based on 2.5 MW Nameplate Capacity and 500 feet in height	42	60	120	Developers can elect review by county for all projects until December 31, 2028

- Geothermal energy facility – To date, the Siting Program has only reviewed two Geothermal Projects, both in the early 2000s. One was approved and never constructed and the second withdrew during the review process. Like the wind energy facility thresholds, geothermal projects have a MW threshold based on average electrical generating capacity, but the capacity factor is 1.11 instead of 3.

³⁰ ORS 469.300(4)

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Table 8: Geothermal Generation Facility State Jurisdictional Threshold Changes

Capacity	Pre-2019	After 2019 HB 2329	After 2026 HB 4031
Average MW	35	50	Developers can elect review by county for all projects until December 31, 2028
Peak or Nameplate MW	38.85	55.5	Developers can elect review by county for all projects until December 31, 2028

- **Battery Energy Storage Systems** – While a standalone battery energy storage system (BESS) is not state jurisdictional, HB 4015 in 2024 added a statutory provision that allows developers to opt in to state jurisdiction and counties to defer jurisdiction.³¹ To date, no standalone BESS projects have opted in to state jurisdiction. Although it has not reviewed any standalone projects, EFSC has extensive experience in reviewing BESS projects as related and supporting facilities to wind and solar projects, with nearly 8 GW of BESS components associated with active Siting Program projects.

Wind Energy Standards

In addition to the 16 standards described in the Siting Program Overview Section above, the following are specific to wind energy generation projects:

- **Public Health and Safety Standards for Wind Energy Facilities.**³² These require designing, constructing, and operating the facility to: 1) exclude members of the public from close proximity to turbine blades and electrical equipment; and 2) preclude structural failure of the tower and blades and related safety devices and procedures.
- **Cumulative Effects Standards for Wind Energy Facilities.**³³ These require designing and constructing the facility to reduce cumulative adverse environmental effects by practicable measures such as: 1) using existing roads and minimizing the creation of new roads; 2) using underground transmission lines; 3) connecting the facility to existing substations; 4) reducing the risk of injury to raptors and other vulnerable wildlife; 4) minimizing adverse visual features; and 5) using the minimum amount of lighting, except as is necessary for aviation safety.

Timelines

The following rule and statutes related to Siting Program timelines.

- OAR 345-015-0160(5) establishes a 140-day timeline for the Department to issue the Project Order after the Notice of Intent is submitted by an applicant. As shown in Table 9, the Department completes this step, on average, 36 days faster than the statutory deadline.

³¹ ORS 469.320(8)

³² OAR 345-024-0010

³³ OAR 345-024-0015

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- ORS 469.370(9)(d) establishes a 12-month timeframe from complete application to a final decision. As shown in Table 9, ODOE completes this, on average, 59 days faster. For projects where there are no parties to a Contested Case, ODOE completes this 178 days faster, on average. For projects where there are parties to a contested case, it takes an average of 431 days longer. Recognizing that the number of parties and issues in the contested case step can greatly increase the time of that step, ORS 469.370(11) states that failure to issue a final decision within this timeframe does not result in the automatic issuance or denial of a site certificate.
- ORS 469.370(5), a more recently updated statute, states the Council shall make every effort to conclude the contested case and issue a final order within 12 months from the date of the Proposed Order. Table 9 shows that ODOE completes this 216 days faster, on average. For projects where there are no parties to a Contested Case, ODOE completes this 322 days faster, on average. Projects where there are parties to a contested case, it's an average of 211 days longer.

Table 9: Renewable Energy Project ASC Application Average Timelines

Step	Responsible Party	Average # of Days
Notice of Intent Submittal to Project Order Issuance	ODOE	104
Notice of Intent Submittal to Preliminary Application Submittal*	Applicant	398*
Preliminary Application submittal to Complete Application determination	Applicant	303
Complete Application determination to Draft Proposed Order issuance	ODOE	83
Draft Proposed Order issuance to Proposed Order issuance	ODOE	79
Proposed Order issuance to Contested Case conclusion (projects without a full Contested Case)	Hearing Officer	26
Proposed Order issuance to Contested Case conclusion (projects with a full Contested Case)	Hearing Officer	427
Proposed Order issuance to Contested Case conclusion (all projects)	Hearing Officer	106
Complete Application to Final Order (projects without a full Contested Case)	Multiple	187
Complete Application to Final Order (projects with a full Contested Case)	Multiple	795
Complete Application to Final Order (all projects)	Multiple	308
Proposed Order issuance to Final Order (projects without a full Contested Case)	Multiple	43
Proposed Order issuance to Final Order (projects with a full Contested Case)	Multiple	576
Proposed Order issuance to Final Order (all projects)	Multiple	149
Preliminary Application to Final Order (projects without a full Contested Case)	Multiple	457
Preliminary Application to Final Order (projects with a full Contested Case)	Multiple	1,186
Preliminary Application to Final Order (all projects)	Multiple	603
Final Order to beginning construction	Certificate Holder	1,325

*This number will increase because if the current solar projects with Notices of Intent [but not preliminary Applications for Site Certificate (pASC)] submitted all of their pASCs in early May 2026, their average would be 530 days.

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Renewable Energy Projects Overview

There is a lot of variation in what happens to projects that start Siting Program review. Some never submit an application after they submit a Notice of Intent. Some withdraw after submitting an application. For those that are approved, some construct everything that was approved. But as indicated in Table 9 above, the average timeline from Council decision to beginning construction is over 3.5 years. Others only construct a portion of what was approved. Others amend projects to add significant amounts of additional generation capacity, and several have split the project into one or more projects. Table 10 provides an overview of the status of all state jurisdictional renewable energy projects as of September 4, 2026.

ODOE has also issued a report on the **barriers faced by proposed clean energy facilities** that receive a site certificate but are not built or under construction. Like this report, the [Report on Reducing Barriers to Clean Energy Deployment](#) was directed by EO 25-29.

Table 10: Status of All Renewable Energy Projects

Generation Status	Wind MW	Solar MW	Geothermal MW	Hydro MW	Battery MW	Total MW (not including battery)	Solar Acreage/Sq. Miles
Active	Active	Active	Active	Active	Active	Active	Active
Operational	2,919	412	-	-	56	3,331	4,633/7.15
In Construction	0	296	-	-	185	296	3,152/5.0
Approved But Not Built - Approval Still Valid	440	2,595	-	-	2,183	3,036	25,921/40.36
Under Review	1,578	6,434	-	-	6,943	8,012	48,892/76.20
Subtotal	4,937	9,738	-	-	9,367	14,675	82,598/128.71
Inactive	Inactive	Inactive	Inactive	Inactive	Inactive	Inactive	Inactive
Approved But Not Built - Approval Expired & Site Certificate Terminated	1,034	120	35	-	70	1,189	1,122/1.75
Decommissioned	-	-	-	-	-	-	-
Denied	-	-	-	80	-	80	-
Request Withdrawn, Expired Prior to Final Decision	2,646	2,460	180	200	2,701	5,486	25,743/40.12
Subtotal	3,680	2,580	215	280	2,771	6,755	26,865/41.87
Total	8,617	12,318	215	280	12,138	21,430	107,609/167.87

[Appendix 1 – Status of Renewable Energy Projects](#) provides a more detailed description of the projects that make up the numbers in Table 10.

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Transmission Line Projects

Authority

ORS 469-300(12)(a) is the definition of an “Energy Facility,” which establishes EFSC’s jurisdiction over transmission line projects at:

- 230 kV or greater; and
- More than 10 miles in length; and
- To be constructed in more than one city or county in this state.

However, that same definition excludes projects that meet the three threshold requirements above from state jurisdiction if they meet one of the following:

- Proposed entirely within 500 feet of an existing corridor occupied by high voltage transmission lines with a capacity of 230 kV or more.
- Projects that are 57 kV or more are rebuilt and upgraded to 230 kV along the same right of way.
- Associated transmission lines.

Transmission Line Standards

The same 16 standards described in the [Siting Program Overview](#) section above apply to transmission line projects. Additionally, the following standards, which align with environmental justice and equitable practices, are specific to transmission line projects:

- Need for Facility.³⁴ Unlike generating facilities, linear facilities must establish a need for the project. For transmission lines, there are two ways to prove a project is needed:
 - Least Cost Plan Rule. This rule requires a demonstration that the capacity of the proposed facility is identified for acquisition in the short-term plan of action of an energy resource plan or combination of plans adopted, approved, or acknowledged by a municipal utility, people's utility district, electrical cooperative, other governmental body that makes or implements energy policy. The Council is required to accept the identification of a facility for acquisition in the short-term plan of action in a plan acknowledged by the Oregon Public Utility Commission as evidence demonstrating compliance with this rule.
 - System Reliability Rule. This rule requires a demonstration of the following:
 - The facility is needed to enable the transmission system of which it is to be a part to meet firm capacity demands for electricity or firm annual electricity sales that are reasonably expected to occur within five years of the facility's proposed in-service date based on weather conditions that have at least a 5 percent chance of occurrence in any year in the area to be served by the facility;
 - The facility is consistent with the applicable mandatory and enforceable North American Electric Reliability Corporation Reliability Standards as they apply either internally or externally to a utility system; and

³⁴ OAR 345-023-0005 through 0030

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- Construction and operation of the facility is an economically reasonable method of meeting the requirements of the first two requirements compared to the alternatives evaluated in the application for a site certificate.
- Siting Standards for Transmission Lines.³⁵
 - Induced Currents. This standard requires designing, constructing and operating a transmission line to minimize induced currents and protect public health and safety.
 - Electromagnetic Fields. This standard requires designing, constructing and operating a transmission line so that the alternating current fields do not exceed 9 kV per meter above the ground surface in areas accessible to the public as a safe harbor approach.

Local Land Use – The standards can vary greatly based on the zoning.

- Farm Zone
 - Towers are less than 200 feet high. These are a Sub(1) use in ORS 215.213 and 215.283 and counties may only apply the requirements in ORS 215.275 and ORS 215.276, which include: 1) proving the transmission lines are necessary for public service; 2) ensuring the developer restores the disturbed site to its former condition; 3) imposing conditions that ensure any significant impacts to farm operations are avoided or mitigated; and 4) consulting owners of high-value farmland on route alignment and construction practices that minimize the impact on farming.
 - Towers over 200 feet high. These are a Sub(2) use in ORS 215.213 and 215.283 and counties must review these through all the required LCDC statute and rule directly applicable requirements in addition to any conditional use review requirements adopted by the county doing the review.
- Forest Zone – Per OAR 660-006-0025(4)(r), counties must review new electric transmission lines with a right of way up to 100 feet through all the required LCDC statute and rule directly applicable requirements in addition of any conditional use review requirements adopted by the County doing the review. For transmission lines with a right of way that exceeds 100 feet, an exception to Statewide Planning Goal 4 (Forest Land) is also required.
- Other Zones – There too many variations in other city and county zoning designations to include here.

Comparison to NEPA – The NEPA process for transmission lines is not a single approval by a single federal agency. The Bureau of Land Management or U.S. Forest Service is typically the lead federal agency for transmission lines on federal lands. However, the U.S. Department of Energy is the lead for DOE-funded projects.

Transmission Line Review Processes

For state jurisdiction transmission line projects, the same process in the [Siting Program Review Steps](#) subsection above apply.

Local Land Use –

- Farm Zone

³⁵ OAR 345-024-0090

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- Towers are less than 200 feet high. As previously stated, these are a Sub(1) use in ORS 215.213 and 215.283 the review process for these types of uses include:
 - Submittal of application
 - Review for completeness
 - Decision by the county
 - Notice to the applicant/landowners.
 - Opportunity for appeal by applicant/landowners
- Towers over 200 feet high. Because these are Sub(2) use in ORS 215.213 and 215.283, the conditional use review steps that are included in the [Siting Program Review Steps](#) subsection above.
- Forest Zone – All transmission line projects are subject to the conditional use review steps included in the [Siting Program Review Steps](#) subsection above.
- Other Zones – There too many process variations in other city and county zoning designations to include here.

NEPA – For transmission lines, because these types of projects can span multiple jurisdictions and involve multiple federal lands and agencies, the review process requires extensive coordination by the lead federal agency. The NEPA review is completed by the lead federal agency (usually the U.S. Department of Energy but depending on circumstances could be the BLM or US ACOE), however, other federal agencies involved (“cooperating agencies”) will review specific environmental or cultural impacts assessments, such as for compliance with the National Historic Preservation Act, Clean Water Act, Endangered Species Act, Migratory Bird Treaty Act, Bald and Golden Eagle Protection Act, and may require review by the Federal Energy Regulatory Commission. Under NEPA, a cooperating agency is any federal agency other than the lead agency that has jurisdiction by law or special expertise with respect to an environmental impact involved in a proposed project or alternative. The lead federal agency is responsible for coordinating this inter-agency review for the NEPA. State and Local agencies will also conduct their respective reviews for non-federal lands in their respective jurisdictions and will be included and considered in the lead federal agency’s NEPA review.

Note: New NEPA interim guidance from U.S. DOE on transmission lines was issued in January 2025: <https://www.energy.gov/nepa/articles/interim-guidance-nepa-reviews-electric-transmission-projects-january-2025>

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Transmission Line Projects Overview

Transmission lines projects can be very complicated because they often cross numerous jurisdictions with varied land use requirements; include private properties, many of which are not willing sellers of easements that require the use of eminent domain; and include types of important natural and human resources that can be difficult to avoid. Most transmission line projects result in new and temporary roads outside of the right of way of the transmission line to construct and maintain it. These road distances mostly extend outside of the transmission line right of way and exceed the length of the line, and can also result in significant impacts on important resources. To date, there have only been six state jurisdictional transmission line projects proposed, which are described in Table 11.

Table 11: State Jurisdictional Transmission Line Projects

Project Name	Description	Oregon County(s)	Company	Status/Notes
Eugene to Medford	• 500 kV • 146 miles from Meridian Substation near Medford to Spencer Switching Station south of Eugene • Crossing 80% private land and 20% federal land	Lane, Douglas & Jackson	PacifiCorp	• Approved in 1981 and operational • 3 Amendments approved • Amendment 4: • January 2018 – amendment request submitted. • Request: 1) Add approximately 488 acres to the site boundary; 2) replace an existing 115 kV transmission line with a new 17.6-mile 230/115 kV double-circuit transmission line; 3) construct and operate a new 500/230 kV substation; 4) reconductor a 4.9-mile segment of existing 230 kV transmission line; and 5) make temporary improvements to existing access roads. • Department completed Draft Proposed Order except for Historic, Cultural and Archeological Resources standard because PacifiCorp was relying on Federal Section 106 of the National Historic Preservation Act review to provide evidence for this standard.

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Project Name	Description	Oregon County(s)	Company	Status/Notes
				- October 2022 – PacifiCorp requested amendment be put on hold pending Federal Section 106 review and agreement by Tribal participants. - April 2024 – PacificCorp withdrew amendment because they could not resolve Tribal cultural resource concerns.
Boardman to Hemingway	500 kV 300 miles from proposed Longhorn Substation in Boardman to Hemingway Substation near Melba, Idaho - Approximately 1,300 towers up to 195 feet high - Over 200 miles of new permanent roads and improvements to over 200 miles of existing roads - Temporary construction laydown areas, helicopter fly yards and wire pulling sites 250 – 500 feet wide right of way - Four alternative route segments Crossing 66% private land, 32% state land and 1% federal lands	Morrow, Umatilla, Union, Baker & Malheur	Idaho Power Corporation (IPC)	- Approved in 2022 and in construction - Project is also federal jurisdictional: - Bureau of Land Management – NEPA lead federal agency - Forest Service – Special Use Authorization - Bureau of Reclamation – Special Use Authorization - Navy – Use of Reclamation Managed Lands See Appendix B: Boardman to Hemingway Transmission Line Review Chronology for more details.
Cascade Crossing	500 kV 215 miles from Coyote Springs Substation in Boardman to Bethel Substation in Salem - Approximately 603 towers not exceeding 200 feet high 250 feet right of way - Four new substations	Morrow, Gilliam, Sherman & Wasco	Portland General Electric	- Notice of Intent submitted May 2010. Frequent coordination meetings occurred between applicants, reviewing authorities and reviewing agencies through submittal of application. - Application submitted January 2013 - Application withdrawn June 2013

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Project Name	Description	Oregon County(s)	Company	Status/Notes
	Temporary construction laydown areas, helicopter fly yards and wire pulling sites			Project was also federal (Forest Service) and Tribal (Confederated Tribes of the Warm Springs) jurisdictional
Cascade Renewable Transmission System	- Up to 400 kV 100 miles from Big Eddy Substation in The Dalles to Harborton Substation in Portland, primarily in the bed of the Columbia River - Trenched approximately 2 feet wide and 10 feet deep using a hydro-jet technique.	Wasco, Hood River & Multnomah	Power Bridge, Sun20, and NextEra	- Notice of Intent submitted March 2023. - Application submitted February 2026. Currently being reviewed for completeness Project is also federal (Army Corps of Engineers) and State of Washington (Energy Facility Site Evaluation Council) jurisdictional. Frequent coordination meetings occur between applicant, reviewing authorities and reviewing agencies.
Lone Pine to Whetstone	230 kV 10 – 12 Miles from Line Pine Substation near Medford to Whetstone Substation near White City Approximately 140 towers not exceeding 130 feet high	Jackson	PacifiCorp	Notice of Intent submitted April 2023. After the public comment period on the Notice of Intent, PacifiCorp changed the project design to no longer be state jurisdictional and did not submit an application.
Umatilla-Morrow County Connect Project	230 kV 14 Miles from Line Pine Substation near Medford to Whetstone Substation near White City - Approximately 101 towers not exceeding 150 feet high 75 – 150 feet right of way - Four route alternatives	Morrow and Umatilla	Umatilla Electric	- NOI submitted September 2023 - Application submitted May 2025. DPO is being drafted Concurrently with the ASC review for completeness.

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Siting Program Streamlining Efforts

For the Siting Program, EO 25-29 requires an evaluation of authorities, rules, and practices to identify opportunities to streamline or increase efficiency. The prior sections provided an overview of the purpose and intent of the Siting Program, the way it is structured, and the way it functions. This section includes streamlining and efficiency efforts that occurred in the past, as well as efforts that are ongoing and new initiatives.

As previously described, the Siting Program is designed to be thorough, transparent, and inclusive of interested groups and individuals that frequently advocate for contradictory outcomes. This results in a robust process that necessarily takes more time as the complexity, controversy, and number of interested participants increases. The process is meant to balance many competing interests. Streamlining efforts must be approached thoughtfully; if one step in the process is streamlined too much, it could have negative implications on other steps and decrease the overall efficiency and effectiveness of the process. Similarly, there is a risk that steps taken to make the process work for one group of participants could result in negative effects on another participants.

Previous External Streamlining Related Efforts

There have been numerous streamlining-related efforts over the past 30 years that have taken different forms and were initiated by different sources, including the Legislature, executive branch, and the Department of Energy. Table 12 summarizes some of these prior streamlining efforts.

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Table 12: Previous External Siting Program Streamlining Related Efforts

Year	Name	Initiated by	Summary
2026	HB 4031	Legislature	The bill amended EFSC’s exemption statute (469.320) to allow developers to opt out of EFSC jurisdiction and apply to the applicable city or county for any solar, wind or geothermal project until December 31, 2028.
2026	HB 4076	Legislature	The bill created a new concept of surplus interconnection to allow new projects or amendments to existing projects to use up that surplus capacity as long as it was within 2 miles of the point of interconnect. The purpose would be to justify the reasons sufficient to justify an exception to Goal 3 (Farm Use protection), no matter the type of farmland soils that the new project or amended project was located on.
2026	HB 4084	Legislature	The bill established a Joint Permitting Council made up of state agency representatives with the purpose of directing applicable regulatory entities to expedite permit reviews.
2025	Executive Order 25-25	Governor Kotek	The EO was in response to the federal government’s changes to renewable energy production and investment tax credits. For developers to be eligible for the tax credit, they had to begin construction before July 5, 2026 and must be placed into service before December 31, 2027. The language in the EO establishes the following three broad directives to ODOE and Energy Facility Siting Council (EFSC): 1. Consult with developers regarding the status of their projects and any need for ODOE and EFSC to help them get projects to construction prior to the deadline. <i>The consultation was conducted. The Department surveyed developers of projects currently in the EFSC process and received responses related to 15 projects. Of those, nine indicated they would be seeking to meet the physical work test by the July 2026 date.</i> 2. Do some combination of the following to help them get projects to construction prior to the deadline, including: • Reprioritize staffing resources and projects as necessary • Make process changes consistent with statute and rule • Schedule additional EFSC meetings • Forgo consultation with federal agencies • Emergency rulemaking

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			<i>The Department has prioritized staffing resources toward projects seeking to meet the tax credit deadline. Staff identified one project where a change to the typical way of sequencing an amendment review and evaluating pre-construction conditions could save time.</i> 3. Do not pursue as a violation the construction of a project prior to issuance of a site certificate as long as: • Application for site certificate was deemed complete • Letter of credit consistent with the EO was provided • Work is minimum necessary to meet the federal construction requirement • Known resources are avoided <i>No developer has begun construction prior to receiving a site certificate.</i>
2025	HB 3681	Legislature	The bill included the following changes to statute: • Established the earliest date the Council can require a facility to begin construction after approval is six years. • Clarified the appeal path on applications, amendments, and related steps is to the Oregon Supreme Court. • Certificate holders may request to add area to a site boundary without an amendment, subject to Council rules. This was proposed by ODOE to authorize rules that had already been adopted but were not able to take effect without a statutory change. • Required the Council to make every effort to conclude the contested case and issue a final order within 12 months from the date of the proposed order.
2025	HB 3874	Legislature	The bill changed the EFSC jurisdictional thresholds for wind facilities from 50 MW average, or 150 MW of combined nameplate capacity established in HB 2329 in 2019 to 100 MW average, or 300 MW of combined nameplate capacity.
2024	Renewable Energy and Transmission Siting Working Group	Representative Gamba	Representative Gamba hosted a series of meetings to identify and advance concepts in the 2025 legislative session related to renewable energy and transmission siting. This working group resulted in HB 3681 in the 2025 legislative session.

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2024	HB 4015	Legislature	The bill included a definition of battery energy storage in EFSC’s definitions and allowed developers of standalone battery energy systems, which remained local jurisdictional, to opt into EFSC jurisdiction.
2023	HB 3179	Legislature	The bill changed EFSC jurisdictional solar thresholds. Prior to the bill, the thresholds had been the following since 2019 under HB 2329: • Over 160 acres on high value farmland • Over 1,280 acres (2 square miles) on arable farmland • Over 1,920 acres (3 square miles) on any other land HB 3179 Changed these to: • Over 240 acres on high value farmland • Over 2,560 acres (4 square miles) on arable farmland • Over 3,840 acres (6 square miles) on any other land
2023	Battery Energy Storage Systems Working Group	Representative Marsh	Representative Marsh hosted a series of meetings evaluating possible legislative changes to the siting and permitting of Battery Energy Storage Systems. See HB 4015 in the 2024 Legislative session.
2022	Renewable Energy and Transmission Siting Working Group	Verde	Verde, along with Renewable Northwest and 1,000 Friends of Oregon, hosted a series of meetings to identify and advance concepts in the 2023 legislative session related to renewable energy and transmission siting. HB’s 2989 and 3181 were introduced in the 2023 Legislative Session but did not pass. The bill would have directed ODOE and DLCD “to convene a work group to examine barriers, opportunities and other issues related to renewable energy and transmission project siting in Oregon.”
2021	HB 2063	Legislature	Proposed by ODOE – The bill eliminated the need to request an exemption from Council for a “standby generator” as defined by statute. The Department had determined that this was not a necessary process.
2021	HB 2064	Legislature	Proposed by ODOE –The bill changed quorum requirements for EFSC, enabling the Council to hold a meeting with four instead of five members present. The change was made to reduce potential delays to projects that could result from the Council not being able to hold meetings due to vacancies and unavailable Council members.

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2020	Executive Order 20-04	Governor Brown	This executive order directed state agencies to take actions to reduce and regulate greenhouse emissions. The following Siting Program efforts were identified in the report: 1. Solar Noise Rulemaking – A new rulemaking project was identified to evaluate how noise rules apply to Siting Program projects. See the 2025 Noise Rulemaking in Table 13 below. 2. 3 phase rule alignment to better connect the application requirements to the standards. While this rulemaking had already been identified, it was reprioritized to start sooner. See the Phase 1, Phase 2 and Phase 3 Rulemakings in Table 13 below. 3. Program Evaluation – See 2023 Program Evaluation above.
2019	HB 2329	Legislature	The final bill changed EFSC jurisdictional thresholds. For solar, prior to the bill, anything over 100 acres on high value and arable farmland was EFSC jurisdictional. Anything over 320 acres anywhere else was EFSC jurisdictional. HB 2329 changed the thresholds to: • Over 160 acres on high value farmland • Over 1,280 acres (2 square miles) on arable farmland • Over 1,920 acres (3 square miles) on any other land For wind and geothermal, prior to the bill, anything over 35 MW average generating capacity was EFSC jurisdictional. HB 2329 changed the threshold to 50 MW. Based on the definition of “Average electric generating capacity” that meant the combined nameplate capacity of all of the wind turbines in a wind facility went from being 105 MW to 150 MW before being EFSC jurisdictional. For a geothermal facility, the nameplate capacity went from 38.85 MW to 55.5 MW
2017-18	Senator Olsen Oversight Committee	Senate President Courtney	Senator Allen Olsen was given the direction by Senate President Courtney to conduct an assessment of Siting Program. Between 2017 and 2018 he convened ODOE staff, developers, developer trade groups, state agencies and members of the public to review various aspects of the Siting Program. This effort did not result in any proposed changes or legislation
2015-2017	Advisory Committee on Energy and	Governor Brown	An advisory group was established to evaluate opportunities to minimize the impacts of transmission lines to high-value agriculture. The group met between October 2015 and October 2017. While there were numerous ideas identified in the final report, the only

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	Agriculture in the Umatilla Basin		one to be implemented was the adoption of rules by LCDR in OAR 660-033-0055 – Designation of Regional Electric Transmission Corridors. To date no counties have utilized these rules.
2014-2016	Pacific Northwest Regional Infrastructure Team (PNWRIT)	Interior Secretary Sally Jewell and the Governors of Washington, Oregon and Idaho	PNWRIT was based on the RRTT effort described below and created a forum for subject matter experts to meet quarterly related to two projects, one of which was the Boardman to Hemingway Transmission line. Quarterly meetings related to reviewing progress on the projects. One of the main results was stronger collaboration between state and federal agencies leading to more timely and efficient reviews. Siting Program staff participated in these quarterly meetings.
2015	SB 259	Legislature	Proposed by ODOE – The bill made the following changes: • Tribes became eligible for reimbursement for their review and comment during the Notice of Intent and application process. • State agencies and local governments became eligible for reimbursement for work requested by an applicant prior to submitting a Notice of Intent, if requested by an applicant. • State agencies and local governments became eligible to be reimbursed for assisting in compliance review
2014	Transmission Siting Taskforce	Western Governors' Association	This effort was sponsored by the U.S. Department of Energy. While not specific to the Siting Program, Siting Program staff participated in this effort. The purpose was to develop and institutionalize best practices for the siting of transmission lines across the western states. The outcome was a web portal that offers one location for agencies, developers and industry to access information on regulatory permitting processes. In addition to transmission, includes sections for geothermal, hydropower and solar. Oregon Bulk Transmission Permitting Process RAPID Toolkit OpenEI
2013	HB 2105	Legislature	Directed ODOE to review energy facility siting procedures and make recommendations on the following: 1. Means to encourage consistency between the standards for the siting of facilities of the federal government and local governments with those specified in ORS 469.300 to 469.563.

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			2. A mechanism to enhance the participation of local governments during the facility siting process when the standards for the siting of facilities of local governments are consistent with those specified in ORS 469.300 to 469.563. 3. Means to encourage public participation in the design and siting of facilities. 4. The definition of “energy facility” specified in ORS 469.300 and recommendations to clarify the definition for purposes of determining which public body, as defined in ORS 174.109, has authority relating to the siting of facilities. 5. Means to ensure constructive and effective participation by local governments, state agencies and federally recognized Indian Tribes in the siting of facilities. 6. Means to ensure the efficient and cost-effective recovery of fees expended in the review of Site Certificates Applications. 7. Any other matters deemed relevant by the department. The report to the legislature described the existing efforts already occurring relating to the seven categories above as a result of the prior streamlining efforts described in 2012 and 2013 below, in addition to the following: • Website updates including project pages with more information for the public and a web-based map of all project locations • Adding a webinar option to all Council meetings to allow for better remote participation • Email notice sign-up for projects, Council meeting, and Council rulemaking projects • Establishing more clarity on adjacent property owner information for application and amendment notices
2013	HB 2820	Legislature	Changed EFSC jurisdictional threshold. Prior to the bill, anything over 100 acres was EFSC jurisdictional. Based on the idea that the majority of projects would be proposed on farm zone land, HB 2820 changed the thresholds to: 1. Over 100 acres on high value farmland 2. Over 100 acres on arable farmland 3. Over 320 acres on any other land

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2009-2013	Interagency Rapid Response Team for Transmission (RRTT)	White House Council on Environmental Quality	The purpose was to improve the overall quality and timeliness of electric transmission infrastructure permitting, review and consultation by the Federal Government on both Federal and non-Federal lands. Siting Program staff participated in this effort. The RRTT focused on seven pilot projects, two of which were in Oregon, the Boardman to Hemingway Transmission Line project and the Cascade Crossing Project. See descriptions below. https://obamawhitehouse.archives.gov/administration/eop/ceq/initiatives/interagency-rapid-response-team-for-transmission
2012	Governor’s 10 Year Energy Action Plan	Governor Kitzhaber	The identified goals of this project for the Siting Program were: • improved agency coordination and public participation; • updated standards and minimized conflict between federal, state and local jurisdictions’ requirements; • advance landscape-level planning and mitigation for energy facilities The annual process improvement program and current rulemaking described below were outcomes of this.
2012	Streamlining Pilot Project	Governor Kitzhaber	The identified goals of this project for the Siting Program were: • improved agency coordination and public participation; • updated standards and minimized conflict between federal, state and local jurisdictions’ requirements; • integrated and comprehensive planning that facilitates timely, consistent and predictable results that reflect the values of Oregon; and The annual process improvement program and current rulemaking described below were outcomes of this.
1997	HB 3283	Legislature	Following the SB 951 recommendations below, this bill removed the need standard for generating facilities and included a standard for energy facilities that emit carbon.
1995	SB 951	Legislature	Task Force was required to be established to review the public’s interest in the siting of energy facilities and develop and present recommendations to the legislature. Questions Evaluated: 1. What is the appropriate scope of state siting authority?

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			2. How should the decision to permit new facilities be made? 3. Should determination of need be required before a facility can be built? 4. What should be the process to approve or deny request to build new energy facilities? Recommendations Made: 1. Jurisdictional thresholds should remain the same, but EFSC should develop a model ordinance for local governments. This was completed. 2. Decision to permit new facilities should remain the same, but with minor changes 3. Need standard should be eliminated for generation facilities and climate change standard should be added. See HB 3283 in the 1997 Legislative Session. 4. Opportunities for public participation and the challenging of projects should remain the same.
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Rulemaking

Overview

Since 2013, EFSC has engaged in sustained administrative modernization through rulemaking. The cumulative effect of these rulemakings can be broken into the following broad categories:

Improve Rule Organization – Siting Program rules can be broadly broken into two categories: procedural and substantive. The procedural rules establish how the application and amendment process works and the substantive rules establish the required standards and the evidence needed to justify them are met. Previously, the substantive and procedural rules were mixed in numerous divisions. Determining the procedural requirements for a specific step required looking in two or more locations, creating confusion and increasing the possibility of a procedural error. Also, the application requirements were separated from the standards and in some instances, did not align well with the standards. To help resolve these structural issues and to do a substantive evaluation of the effectiveness of Council standards, EFSC is engaging in a three-phase rulemaking effort.

- Phase 1 – Separate the procedural and substantive requirements. *Completed.*
- Phase 2 – Combine the application requirements with the standards for which they are associated.
- Phase 3 – This is a series of rulemakings that will substantively evaluate specific standards, or groups of standards, to determine if Council standards effectively address potential impacts to protected resources. The review of associated application requirements will better align them to standards and only require submission of information that is needed to ensure important state resources are protected. By ensuring that required information is clearly defined, proportionate, and directly connected to each standard, EFSC aims to improve upfront application completeness and reduce avoidable review delays. These rulemakings commenced in 2025 and are forecasted to be completed by 2029.

Decrease Procedural and Litigation-Driven Risk – As the number of renewable energy projects reviewed through the Siting Program has increased, so has opposition to those projects. Projects have experienced a higher use of procedural challenges, resulting in longer review timelines. In response, several rulemakings have evaluated whether certain procedures meaningfully improve public participation or primarily create delays without adding value to the review process. Examples of these efforts include:

- Clarifying the standard for granting a contested case request for amendments.
- Reorganizing and modernizing contested case procedures for applications, including limiting most interlocutory (non-final action) appeals to EFSC regarding hearing officer decisions on contested case parties and issues.
- Replacing the contested case process for amendments with an enhanced public comment process.

These rule changes were made while maintaining fundamental appeal rights for those who believe all standards have not been met.

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Increase Predictability – Predictability is a key element in a regulatory system for the benefit of all interested groups and individuals. Examples of these efforts include:

- Establishing a new wildfire standard to ensure a more consistent approach to wildfire prevention and protection rather than evaluating it through the public services standard on an ad hoc basis.
- Updating structural and seismic standards to focus on site-specific analysis and early consultation.
- Clarifying solar aggregation and jurisdiction thresholds.
- Updating protected area and scenic standards to remove outdated designation lists.

Changes to the Amendment Rules – Once approved, many projects are amended several times over their life cycles. In some years, the Siting Program sees more requests for amendments than original applications. An amendment is substantively similar to an application because the certificate holder must prove that all standards triggered by the amendment are met and must provide sufficient evidence to demonstrate this. However, amendment reviews involve fewer procedural steps. Several rulemakings have clarified and streamlined those steps.

- Replaced two procedural paths with a unified process.
- Eliminated the opportunity to request a contested case and replaced it with an enhanced comment phase.
- Eliminated the Draft Proposed Order (DPO) step because of the eliminating the opportunity to request a contest case.
- Allowed for Council to waive the requirement for an in-vicinity hearing if the proposed amendment is minor and minimal public interest is anticipated.
- Increased public transparency regarding:
 - The evaluation of facility modifications that do not trigger an amendment.
 - Public notification when an amendment request is received.

Reduce Costs – The Council and Department continually seek opportunities to reduce costs for applicants and site certificate holders. While all of the categories above contribute to reduced costs for applicants and site certificate holders, the following examples resulted in very clear direct cost savings:

- Eliminating default hard-copy submission requirements and formalizing electronic data submission instead, which reduces printing and mailing expenses for the applicant and physical file management costs by ODOE that are passed on to the applicant.
- Removing exemption filing requirements and review by EFSC for standby generators.

These rulemakings position EFSC to continue to rigorously review complex energy facility applications in a manner that is transparent, inclusive, and protective of public health and the environment, but in an increasingly streamlined way.

ODOE highly encourages developers, special interest groups, the public, and all interested parties to actively participate in EFSC rulemakings so that their ideas, recommendations and concerns are vetted and potentially incorporated into new rules and updated standards.

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Table 13: Notable Streamlining-Related Rulemakings

Rulemaking Name	Division(s)	Year Finalized	Streamlining Impact
Current Rulemakings	-	Forecasted	-
Application Process Review – Phase 3 – No. 1	22	2026	Retirement and Financial Assurance and Organizational Expertise
Compliance	15, 26, 29 & ...	2026	Improves clarity and consistency of the compliance rules, refine monitoring and reporting requirements, and remove outdated obligations.
Future Rulemakings	-	Forecasted	-
Application Process Review – Phase 3 – No. 2	22	2026/27	Protected Areas, Scenic Resources and Recreation Resources – See Phase 3 rulemaking description above.
Application Process Review – Phase 3 – No. 3	22	2026/27	Structural and Soil Protection – See Phase 3 rulemaking description above.
Natural Hazards Mitigation	22	2026/27	Evaluate whether and how the siting review process can support the goals of the Oregon Natural Hazard Mitigation Plan and implement natural hazard mitigation strategies.
Mandatory Conditions	25	2027	Ensure that the mandatory conditions specified by rule are clear, complete, and necessary to be included in each site certificate. Consider allowing flexibility in language to address site specific conditions and circumstances.
Application Process Review – Phase 3 – No. 4	22	2027	Fish and Wildlife Habitat & Threatened and Endangered Species
Application Process Review – Phase 3 – No. 5	22	2027	Waste Minimization, Public Services & Land Use
Application Process Review – Phase 3 – No. 6	22	2028	Historic, Cultural and Archeological Resources
Past Rulemakings Since 2017	-	Finalized	-

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Rulemaking Name	Division(s)	Year Finalized	Streamlining Impact
Tribal Communication	20	2026	Requires applicants to reach out to identified Tribes prior to submitting Notice of Intent to avoid or minimize impacts to resources earlier in the project design and reduce risk of project delays later in the review.
Exemption	15	2026	Streamlines process for reviewing and tracking the status of exemptions.
Modernization	Multiple	2026	Removed hard copy requirements; modernized data submission standards.
Noise	N/A	2025	ODOE worked with DEQ for them to change their Noise Control Regulations to allow solar energy generation facilities to demonstrate compliance in the same manner as allowed for wind energy facilities, which reduces time and cost for developers.
Amendments	21 & 27	2025	Eliminated opportunity to request a contested case for an amendment; unified review pathway; reduced amendment timelines and increased regulatory certainty of amendment process.
Application Process Review – Phase 2	20 - 24	2025	Migrated information requirements to standards; eliminated exhibit lettering; improved navigability.
Contested Case	15	2024	Eliminated most interlocutory appeals; improved procedural efficiency; reduced confusion in how contested case process works.
Standby Generator - Exemption	15	2024	Eliminated exemption request requirement; removed entire regulatory step. This rulemaking followed HB 2063 proposed by ODOE in the 2021 legislative session.
Application Process Review – Phase 1	15 & 22	2023	Reorganized procedural rules; clarified responsibilities; reduced misinterpretation.
Protected Areas & Scenic Update	22	2022	Removed outdated designation lists; clarified applicability; reduced recurring amendments.
Wildfire Prevention Standard	20 & 22	2022	Established structured wildfire standard; improved predictability and avoided late disputes.
Quorum Update	11	2021	Reduced quorum requirement; lowered risk of meeting cancellations. This rulemaking followed HB 2064 proposed by ODOE in the 2021 legislative session.
Housekeeping and Modernization	Multiple	2020	Reduced paper filing; updated notice requirements; lowered applicant costs.

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Rulemaking Name	Division(s)	Year Finalized	Streamlining Impact
Safe Public Meetings	15 & 27	2020	Authorized remote hearings based on emergency situations to prevent the need to postpone meetings potentially creating project review delays.
Contested Case Threshold Clarification	27	2020	Refined contested case trigger for amendments; reduced unnecessary proceedings.
Solar PV Jurisdiction Clarification	15	2020	Clarified aggregation and jurisdiction thresholds; improved early project planning certainty.
Amendments	27	2017	Created tiered amendment pathways; formalized completeness review; reduced duplicative comment cycles.
Structural & Seismic Updates	21, 22 & 27	2017	Removed outdated code references; required early consultation; prevented late-stage disputes.
Wind Public Health & Safety (Aircraft Risk)	24	2017	Clarified application of wind safety standards to aircraft risk; reduced litigation risk and improved predictability.
Threatened and Endangered Species & Fish and Wildlife Habitat	21 & 22	2017	Removed application requirement to submit federally listed threatened and endangered (T&E) species information if the species was also not on the Oregon T&E list to eliminate work for the applicant that was not evaluated; aligned EFSC review with ODFW rules; clarified wildlife application requirements; reduced ambiguity and duplicative review.

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Siting Program Process Improvement Activities

Annual Work Plan

At the oral presentation of the HB 2105 report to the Senate Interim Committee on Environment and Natural Resources on November 20, 2013, ODOE shared a list of streamlining projects it had already identified and started working on because of the Streamlining Pilot Project and Governor's 10 Year Energy Action Plan from 2012, and the Siting Program Evaluation from earlier in 2013. ODOE informed the Committee that it would use the HB 2105 report as the basis for an annual Siting Program work plan intended to guide the division's continued performance improvement efforts with the intent to continually make the Siting Program more timely, consistent, inclusive, transparent, and predictable. Since late 2013, the Siting Division uses the Operations and Policy Analyst Annual Work Plan to focus current process improvement activities and report on completion of past activities. The work plan provides direction and priorities for Siting Division staffs' efforts beyond day-to-day activities and other established responsibilities.

When establishing projects for each Annual Work Plan, ODOE uses applicable elements from its Strategic Plan and the following set of goals to ensure all participants in the State Siting Program see improvements:

- *Applicant/Site Certificate Holders* – Increase applicant/certificate holders' trust and perception of the value of the state energy siting process by reducing the siting process unknowns.
- *Public* – Increase and enhance the public's understanding, participation, and trust in the state energy siting process.
- *Reviewing Agencies* – Increase the quality and quantity of the Energy Siting Division's connections to local, state, federal, and Tribal agencies that participate in the state energy siting process.
- *Regulatory Clarity* – Increase the efficiency, effectiveness, transparency, accountability, and predictability of the site certificate process.
- *Process Improvement* – Systematically evaluate underlying business processes to achieve highest possible efficiency.
- *Adaptability* – Strengthen the ability of the Energy Facility Siting Council and Energy Siting Division's staff and processes to adapt to changes in energy markets and environmental constraints, and the subsequent changes to applications for site certificates, as well as department and division staffing and priorities.

Current and Past Process Improvement Projects

The following are examples of streamlining projects that have been worked on over the last decade and that are continually implemented by the Siting Division. Please note that many of the projects apply to multiple categories but have only been included in a single category.

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Table 14: Process Improvement Project Examples

Category	Project Name	Project Description
Applicant/Certificate Holder (A/CH)	Applicant Guide	Developed and updated several times a breakdown of the requirements and expectations of an applicant through each step in a clearer and easier to read format than statutes and rules.
A/CH	Annual Financial Assurance Evaluation	Developed standard letter of credit and bond templates, and EFSC approved list of financial institutions to be updated annually. Allows certificate holders to move forward without the time and cost of proposing individual financial assurance documents and banking information to EFSC.
A/CH	Annual Financial Assurance Updates	Developed consistent and streamlined process for review of annual updates to financial assurance instruments.
A/CH	Annual Compliance Fee Assessment	Developed annual assessment protocols and templates to more accurately forecast and assess the compliance costs of each facility.
A/CH	Quarterly Updates	Provide quarterly financial and project schedule updates to applicants in writing
Public Participation (PP)	Public Guide	Developed and updated several times a breakdown of each step in the Siting Program review process oriented toward public participation in a clearer and easier to read format than statutes and rules.
PP	Public Notice	- Created the opportunity to sign up to receive email notifications for any combination of project reviews, rulemakings, Council meetings and monthly Siting Program updates. - Continually refined public notices to make them easier to understand.
PP	Website	There have been numerous updates to the following since they were first established to make the information more timely, relevant and easier to access: - Project Pages: application/amendment materials; staff recommendations; all public comments provided in a docket style system to allow members of the public to see everyone else's comments; status of approved projects; staff contact information; applicant/site certificate holder contact information; maps; and link to sign up to receive notice of the projects - Online Project Maps: location of all EFSC jurisdictional projects and status; links to project pages; other layers to better understand the location and potential impacts

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Category	Project Name	Project Description
		of projects including: natural resources; transmission lines and substations; and government boundaries; physical and military assets • Rulemakings: annual rulemaking; description; status; information related to early engagement such as Rulemaking Advisory Committees; EFSC meetings; draft rules final rules; and link to sign up to receive notice of rulemakings • Council Meetings: agenda and meeting materials as they become available; recording of the meeting typically posted the week after the meeting
PP	Public Information Meetings	Public information meetings in the vicinity of a proposed project are optional at the Notice of Intent and Complete Application steps. However, these meetings provide valuable opportunities for staff and the applicant to hear from members of the public and better prepare them to participate in the forthcoming Siting Program steps. These are therefore typically held.
PP	Draft Proposed Order Hearing	While a Draft Proposed Order hearing must be held in the vicinity of a project, it is not required to be held in front of Council. To afford members of the public the ability to testify directly to Council, the ultimate decision makers, to ensure their comments are heard, these hearings now occur in front of Council.
PP	Webinars	Council meetings frequently occur in remote locations in the vicinity of project locations. Long before Covid, Council meetings included a Webinar option to allow for remote participation. Staff has continually updated equipment and worked on ensuring remote participation works well.
PP	Comment Submittal	Established a comment portal system designed to focus public comments on the application and applicable standards.
PP	Video Tutorials	ODOE has already created a video tutorial on how to use the Oregon Renewable Energy Siting Assessment (ORESAS) Tool . Additional tutorials related to submitting comments; how to engage with the Siting Program review process; and how to engage in the Rulemaking process are in the planning phase.
PP	Inspection Request	Developed form, and initiated procedures for members of the public to request site inspections per OAR 345-026-0050. Request is downloadable or may be completed and submitted on-line.

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Category	Project Name	Project Description
Application/Amendment review (A/Ar)	Handouts	Created and updated numerous fact sheets to help the public, applicants, and reviewing agencies better understand and more efficiently participate in the Siting Program review. These are available in paper form at Council meetings and are on the Siting Program’s various webpages
A/Ar	Online Mapping Tool	Created an initial web-based mapping tool that included all EFSC jurisdictional projects and the status of those projects. This was replaced by the Oregon Renewable Energy Siting Assessment tool which is a very robust tool with a multitude of layers. Applicants can use this tool for some of the initial analysis they are required to provide as part of the Notice of Intent step. Reviewing agencies can upload other geo-spatial layers to the tool or download them onto their own systems in order to conduct a more timely and thorough evaluation of proposed projects. Members of the public now have access to a very sophisticated geo-spatial analysis tool with a multitude of layers that is relatively easy to use.
A/Ar	Project Management	Siting Program staff have continued to evaluate and try a multitude of project management tools and techniques to streamline the review process and ensure more consistent analysis and decisions. Examples include: employing different types of staffing resources to projects at different steps; using different types of software packages; different frequencies of meetings; linking daily time-tracking tasks to project cost estimate tasks; and establishing frequent check-in meetings with applicants as they desire to go over the status of reviews.
A/Ar	Templates and Style Guides	Developed and updated templates and style guides for most documents to reduce the time and effort associated with each project review. Examples include: Applications & Amendments • Construction and Operational Wildlife Mitigation Plan • Construction and Operational Vegetation and Soil Management Plans • Retirement Cost Estimating Tool • Notices • Draft Proposed Orders • Proposed Orders • Reviewing Agency Memos Compliance

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Category	Project Name	Project Description
		• Inspection Reports • Compliance Spreadsheets
Compliance	Annual Workplan	Established a work plan that includes both routine and process improvement tasks. This has resulted in more clarity and consistency in: • Communication with certificate holders on compliance activities throughout the year. • Updates to Council on compliance activities throughout the year • Refining compliance tracking systems • Implementing Geospatial tracking elements • Tracking issues found at sites from year to year
Compliance	Compliance Spreadsheet/Matrix	OAR 345-026-0048 requires certificate holders to implement a plan to verify compliance with all site certificate conditions. Historically, these have been very different resulting in a lot of extra time by staff to review. As an alternative, staff created a template to be used by all certificate holders resulting in a consistent and faster annual review of operational conditions.
Compliance	Condition Updates	Program staff work to ensure conditions are as clear as possible for certificate holders to provide evidence of compliance and for Compliance Officers to affirm compliance. If information becomes available to indicate unclear conditions, staff works to clarify them for future site certificates. This is being addressed by engaging Compliance Officers in the drafting of new and different conditions – the Compliance Officers can provide feedback to Siting Analysts on the difficulties they have in implementing specific conditions. At the same time, involving Siting Analysts compliance work helps them better understand what it means to implement the conditions they create.
Administration	Desk Manuals	Developed desk manuals for all positions and specific procedures to make it easier for employees to meet responsibilities in a timely manner.
Administration	Employee Onboarding	Developed training plan to more efficiently and effectively on-board new staff. Includes internal orientation, consistency with information provided to EFSC members and outreach to interested groups and individuals.

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Category	Project Name	Project Description
Administration	Records Management	This has been a consistent and ongoing effort including numerous specific efforts allowing quick and easy access to all documents: • Consistent file folder requirements for applications, amendments, rulemaking, compliance and EFSC meetings • Consistent file naming conventions • Protocols for working documents vs. permanent record documents • Scanning in old paper records • Digitizing old Council meeting recordings
Administration	Program Evaluation	In 2013 and 2023 hired consultants to evaluate the Siting Program to identify streamlining opportunities. Many of the projects in this table were outcomes of those program evaluations.
Fiscal Management (FM)	Fee and Cost Tracking	Developed protocols and templates for better estimating and tracking the costs associated with the review of Notices of Intent, Site Certificate Applications, Amendments to Site Certificates and Annual Compliance. Protocols include changes to payment procedures for applicants and invoicing procedures to provide more up-to-date invoicing and consistent information.
FM	Task Review	Continually fine-tuning tools related to producing weekly task deliverables, including establishing specific task time expectations and tying those to timesheet entry data.
FM	Financial Management Policy	Updated policy and procedures for Siting financial management, improving processes and communication with agency Central Services division.
Reviewing Agency Participation (RAP)	Communication	The Department continually works to improve its outreach to reviewing agencies and to convey project information to Tribal Governments, state agencies and local governments so that the Department can receive timely and detailed feedback on applications and amendments: • reviewing materials in advance and directing specific agencies to specific areas of applications and amendments with specific questions under their area of expertise • individual outreach and meetings • trainings • reducing large volumes of materials to help the agency focus on specific review materials

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Category	Project Name	Project Description
		transmitting materials in an easily accessible manner
Energy Facility Siting Council	Member Guide	Developed Guide to help new Council members onboard and to use as a resource guide.
Energy Facility Siting Council	Meeting Materials	In the last decade or so, staff has continually modernized the approach to providing Council members with the large volume of information necessary for their review for a Council meeting in a timely way. The most recent way is to provide each Council member a laptop and upload materials to a SharePoint site for them to access.

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Recommendations: Additional Opportunities for Improvement

As previously described, the Siting Program has an established culture of process improvement that makes efforts every year to improve the program for all participants. In implementing the Executive Order, additional opportunities to streamline and increase efficiency are described below.

Increase Oversight and Capacity in Siting Division to Address Volume, Complexity, and Streamlining of Project Reviews

The Siting Division is charged with numerous responsibilities. These include but are not limited to:

- 1) Reviewing applications and amendments for some of the biggest infrastructure projects in the state in an inclusive, transparent and efficient manner with a final decision that is legally defensible to the Oregon Supreme Court.
- 2) Ensuring all approved projects are constructed, operated and decommissioned consistent with all conditions of approval.
- 3) Annually conducting EFSC prioritized rulemaking projects that are inclusive of groups who participate in the State Siting Process and that clarify and streamline procedural and substantive rules regarding the review an oversight of state jurisdictional energy projects.
- 4) Supporting a volunteer council that has final authority on all applications, amendments, compliance and rulemaking.
- 5) Establishing and conducting annual process improvement work tasks to continually improve the program.
- 6) Participating in agency actions such as ODOE's Biennial Energy Report, energy strategy development and implementation and the strategic plan.
- 7) Participating in and responding to external efforts related to the State Siting Program such as executive orders, legislative workgroups, and proposed legislation.

To meaningfully execute and participate in all these activities, the Siting Division must have the correct number and types of positions. ODOE recommends the addition of a subordinate manager within the Siting Division. The division currently has one manager that oversees 14 diverse positions. Additional support and oversight within the division is necessary to advance clean energy streamlining activities and support an efficient and effective process as the volume of clean energy and transmission projects increase in the near future. In addition, ODOE will conduct an evaluation of the number and type of positions and will recommend additional staffing capacity in the current and future budget cycles. Examples of new staff positions could be an additional subordinate manager, transmission-specific Senior Siting Analysts, and an additional position or positions to participate in internal agency efforts and external efforts related to improving the State Siting Program.

Align Siting Division Fiscal Policies and Procedures with Staffing Needs

The Siting Division's funding model is described in detail in the [Siting Program Fundamentals](#) section above. That model was established more than 15 years ago and has successfully focused the number,

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amount and type of staffing to be largely based on application and compliance fees. However, that same model has also limited staff's ability to be responsive to changes in workload volumes, adequately perform day to day management of the sub programs, inform the agency's broader policy work and work on external activities not supported by specific project fund. ODOE will conduct an evaluation of the Siting Division's fiscal policies and procedures to align with recommended staffing changes above. Examples of proposed changes could be changing the fee billable targets required of most positions and use of more Energy Supplier Assessment funds as allowed by ORS 469.421(8)(a). ODOE will seek to address the changes in current and future budget proposals.

New Rulemaking Project Ideas

The following rulemaking projects will be recommended to the Energy Facility Siting Council as part of the annual rulemaking schedules. EFSC retains authority to commence and finalize rules; the ideas in this report should be considered as recommendations to EFSC, which will retain the final decision-making authority. The timing of the rulemaking will depend on staff capacity and other priorities.

As noted above in the [Rulemaking section](#), ODOE highly encourages interested parties to actively participate in EFSC rulemakings so that their ideas, recommendations, and concerns can be taken into account by EFSC. It will be especially important for interested parties to weigh in on how EFSC should prioritize undertaking the following ideas.

Streamline or Remove Contested Case Elements

As described in the [Siting Program Fundamentals](#) subsection above, the Contested Case is a mandatory step in the application process and serves several important functions. It allows individuals concerned about the proposed projects, the applicant, and reviewing agencies the opportunity to further evaluate specific issues. The process is run by a third-party hearing officer who is independent of the Council, the Department, and the applicant. The Contested Case also functions as a threshold step. Only issues in the Contested Case and only the parties who raised them are eligible to challenge the Council's final decision directly to the Oregon Supreme Court. The process helps to ensure the Oregon Supreme Court has a thorough record with which to review a challenge to a final Council decision within their six-month statutory timeframe.

If there are no requests to participate in the Contested Case, this step concludes very quickly. However, as seen in Table 9, when there is a full Contested Case, this step takes an average of 427 days and is one of the longest steps in the review process. In 2024, the Council evaluated the Contested Case rules and made improvements by eliminating most interlocutory appeals, improving procedural efficiency, and clarifying how the Contested Case process works. However, the Contested Case can still be lengthy and warrants further evaluation to determine whether additional efficiencies that can be achieved without diminishing its value.

The Contested Case process is not unique to the Siting Program; many other state agencies use it in a variety of circumstances. According to the Oregon Office of Administrative Hearings (OAH) webpage,³⁶ Contested Case processes were established in 1999 to provide an independent and impartial forum to dispute state agency actions. The OAH consists of approximately 70 Administrative Law Judges who hold over 30,000 hearings a year. While EFSC is one of the few state bodies that is not legally required to use

³⁶ <https://www.oregon.gov/oah/Pages/default.aspx>

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OAH, it nevertheless uses their Administrative Law Judges as Contested Case Hearing Officers, given their extensive experience with such matters.

OAH uses the Model rules in OAR 137-003-0501 to 137-003-0700 as well as any specific rules adopted by an agency or board. The Model rules function from the standpoint of a Contested Case being the entirety of a review process. It therefore includes all the required elements necessary for a singular quasi-judicial review. See the Contested Case Step in Table 3 for more details.

Within the Siting Program, many of these elements support meaningful evaluation of the issues raised in the Contested Case and ensure the Oregon Supreme Court has a sufficient record to complete its review within the six-month statutory timeframe. However, the Siting Program already provides a very thorough and inclusive review process. Some Contested Case elements therefore duplicate other parts of that review, adding time without corresponding value.

ODOE recommends that Council include a new rulemaking project with a RAC made up of the groups who participate in the state siting process up to evaluate opportunities to streamline or remove Contested Case elements without having any negative impact on the purpose and value of this step or affecting the rights of parties. Below are two potential examples:

- **Discovery** – This involves informal discovery requests and, if necessary, motions for discovery orders followed by formal discovery. If a Contested Case is the singular process to assess an agency action, this step ensures a full and fair inquiry into the facts necessary for consideration of the proposed action is included on the record for all parties, the hearing officer, and agency to review. For a Siting Program review, the Contested Case step occurs after an application is deemed complete with all evidence to review against standards, after the comment period on the DPO and the opportunity for the applicant to add to the record in response to DPO comments in the form of a Proposed Order. All evidence relied on to this point in the Siting Program is publicly available and staff proactively compile it in an easy to access format for all contested case parties. The discovery step in the Contested Case therefore does not likely add meaningful information beyond what was established through the site certificate application process.
- **Exceptions** – The final responsibility of the Hearing Officer in the Contested Case step is to issue a Proposed Contested Case Order. This is their recommendation on what the Council should do in the Final Order on the issues that were part of the Contested Case. It includes all the evidence, arguments, response to arguments, and conclusions. After issuance of the Proposed Contested Case Order, parties can file written exceptions, and other parties are able to file written responses to those exceptions. Those exceptions and responses are evaluated by the Council to determine if they will accept the Hearing Officer’s Proposed Contested Case Order. Because there is no new evidence allowed, and those parties can appeal their issues directly to the Oregon Supreme Court, this step takes time without providing commensurate value.

The appointed RAC could also identify potential areas where legislation may be necessary if the proposed changes cannot be made through rule changes.

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Identify Opportunities to Streamline Process for Low-impact Facilities

Existing rules allow for an Expedited Review of certain types of facilities such as those less than 100 MW. The Expedited Review process omits the NOI phase but otherwise follows the process steps for an ASC. Some projects reviewed by ODOE/EFSC are not complicated or controversial. However, it is generally only by reviewing a pASC where that becomes evident. **ODOE recommends that Council include a new rulemaking project with a RAC made up of the groups who participate in the State Siting process to evaluate opportunities to identify what would constitute a low-impact facility and what potential process changes could be used in reviewing them.**

Reduce Steps in Completeness Review Phase

The state siting process is designed in a sequential way with associated procedural requirements related to each step. ODOE currently reviews pASCs for completeness while drafting DPOs. This both better identifies the necessary information to determine an application complete and allows staff to draft findings on information that is complete. This can result in the DPO being ready to be issued at the same time an application is complete. However, the following requirements at the completeness step must occur before the DPO can be issued: 1) Notice to the public; 2) public informational meeting in the vicinity of the project; and 3) notice to reviewing agencies and comment period. **ODOE recommends that Council include a new rulemaking project with a RAC made up of the groups who participate in the State Siting process to evaluate opportunities to reduce the time associated with these steps or to eliminate them entirely while still ensuring meaningful participation by the public and reviewing agencies.** The appointed RAC could also identify potential areas where legislation may be necessary if the proposed changes cannot be made through rule changes.

Construction Extension Deadline Review

EFSC is mandated to set construction deadlines because rules, laws, and requirements can change after a site certificate is issued, as well as facts on the ground. A recent example of an important and substantive rule change that has been applied during a construction deadline extension request is EFSC's Wildfire Prevention and Risk Mitigation Standard. Examples of substantive changes on the ground that occurred after the original approval, and which were required to be evaluated during a construction deadline extension request, include the impacts to newly constructed residences and threatened and endangered species migration. However, in the majority of the construction deadline extension requests, there are no substantive changes.

Recent legislative changes and rulemaking extended the minimum construction commencement deadline to six years. However, construction deadline requests may still be requested six years after approval if construction has not yet commenced. **ODOE recommends that EFSC initiate a rulemaking project with a Rulemaking Advisory Committee made up of the groups who participate in the state siting review to evaluate the possibility of streamlining the request to extend construction deadlines, while ensuring consistency with any changes in rules, laws, requirements or facts on the ground.**

Reduce Time Between Notice of Intent and Project Order

The Notice of Intent step serves as an important pre-application function. The applicant provides basic information about the type and location of the proposed project to members of the public and reviewing agencies, and they in turn provide the applicant with early information about issues and

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concerns related to their proposed project that can result in design changes before spending more resources. It also provides enough information for ODOE to establish the Project Order, which states specifically what must be submitted in an application. By rule, ODOE must issue the Project Order at least 140 days after a Notice of Intent is submitted, although ODOE's average timeframe for renewable energy projects is 104 days. Included in this timeframe is property owner and newspaper notice, coordination of an in-person and in-vicinity to the project informational meeting as well as a reviewing agency and public comment period and an evaluation of those comments which can influence the Project Order. **ODOE recommends that EFSC initiate a rulemaking project with a Rulemaking Advisory Committee made up of the groups who participate in the State Siting review to evaluate Notice of Intent submittal requirements and the possibility of reducing the 140-day timeframe.**

Increase Standardized Mandatory Conditions

Certain standards are often met with very similar information inputs and standardized condition outputs (e.g. the same condition is imposed under the same standards across facility site certificates). Example standards include: Waste Minimization, Soil Protection, Structural, Organizational Expertise, Siting Standards for Transmission Line. The inclusion of mandatory conditions in a site certificate instead of requiring the submittal of certain specific information in the application would reduce application submittal requirements and speed up completeness review for many projects. ODOE and EFSC have already identified the Phase 3 Rulemaking projects that will substantively evaluate specific standards, or groups of standards, to determine if Council standards effectively address potential impacts to protected resources. **As part of each Phase 3 Rulemaking project, ODOE will seek to identify whether new mandatory conditions could be established for this purpose.**

Appellate Rules Clarification

The main decisions by EFSC have a clear statutory appeal path to the Oregon Supreme Court. However, there are numerous other decisions, determinations, or clarifications by ODOE and EFSC that do not have similar clarity on whether they are appealable and if so, what is the appeal path. Examples include: 1) EFSC's delegated condition authority to ODOE; 2) preconstruction compliance determinations letters; 3) amendment determination requests; 4) mitigation plan amendments; and 5) inspection requests. Some of these examples have led to significant delays and the expenditure of ODOE and certificate holder resources. **ODOE will recommend EFSC initiate a rulemaking project with a Rulemaking Advisory Committee made up of the groups who participate in the State Siting review to evaluate the possibility of clarifying these appeal paths.** This group could also identify potential legislative ideas.

EFSC and NEPA Simultaneous Review Evaluation

As stated in the [Siting Fundamentals](#) section above, both EFSC and lead federal agencies in a NEPA review are required to coordinate to minimize any duplication of submittal requirements when there is a simultaneous state and federal review. If an applicant does not proactively facilitate the coordination between Siting Division staff along with Tribal, state, and local agencies, and the lead federal agency, it occurs on a more ad-hoc basis, which can lead to some substantive duplication and procedural inefficiencies. **ODOE will evaluate studies, reports and processes of NEPA and other federal environmental review (e.g. Section 106 and JPA/Nationwide Permit) to determine whether, when federal review is triggered, it could satisfy similar Council standard (e.g., Structural, Soil Protection, Cultural, Threatened and Endangered Species, Wetlands/Waters of the State).** This analysis will be

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shared with applicants to provide a better starting point for them to determine what information to provide, in what form and to which reviewing body.

Annual Exception to Goal 3 Exception Policy Memo Update and Workshop

In the last several years, ODOE has drafted, shared, and updated its Policy Memo on Exceptions to Goal 3 to assist applicants and certificate holders in their understanding of the reasons and the acceptable evidence to support the reasons EFSC has accepted. However, ODOE/EFSC consistently receive proposed "reasons," and agricultural mitigation in ASCs and amendments that may not align with the Policy Memo. An opportunity for developers and interested parties to discuss the Goal Exceptions when it is not project-related would provide ODOE/EFSC a better opportunity to openly discuss the pros and cons of Goal Exception reasons and mitigation proposals. **ODOE will recommend that EFSC annually include an agenda item to go over the Policy Memo and allow interested participants in the State Siting Program to make comments and ask questions.** ODOE would then update its Policy Memo based on direction from EFSC.

Enhance Early Engagement Efforts

Projects that engage early with communities and interested groups near proposed project sites often experience stronger public participation and more efficient project timelines because issues and concerns that are identified earlier can be avoided or minimized prior to submitting the pASC. **Siting Division staff will work with ODOE's Communications and Strategic Engagement Team staff to establish practices that could be employed during the NOI stage to better make people aware of the proposed project and encourage their review and comments.** Examples include: 1) channels of communication applicable to the local community such as social media pages, neighborhood newsletters, and neighborhood gathering spots; 2) the use of notices through those channels with different ways to access information, such as the use of a QR code; and 3) ensure that in addition to being legally sufficient, notices and other materials are accessible and understandable to those who are not familiar with the State Siting Program review.

EFSC Training

The volunteer service structure for EFSC is a deliberate choice to promote independence, avoid conflicts of interest, ensure public-interest decision-making, and support diverse statewide representation. However, there can be a steep learning curve for new Council members given extensive technical records related to both their quasi-judicial (application and amendments) and legislative (rulemaking) decisions. **ODOE will evaluate and, as necessary, update the current onboarding materials used for new Council members, as well as identify a list of trainings to hold with Council members either annually or with some other frequency to ensure they understand the procedural and substantive aspects of their review.**

Project Updates to EFSC

During the consent calendar agenda item required for each Council meeting, ODOE provides major project updates to Council members. However, this is not the same detailed financial and project schedule updates ODOE provides to applicants and certificate holders on a quarterly basis. **ODOE will seek input from EFSC on the frequency they prefer to receive more detailed project updates.** Briefing

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EFSC about the financial and milestone status for projects would increase transparency and would highlight delays encountered from staff review, which may include developer delays with responsive materials and how that impacts an overall schedule, insufficient staff, or a need to improve staff performance. It would also allow Council to help staff prioritize work with clear expectations around deadlines.

Responsible Use of Artificial Intelligence

The Siting Program has significant opportunities to use artificial intelligence tools to improve efficiency, consistency, and document management. These tools should be implemented thoughtfully and in a controlled manner, with clear limits, staff verification, and safeguards for accuracy, confidentiality, and public trust. Any AI use must also be used in alignment with the Oregon Enterprise Information Services' Responsible Artificial Intelligence Usage Policy. Exploring appropriate uses of AI is consistent with ODOE's new strategic plan, under which the agency is assessing how advanced technologies could streamline agency work and improve efficiency while accounting for associated risks and impacts.

The central implementation principle is that AI may assist staff but cannot replace staff accountability and judgment or be relied upon to make substantive findings, legal conclusions, or policy recommendations. However, it can be effective for time-consuming, repetitive, or document-intensive tasks. When used appropriately, AI can reduce administrative burden and allow staff to devote more time to work requiring professional judgment, including evaluating evidence, identifying issues, coordinating with reviewing agencies, drafting findings, and preparing recommendations for Council consideration.

The Siting Program is implementing AI tools incrementally, beginning with lower-risk uses for which outputs can be easily verified. Current uses include:

- **Document editing and drafting support:** Improve the readability, organization, grammar, and consistency of draft documents. This can reduce time spent on routine editing while preserving staff responsibility for the substance of each document.
- **Targeted research support:** Locate potentially relevant rules, prior Council decisions, agency guidance, and technical background information during project reviews. Staff must verify all AI-assisted research against primary sources before relying on it.
- **Meeting summaries and minutes:** Draft summaries of Council and rulemaking meetings, reducing preparation time. Staff review and correct all drafts before they become official records.
- **Public comment compilation:** Staff are developing and testing an AI-assisted process for comment review. The goal is to compile public comments into a structured table that identifies the substance of each comment and links it to potentially applicable Council standards. If testing confirms that the process is accurate and reliable, this tool could substantially reduce the time staff spend manually sorting and categorizing comments. This would allow staff to devote more time to evaluating comments, identifying issues that require a response, and preparing meaningful analysis for Council.

As staff gain experience and tools improve, the program will evaluate more advanced applications including:

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- **Comparison with prior reviews:** Compare draft findings, recommended conditions, and technical analyses with those from prior site certificate reviews. This could improve consistency across projects while helping staff identify project-specific differences that require different treatment.
- **Reviewing agency comment comparison:** Compare comments submitted by reviewing agencies in current and prior proceedings, allowing staff to identify recurring issues, new concerns, and changes in agency recommendations more efficiently.
- **Condition tracking and compliance history:** Identify how similar site certificate conditions have been used across projects, whether those conditions have created implementation challenges, and whether recurring compliance issues indicate a need for clearer conditions or rule updates.
- **Administrative triage:** Help organize large records, identify duplicate or overlapping comments, summarize lengthy submissions, and flag materials requiring staff review.

While existing staff may be able to develop and test some tools currently under development, more sophisticated tools, particularly those involving automation, integration with agency systems, confidential records, or extensive project records, may require support from Enterprise Information Services, Department information technology staff, or outside consultants.

To preserve public trust, ODOE and the Siting Program are developing clear internal guidance for use of AI tools. That guidance addresses source verification, confidential information, public records retention, use of copyrighted or proprietary materials, staff work product review requirements, and disclosure of AI-assistance when appropriate. Staff will also receive training on distinguishing between lower-risk administrative uses and higher-risk uses that affect findings, conditions, enforcement, or Council decision-making.

Implement Oregon Energy Strategy

The Oregon Energy Strategy,³⁷ submitted to the Governor and Oregon Legislature in November 2025, includes two policy actions that create opportunities to further improve the Siting Program.

- **Cross-Cutting Action 11.** Increase resources, funding, and staff levels at agencies as needed, and as funding becomes available, to implement actions necessary to advance Oregon’s energy policy objectives. This action also relates to the Siting Division Staffing Evaluation and the Siting Division Funding Model Evaluation.
- **Electricity Action 4.** Update and enhance the Oregon Renewable Energy Siting Assessment Tool, with a goal of providing a robust database of lands that may be suitable for various types of electricity infrastructure projects.

Implement the Oregon Department of Energy’s 2026-2029 Strategic Plan

The Oregon Department of Energy recently created and published its new Strategic Plan.³⁸ The plan includes five Pillars that are foundational elements and include goals, actions, and progress indicators. Pillar 3 is *Accessible, Effective Services and Programs*. The three actions from this Pillar will also create opportunities to further improve the Siting Program.

³⁷ <https://www.oregon.gov/energy/Data-and-Reports/Documents/Oregon-Energy-Strategy.pdf>

³⁸ <https://www.oregon.gov/energy/about-us/Pages/Strategic-Plan.aspx>

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- Develop an engagement framework to help ODOE determine the appropriate level of engagement and collaboration efforts for each program and project. This framework will focus on supporting participation of key constituencies, including currently and historically underserved individuals, communities, and organizations in ODOE program implementation and policy development.
- Improve understanding and clarity of the Energy Facility Siting Council process for multiple participants, including the public and developers, to support an efficient and meaningful energy facility siting process.
- Build on Strategic Program Evaluations from previous Strategic Plan by identifying and addressing opportunities to make programs more effective and accessible. Consider target user needs, methods of sharing program information, and efforts to streamline processes and collect data on program effectiveness.

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Energy Facility Siting Council Review and Statement

The Council formally provided the following statements at its August 20-21, 2026 Meeting:

1. Projects that are reviewed by EFSC are not publicly funded; they are investments from private entities and groups. It is important that we not risk losing sight of the purpose of EFSC, which is to ensure that Oregon remains the Oregon we all love and want to pass on to future generations. If we try to narrow or simplify the state siting process too much, for the sake of making things a little easier for applicants, we risk negative impacts to the landscape for us, and for those who come after us.
2. EFSC relies on comments from Tribal, federal, state and local entities in reviewing application materials and in ensuring that evidence supports findings regarding permitting standards. These agencies have other responsibilities and commitments, and timing is outside ODOE jurisdiction.
3. EFSC supports ODOE's ambitious schedule of process improvements intended to clarify and streamline the permit application and review process.
4. Public participation is a foundational component of the state siting process. EFSC appreciates the time and effort associated with all public comments and evaluates them in a meaningful way. While the robust public participation opportunities may impact the timing of reviewing projects, no changes should be made to reduce those opportunities.
5. EFSC understands that outside influences dictate many of the decisions made by renewable energy developers including federal government dictates, market forces (Power purchase agreements, cost and availability of labor, goods and services) and transmission availability.

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For More Information

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Appendix A — Status of Renewable Energy Projects

As of the date of this report, the table below summarizes the status of EFSC energy facilities.

Project Name	Facility Type	Generation MW	Battery Storage MW	County(s)	Parent Company	Status/Notes
Stateline Wind Project	Wind	222	0	Umatilla	NextEra Energy	Operational since 2001.
Biglow Canyon Wind Farm	Wind	450	0	Sherman	Portland General Electric	Operational since 2007.
Klondike III Wind Project	Wind	300	0	Sherman	Avangrid - Iberdrola	Operational since 2007.
Leaning Juniper IIB Wind Power Facility	Wind	111	0	Gilliam	Avangrid - Iberdrola	Operational since 2011. Originally one project with Leaning Juniper IIA. Split in 2013.
Leaning Juniper IIA Wind Power Facility	Wind	90	0	Gilliam	Avangrid - Iberdrola	Operational since 2011. Originally one project with Leaning Juniper IIB. Split in 2013.
Shepherds Flat South	Wind	290	0	Gilliam, Morrow	Caithness Equities Corporation	Operational since 2012. Originally one project with Shepherds Flat North and Central. Split in 2009.
Shepherds Flat North	Wind	265	0	Gilliam	Caithness Equities Corporation	Operational since 2012. Originally one project with Shepherds Flat South and Central. Split in 2009.
Shepherds Flat Central	Wind	290	0	Gilliam, Morrow	Caithness Equities Corporation	Operational since 2012. Originally one project with Shepherds Flat North and South. Split in 2009.
Montague Wind Power Facility	Wind	201	0	Gilliam	Avangrid - Iberdrola	Operational since 2020. Amendments removed and added project locations as well as split into three facilities: Montague Wind,

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Project Name	Facility Type	Generation MW	Battery Storage MW	County(s)	Parent Company	Status/Notes
						Montague Solar and Oregon Trail Solar.
Wheatridge Renewable Energy Facility I	Wind	100	0	Morrow	Portland General Electric	Operational - Split off from Wheatridge Wind Energy Facility
Wheatridge Renewable Energy Facility II Phase 1	Wind	200	0	Morrow	NextEra Energy	Operational - Split off from Wheatridge Wind Energy Facility - Full project is 200 MW of Wind and 30 MW of Battery. Battery has not begun construction.
Wheatridge Renewable Energy Facility III Phase 1	Solar & Battery	50	50	Morrow	NextEra Energy	Operational - Split off from Wheatridge Wind Energy Facility. 100 MW of Solar and 100 MW of Battery also approved but not yet in construction.
Port Westward Generating Project Amendment #11	Battery	0	6	Columbia	Portland General Electric	Operational - Part of operational 650 MW Natural Gas Power Plant
Golden Hills Wind Project	Wind	200	0	Sherman	Avangrid - Iberdrola	Operational since 2022. Approved at 400 MW but final design is 200 MW. Other 200 MW expired in December 2022.
Pachwáywit Fields (FKA Montague Solar)	Solar PV	162	0	Gilliam	Avangrid - Iberdrola	Operational - Split off from Montague Wind Power Facility. This and Oregon Trail solar share 100 MW of battery which has not started construction. The battery is reflected in Oregon Trail

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Project Name	Facility Type	Generation MW	Battery Storage MW	County(s)	Parent Company	Status/Notes
Wheatridge Renewable Energy Facility East Phase 1	Wind & Battery	200	0	Morrow, Umatilla	NextEra Energy	Operational - Split off from Wheatridge Wind Energy Facility. Amendment #1 approved on 5/31/24 added 100 MW of wind and 10 MW of battery
Bakeoven Solar Project	Solar PV	60	0	Wasco	Avangrid	Operational since 2026. Daybreak and Sunset split off under Amendment 1. All three share 100 MW of Battery which is reflected in Sunset.
Daybreak Solar Project	Solar PV	140	0	Wasco	Avangrid	Operational since 2026. Split off from Bakeoven under Amendment 1. All three share 100 MW of battery which is reflected in Sunset.
Subtotal	-	3,331	56	-	-	-
Oregon Trail Solar Facility	Solar PV and Battery	41	0	Gilliam	Avangrid - Invenergy	Construction - Approved in October 2020 - Split off from Montague Wind Power Facility - Any combination of wind and Solar PV up to 41 MW. 20 MW of battery is expected to commence in Q4 2026. No plans to construct remaining 80 MW of battery storage.
Wagon Trail Solar Project	Solar PV & Battery	130	60	Morrow	NextEra Energy	Construction - Approved in Sept. 2024 for 500 MW of Solar and 500 MW of Battery storage. Initiated construction of a portion of the project in May 2026.

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Project Name	Facility Type	Generation MW	Battery Storage MW	County(s)	Parent Company	Status/Notes
Biglow Canyon Amendment #4	Solar and Battery	125	125	Morrow	PGE	Construction - Approved in March 2026. Initiated construction in July 2026.
Subtotal	-	296	185	-	-	-
Wagon Trail Solar Project	Solar PV & Battery	370	440	Morrow	NextEra Energy	Pre-Construction - Approved in Sept. 2024 for 500 MW of Solar and 500 MW of Battery storage. 110 MW of solar and 65 MW of battery storage is under pre-construction review. 260 MW of solar and 375 MW of battery storage has not started pre-construction review
Sunstone Solar Project (FKA Echo Solar)	Solar PV & Battery	1,250	1,250	Morrow	Pine Gate Renewables	Pre-Construction - Approved in Nov. 2024. Started pre-construction review but on hold because of bankruptcy.
Wheatridge Renewable Energy Facility East Phase 2	Wind & Battery	100	30	Morrow, Umatilla	NextEra Energy	Approved - Split off from Wheatridge Wind Energy Facility. Amendment #1 approved on 5/31/24 added 100 MW of wind and 10 MW of battery
Sunset Solar Project	Solar PV & Battery	103	100	Wasco	Avangrid - Iberdrola	Approved in April 2020 as part of Bakeoven. Split under Bakeoven amendment 1. Sunset Amendment 1 extended beginning construction deadline to April 2028. No longer

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Project Name	Facility Type	Generation MW	Battery Storage MW	County(s)	Parent Company	Status/Notes
						has lease rights to property so will likely expire.
Wheatridge Renewable Energy Facility II Phase 2	Battery	0	30	Morrow, Umatilla	NextEra Energy	Approved - Split off from Wheatridge Wind Energy Facility - Full project is 200 MW of Wind and 30 MW of Battery
Wheatridge Renewable Energy Facility III Phase 2	Solar & Battery	100	100	Morrow	NextEra Energy	Approved - Split off from Wheatridge Wind Energy Facility. Total Site Boundary 2,294 acres - 357 acres for Phase 1 = 1,937 acres
Carty Generating Station Amendment #2	Solar PV	50	-	Morrow	Portland General Electric	Approved in November 2020. Did not begin construction by required date and Amend. #3 approved construction time extension to Feb. 24, 2025. Currently under Amend 4 to extend deadlines again.
Madras Solar Energy Facility	Solar PV & Battery	63	63	Jefferson	EcoPlexus	Approved in June 2021. Did not begin construction by June 25, 2024. Amend. #1 approved extension of beginning construction to June 25, 2027.
Obsidian Solar Center	Solar PV & Battery	400	50	Lake	Obsidian Renewables	Approved in February 2022. Did not begin construction by Feb. 2025. Amendment #2 approved extension of beginning construction to Feb. 25 2028.
Nolin Hills Wind Power Project	Wind, Solar PV & Battery	600	120	Umatilla	Capitol Power Corporation	Approved in July 2023. Did not begin construction by July 2026. Amend. #1 to extend beginning

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Project Name	Facility Type	Generation MW	Battery Storage MW	County(s)	Parent Company	Status/Notes
						construction deadline to July 19, 2029 is under review.
Subtotal	-	3,036	2,183	-	-	-
Yellow Rosebush Energy Center	Solar & Battery	800	800	Wasco	Savion	Under Review – EFSC is expected to make final decision in Q3 2026.
Carty Generating Station Amendment #4	Solar & Battery	135	156	Morrow	PGE	Under Review - Amendment #4 submitted in April 2024 but incomplete. Waiting for responses.
Deschutes Solar	Solar PV and Battery	1,000	1,000	-	Brightnight	Under Review - pASC submitted Jan. 2026
Muddy Creek Energy Park	Solar & Battery	199	199	Linn	Hanwha Q Cells USA Corp	Under Review – pASC submitted May 2026.
Speedway Solar Facility	Solar PV and Battery	1,400	500	Sherman	Brookfield Renewables	Under Review - pASC submitted July 2026.
Buckley Solar Facility	Solar PV and Battery	1,200	1,200	Sherman	Clenara	Under Review - Notice of Intent submitted Aug. 2024. Application not yet submitted.
Sunrise Solar	Solar PV and Battery	-	800	Morrow	PacifiCorp/Berkshire Hathaway	Under Review - Notice of Intent submitted Feb. 2025. Application not yet submitted.
Heppner Wind Energy Facility	Wind	190	-	Morrow	NextEra Energy	Under Review - Notice of Intent submitted March 2025. Application not yet submitted.
Saddle Butte Energy Facility	Wind and Battery	488	488	Gilliam	Brookfield Renewables	Under Review - Notice of Intent submitted Dec. 2025. Application not yet submitted.
Klamath Falls Energy Facility	Solar and Battery	400	400	Klamath	Ørsted North America	Under Review - Notice of Intent submitted Dec. 2025. Application not yet submitted.

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Project Name	Facility Type	Generation MW	Battery Storage MW	County(s)	Parent Company	Status/Notes
Big River Energy Facility	Solar, Wind and Battery	500	500	Gilliam	EDP Renewables North America, LLC	Under Review - Notice of Intent submitted Dec. 2025. Application not yet submitted.
Subtotal	-	8,012	6,943	-	-	-
Total Active	-	14,675	9,367	-	-	-
West End Solar Energy Project	Solar PV & Battery	45	70	Umatilla	Eurus Energy America Corp.	Expired Did not begin construction by March 2026 deadline and site certificate was terminated.
Summit Ridge Wind Farm	Wind	194	0	Wasco	Apya Power	Terminated - Ending construction date expired. Requested to terminate on 14 Feb. 2024. Constructed road remained.
Boardman Solar Energy	Solar PV	75	-	Morrow	Invenergy	Terminated - Originally approved in February 2018. Did not begin construction by Feb. 23, 2021. Amend. #1 approved construction time extension to Feb. 23, 2024. Did not begin construction by that date and site certificate expired and was terminated.
Golden Hills Wind Project	Wind	200	0	Sherman	Avangrid - Iberdrola	Expired - Facility approved at 400 MW but final design is 200 MW, which is in construction. Other 200 MW expired in December 2022.
Saddle Butte	Wind	399	0	Gilliam, Morrow Co.	Caithness Equities Corporation	Terminated - Beginning construction date expired. Terminated 11/19

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Project Name	Facility Type	Generation MW	Battery Storage MW	County(s)	Parent Company	Status/Notes
Helix	Wind	201	0	Umatilla Co.	Avangrid - Iberdrola	Terminated - Beginning construction date expired. Terminated 11/14
Newberry	Geothermal	35	0	Deschutes Co.	CE Newberry, Inc.	Terminated 02/01
Knapp Ranch	Wind	40	0	Curry Co	Wind Energy Specialties, Inc.	Terminated - Beginning construction date expired. Terminated 04/88
Subtotal	-	1,189	70	-	-	-
N/A	N/A	N/A	N/A	N/A	N/A	Decommissioned
Subtotal	-	0	0	-	-	-
Salt Caves II	Hydroelectric	80	0	Klamath Co.	City of Klamath Falls	Denied (1989)
Subtotal	-	80	0	-	-	-
Well Springs Solar Project	Solar and Battery	750	500	Morrow	MN8 Energy Development Company	Withdrawn - Notice of Intent submitted. Withdrawn March 19, 2026
Summit Ridge Renewable Energy	Wind, Solar PV & Battery	261	201	Wasco	Apya Power	Withdrawn - Notice of Intent submitted. Withdrawn March 11, 2026
Archway Solar Energy Facility	Solar PV & *Battery	400	400	Lake	Invenergy	Withdrawn - 3/2025
Speedway Solar Facility	Solar PV and Battery	900	500	Sherman Co.	Brookfield Renewables	Withdrawn - NOI withdrawn less than a month after submittal.
Blue Marmot Solar Energy Facility	Solar PV	50	0	Lake	EDP Renewables	Expired - Did not submit application and Notice of Intent Expired on Oct. 27, 2022.

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Project Name	Facility Type	Generation MW	Battery Storage MW	County(s)	Parent Company	Status/Notes
Bonanza Energy Facility	Solar PV & Battery	300	1,100	Klamath	Hecate Energy NAF LLC	Expired - Did not submit application and Notice of Intent Expired on Aug. 7, 2022.
Baseline Wind Energy Facility	Wind	500	0	Gilliam Co.	First Wind Energy Holdings, LLC	Withdrawn - Application withdrawn prior to final decision (2016)
Heppner Wind Energy Facility	Wind	500	0	Morrow Co.	Invenergy Wind Development North America	Expired - Notice of Intent submitted but expired prior to application submittal (2015)
Brush Canyon Wind Facility	Wind	535	0	Wasco, Sherman Co.	E.ON AG	Withdrawn - Application withdrawn prior to final decision (2015)
Rock Creek Wind Power Facility	Wind	550	0	Gilliam Co.	RES America Developments Inc.	Expired - Notice of Intent submitted but expired prior to application submittal (2013)
Antelope Ridge Wind Farm	Wind	300	0	Union Co.	Horizon Wind Energy LLC	Withdrawn - Application withdrawn prior to final decision (2013)
Newberry Geothermal Project	Geothermal	180	0	Deschutes Co.	Davenport Power LLC (Newberry Geothermal Holdings LLC)	Expired - Notice of Intent submitted but expired prior to application submittal (2013)
Cascade Wind Project	Wind	60	0	Wasco Co.	UPC Wind Management, LC	Withdrawn - Application withdrawn prior to final decision (2009)
Salt Caves I	Hydroelectric	140	0	Klamath Co.	Pacific Power & Light	Withdrawn - Application withdrawn prior to final decision (1985)
Publisher Paper Co	Hydroelectric	60	0	Clackamas Co.	Publishers Paper Co.	Withdrawn - Application withdrawn prior to final decision (1984)
SubTotal	-	5,486	2,701	-	-	-
Total Inactive	-	6,755	2,771	-	-	-

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Appendix B — Boardman to Hemingway Transmission Line Review Chronology

Boardman to Hemingway Joint State and Federal Review*

Month and Year	Review Step
August 2008	Joint Notice of Intent to both EFSC and BLM filed.
November 2008	Idaho Power Company initiated a Community Advisory Process to gather information from the public to reevaluate project location due to high volume of concerns expressed about initial proposal to site on productive agricultural lands.
July 2010	New Joint Notice of Intent to both EFSC and BLM filed with changed project location.
Feb 2013	Preliminary Application for Site Certificate submitted to ODOE.

* May not include all details or steps in federal review

Federal review Between 2013 and 2016, IPC decided to bifurcate the state and federal review and first focus on the federal review. This was because the National Environmental Policy Act review allows the lead federal agency to request applicants to look at different locations than proposed by the applicant whereas EFSC can only evaluate what is proposed by the applicant. While IPC still did some work with ODOE staff in preparation of re-submitting their preliminary application during this time, most of their focus was on the federal review.

Boardman to Hemingway Federal-Only Review

Month and Year	Review Step
December 2014	BLM Draft Environmental Impact Statement Published
November 2016	BLM Final Environmental Impact Statement Published
November 2017	BLM Issues Record of Decision approving Right of Way for project

Boardman to Hemingway State-Only Review

Month and Year	Review Step
July 2017	Amended Preliminary Application for Site Certificate submitted
September 2018	Application for Site Certificate determined complete. Held completeness information meetings in each of the five affected counties in Oregon.
May 2019	Draft Proposed Order issued recommending approval of the project was issued. Draft Proposed Order hearings in each of the five affected counties in Oregon. Public was given approximately 100 days to comment. At the conclusion of the public comment period over 400 commenters and over 6,300 pages of comments were submitted. IPC requested and was given approximately 100 days to respond to comments.
July 2020	Proposed Order recommending approval of the project was issued.
July 2020 – May 2022	Contested Case Step 36 limited parties

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Month and Year	Review Step
	• 78 issues Issues were related to: • Fish and Wildlife • Historic and Archeological Resources • Land Use • Need for the Project • Retirement and Financial Assurance • Scenic Resources • Protected Areas • Soils • Structural • Threatened and Endangered Species • Miscellaneous In the Proposed Contested Case Order, the Hearing Officer recommended approval of the project, with some changes to findings and conditions from the Proposed Order.
July 2022	Council review of the Proposed Order standards that were not part of the Contested Case.
August 2022	Council Review of Proposed Order standards that were part of the Contested Case. Council Review Proposed Contested Case Order. Council Hearing on sixteen Exceptions filed on the Proposed Contested Case Order. This required three days of meetings in La Grande.
September 2022	Material Change Hearing. Hearing to adopt Final Order. EFSC approved project and issued a site certificate.
March 2023	Supreme Court Opinion Three petitioners and ten issues. Supreme Court upheld Council decision in full in four months, two months less than their six month statutory mandate. This was due to the thorough record available to them.
September 2023	EFSC approved Amendment 1 to: 1) make minor alternative route changes on three properties due to landowner requests; 2) add and refine location of roads due to further engineering work; and 3) amend conditions.
August 2024	EFSC approved Amendment 2 to: 1) redefine the site boundary and micro siting areas to be able to add site boundary in the future without an amendment; 2) add micro siting area alternatives; 3) add capacitor station; 4) increase width of temporary roads; and 5) amend conditions.
June 2025	Construction Commenced
September 2030	Forecasted construction completion

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Appendix C – Assessment of Public Comments on Siting and Permitting Large-scale Electricity Infrastructure

This appendix documents the comments received between March and July 2026 during (1) an initial listening session, (2) an initial request for feedback on this report as well as ODOE’s Report on Reducing Barriers to Clean Energy Deployment, and (3) a request for comments on a draft version of this Report on Siting and Permitting Large Scale Electricity Infrastructure. This appendix contains summaries of those comments as well as responses indicating relevant portions of the report where commenter input was considered. The table below is organized by date of comment receipt and, following that, alphabetically; ODOE has also included high-level subject tags that reflect some of groupings of overall themes heard through public comments. ODOE has also published a compilation of all of the comments received in their entirety. ODOE reviewed all comments and appreciates the input.

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Table C.1. Comment Summaries and Responses

Submission	Comment Text/Summary	Subject tags	Response/Evaluation
3.03.26 Listening Session, NSE	Hopes ODOE will coordinate with DLCD to review the Goal 3 exceptions process on agricultural land; says, overall, ODOE and DLCD coordination on land use and energy siting is important, especially to address issues like viticulture and soil type designations as a barrier to energy siting irrespective of actual land usage.	Land use	DLCD processes were considered and discussed throughout this report. For example, see the following: -Annual Exception to Goal 3 Policy Memo Update and Workshop in Table 1 -Land Use Standard in Table 2
3.03.26 Listening Session, NSE	Interagency coordination is needed to update ORESA based on updated sage grouse rules and habitat buffers.	Permitting Alignment	ORESAs are updated in coordination with agencies such as the Oregon Department of Fish and Wildlife to ensure the most up to date layers are included, such those related to Sage Grouse. See also recommendation to implement Oregon Energy Strategy action on updating ORESA.
3.20.26 CREA	EFSC process is designed for traditional utilities; independent developers rely on "EPCs" and contractors to provide information required by EFSC, such as material requirements, whereas utilities are able to provide that information sooner.	General comments	See the History subsection in the Siting Program Overview Section for a description of utility and non-utility applicants. Non-utility applicants began submitting applications shortly after EFSC was created. The process for independent developers and utilities is the same.

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Submission	Comment Text/Summary	Subject tags	Response/Evaluation
3.20.26 CREA	"Under the recently passed HB 4076 CREA believes county permitted projects that are applying to EFSC for an expanded or new permit and are within 2 miles of surplus interconnection, will be unnecessarily treated differently than any already EFSC-permitted facilities looking to expand their facilities at EFSC."	Other recommendations	ODOE/EFSC has not yet received an application as allowed by HB 4076 so is unable to comment at this time.
3.20.26 CRITFC	Supports 3.20 Joint comments; especially in urging that the Report identify where legislative authorization is and isn't needed, assessing ODOE staffing needs, supporting interagency coordination	General comments	See the following recommendations in Table 1: - Increase Oversight and Capacity in Siting Division to Address Volume, Complexity and Streamlining of Project Reviews - Align Siting Division Fiscal Policies and Procedures with Staffing Needs - EFSC and NEPA Simultaneous Review Evaluation
3.20.26 E. Contla	Opposes streamlining EFSC process if doing so would impair "community input, local zoning authority, and the preservation of our rural landscape". Says state must mitigate negative impacts and that mitigation requires time and public engagement. Requests that EFSC processes: require local County Commissioners' approval before EFSC can grant a site certificate; bar siting facilities on prime agricultural/timber lands; require direct community benefits from projects.	Community and Tribal engagement	ODOE agrees that public input is highly valuable and that public participation should not be cut out of the Siting process. Please see Table 1 and Increasing Public Engagement, and More Meaningful Review, and Public Engagement sections for additional recommendations.
3.20.26 Joint Submission	EFSC should mitigate process delays, such as delays following from Council meetings running out of time to	EFSC and Siting Division Processes	ODOE is unaware of any examples of Council meetings running out of time to address agenda items.

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Submission	Comment Text/Summary	Subject tags	Response/Evaluation
	address agenda items. Consider consent agenda process for non-controversial or substantive matters.		OAR 345-011-0020(2) requires a consent calendar agenda item which is included on every meeting agenda.
3.20.26 Joint Submission	Align land use and clean energy policy in Oregon; in particular, address Goal 3 exception requirements, allow developers to cite HB 2021 policy and local economic benefits to support exception finding. Report should address where EFSC, Governor, and legislators can rely on State Energy Strategy and other environmental policies to support decision-making	Land use	See the Annual Exception to Goal 3 Policy Memo and Workshop recommendations in Table 1.
3.20.26 Joint Submission	Streamlining processes should preserve integrity of process, but may entail improvements beyond scope of EFSC procedures alone - may mean early coordination with local governments, use of screening tools, earlier conflict identification. Look for duplicative local review layers, update ORESA, review DLCD solar conflicts report, and coordinate with agencies and governments to centralize a list of extant planning processes.	Other recommendations	See the Recommendations to Improve and Streamline Siting and Permitting in Table 1.
3.20.26 Joint Submission	Recommends ODOE publish cases of successful early community engagement, citing Sunstone Solar Project.	Community and Tribal engagement	The pre-application step is the Notice of Intent. See Table 3 for more details. Prior to this step, ODOE may have some initial conversations with the applicant but does not have the financial or staffing resources to conduct more community engagement.

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Submission	Comment Text/Summary	Subject tags	Response/Evaluation
			Also see recommendation to Enhance Early Engagement Efforts in Table 1.
3.20.26 Joint Submission	ODOE should work to provide a "one-stop shop" for navigating local ordinances, state requirements, and siting pathways to reduce confusion.	Permitting Alignment; transmission	The state siting program is already designed as a one-stop shop for applicable local ordinances and state requirements. See also the reference to ODOE's Strategic Plan, which includes an action to complete developer-focused resources to help navigate the siting process and standards-based requirements.
3.20.26 Joint Submission	EFSC should analyze siting timelines, consider incorporating county process efficiencies. Says county timelines are often 6-8 months faster than EFSC and timeline shouldn't increase from that duration for solar and storage facilities, as the complexity of these projects does not increase substantially with their size.	Permitting timelines	See Streamline or Remove Contested Case Elements and Reduce Time Between Notice of Intent and Project Order recommendations in Table 1.
3.20.26 Joint Submission	EFSC should publish average siting timelines; baselines and ranges of timelines.	Permitting timelines	See the Timelines subsection of the Renewable Energy Projects Section.
3.20.26 Joint Submission	EFSC should compare permitting timelines to other states and identify areas for improvement	Permitting timelines	See the following recommendations in Table 1: -Increase Oversight and Capacity in Siting Division to Address Volume, Complexity, and Streamlining of Project Reviews

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Submission	Comment Text/Summary	Subject tags	Response/Evaluation
			-Align Siting Division Fiscal Policies and Procedures with Staffing Needs ODOE frequently engages with other states, including participating in a “State Siting Officials Collaborative convened by S2 Strategies and the Great Plains Institute. More staffing resources would allow ODOE to better track and provide this type of information.
3.20.26 Joint Submission	ODOE should consider fast-tracking projects with demonstrated strong community and/or Tribal engagement and benefits; consider rulemaking to make criteria for same, define standards for community engagement for large-scale projects via identifying principles or examples of effective engagement and benefit structures, rather than creating a rigid one-size-fits-all model.	Streamline frequent requirements	The statutory policy establishing the state siting program requires energy facilities to be sited, constructed and operated “in compliance with the energy policy and air, water, solid waste, land use and other environmental protection policies of this state.” See the Standards in Table 2 which implement this policy. Also see Enhance Early Engagement Efforts in Table 1 and the Tribal Communications Rulemaking in Table 13.
3.20.26 Joint Submission	Recommends reviewing NYS Office of Renewable Energy Siting streamlined permitting process.	Streamline frequent requirements	ODOE is aware of New York State’s process, which allows certain large-scale renewable projects to opt in to a consolidated process similar to EFSC. ODOE will look to learn more from the New York experience.

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Submission	Comment Text/Summary	Subject tags	Response/Evaluation
3.20.26 NSE	ODOE should recommend that DLCD modernize goal 3 regulations to "recognize[] energy infrastructure as essential to statewide energy reliability and affordability goals."	Land Use	See the Annual Exception to Goal 3 Policy Memo Update and Workshop in Table 1. Also see DLCD's report Accelerating Clean Energy Deployment Through Oregon's Land Use Planning Framework
3.20.26 NSE	Recent DLCD rulemaking failed to facilitate development; counties opted out because of confusion over the new rules, overlapping agency jurisdiction, and overburdened planning departments with small budgets.	Land use; Permitting alignment	This comment is outside of ODOE/EFSC jurisdiction. See DLCD's report Accelerating Clean Energy Deployment Through Oregon's Land Use Planning Framework
3.20.26 NSE	ODOE should recommend coordinated, parallel review processes and direct DLCD to align local land use requirements with state energy objectives to reduce delays and lower project costs.	Permitting alignment; land use	Applicants have the ability to have the local government review land use, or include that in EFSC's jurisdiction. To date, none have chosen to have the local government review land use and that review is run through the EFSC process which reduces delays and lowers project costs.
3.20.26 ONDA	Recommends review of 2023 siting voluntary guidelines developed by ONDA, RNW, NRDC, and Defenders and others	Other recommendations	ODOE is aware of the 2023 report "Siting Renewable Energy in Oregon: Voluntary Guidelines Developed Through Outreach and Engagement." This is also something explored in the Oregon Renewable Energy Siting Assessment tool and will continue to be explored in future improvements to that tool. Also see recommendation in Table 1: Identify Opportunities to Streamline Process for Low-Impact Facilities.

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Submission	Comment Text/Summary	Subject tags	Response/Evaluation
3.20.26 ONDA	Recommends incorporating BLM solar development programmatic EIS/RMP + Sage Grouse RMP in work. Suggests that ODOE's review incorporate and build upon the data-driven, scaled analysis and determinations.	Permitting alignment	See the Fish and Wildlife Habitat standard and Threatened and Endangered Species Standard in Table 2. ODOE works closely with ODFW staff to ensure species such as Sage Grouse are identified and impacts to their habitats are avoided, minimized or mitigated consistent with ODFW policies. See also EFSC and NEPA Simultaneous Review recommendation.
3.20.26 OSSIA	EFSC should implement an AI-supported process to notify applicants if their applications appear complete.	EFSC and Siting Division Processes	See recommendation on Responsible Use of Artificial Intelligence in Table 1.
3.20.26 OSSIA	EFSC should adopt a consent agenda process.	EFSC and Siting Division Processes	OAR 345-011-0020(2) requires a consent calendar agenda item which is included on every meeting agenda.
3.20.26 OSSIA	EFSC Council should be compensated.	EFSC and Siting Division Processes	See EFSC Training Recommendation in Table 1.
3.20.26 OSSIA	Permitting decisions should largely be made by counties rather than EFSC; EFSC was designed to "insulate counties from unpopular projects."	General comments	See the History subsection in the Siting Program Overview section for an overview of the history and purpose of the state siting program.

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Submission	Comment Text/Summary	Subject tags	Response/Evaluation
3.20.26 OSSIA	Interconnection barriers and BPA are the most significant source of delay and cost now, rather than EFSC permitting; these delays also burden EFSC permitting. Cites Obsidian's Solar Center as an example.	General comments	Input discussed with OPUC. OPUC has multiple open dockets regarding interconnection. ODOE and OPUC will continue discussing interconnection as Report implementation progresses. Also see ODOE report “Barriers to Renewable Energy Deployment,” including appendix on interconnection.
3.20.26 OSSIA	Goal 3 exception rationales have narrowed over time; project benefits should be considered to include local tax revenues; agricultural and economic benefits (including for agrivoltaics); local workforce needs for construction and operations; local spend during construction; agriculture mitigation payments (if reasonable), and state policies such as HB 2021 and the Prosperity Roadmap.	Land use	See the Annual Exception to Goal 3 Policy Memo Update and Workshop in Table 1.
3.20.26 OSSIA	Oregon EFSC process should, like Washington's, be opt-in and non-mandatory.	Other recommendations	EFSC’s authority is established by the Oregon Legislature. See the Authority subsection in the Renewable Energy Projects Section. Also Tables 6, 7 and 8 for how jurisdiction has changed over time.
3.20.26 OSSIA	"EFSC receives all comments and tends to translate them all into restrictions on development projects. This will not work. Not all comments should be declared thoughtful and valid"	EFSC and Siting Division Processes	EFSC receives varied comments related to applications and amendments. EFSC’s final decision, including findings of facts, conclusions of law and conditions of approval is limited to their authority.

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3.20.26 OSSIA	EFSC process for permitting solar processes follows processes for coal and nuclear, but shouldn't. Recommends omitting requirements for i. Organizational Expertise Standard ii. Structural Standard iii. Recreation Standard iv. Public Service Standard v. Waste Minimization Standard"	Streamline frequent requirements	Part of the purpose of the phase 3 rulemakings described in the Rulemaking subsection of the Siting Program Streamlining Efforts Section is to evaluate overlap and duplication between related standards, which is why certain standards are being evaluated together (i.e., Soil Protection and Structural; Organizational Expertise and Retirement and Financial Assurance; Public Services and Land Use). For topical/resource impacts covered by multiple standards, Phase 3 rulemaking will reduce unnecessary duplication but must still adhere to the statutory policy requiring compliance with air, water, solid waste, land use and other environmental policies of the state.
3.20.26 OSSIA	When Obsidian's Solar Center required an [EFSC] amendment to change the date for beginning of construction due to BPA [interconnection] delays, the date change required hundreds of hours of EFSC staff time and \$100,000 of additional developer expense.	Site certificate amendments	See Construction Extension Deadline Review Recommendation in Table 1.
3.20.26 OSSIA	Site restoration requirements should be reconsidered, especially for energy projects on marginal farmland.	Streamline frequent requirements	This topic is part of Phase 3 rulemaking of Retirement and Financial Assurance.

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Submission	Comment Text/Summary	Subject tags	Response/Evaluation
3.20.26 PGE	<i>Before applying to EFSC, a project developer can undertake preliminary activities and begin public engagement. This time period before a developer comes to EFSC is referred to as Pre-Notice of Intent. What barriers to project development or to public participation, if any, have you experienced or witnessed during this time period?</i> “In recent years, PGE has obtained additional energy generating resources by purchasing projects from project developers whose perspective regarding the pre-notice of Intent, NOI, and Project Order phases when it comes to generation will be very valuable for ODOE to consider.... Fragmented ownership or unwilling landowners can slow or halt development, particularly as it relates to transmission. Projects must show a viable transmission path and if BPA or another transmission provider hasn’t granted service, EFSC may request additional analysis.”	General comments	ODOE appreciates the feedback and considered this and perspectives from project developers in drafting this report.
3.20.26 PGE	<i>The third step in EFSC’s review process is the Application. What barriers to project development or to public participation, if any, have you experienced or witnessed during this stage of the process?</i> “A lot of information is required without clarity as to how it is used in determining if a site certificate should be issued.”	General comments	Part of the purpose of the phase 3 rulemakings described in the Rulemaking subsection of the Siting Program Streamlining Efforts Section is to evaluate overlap and duplication between related standards.
3.20.26 PGE	<i>The fourth step in EFSC’s review process is the Draft Proposed Order. What barriers to project development or to public participation, if any, have you experienced or witnessed during this stage of the process?</i>	Permitting alignment	See the Increased Standardized Mandatory Conditions Recommendation in Table 1 and the Phase 3 rulemakings described in the

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Submission	Comment Text/Summary	Subject tags	Response/Evaluation
	“Duplication of permit requirements as site certificate conditions, which could unnecessarily require an amendment down the road if the lead agency changes standard permit conditions that should not trigger an amendment and review by Council if the lead agency has evaluated the permit and determined the change is still protective.”		Rulemaking subsection of the Siting Program Streamlining Efforts Section.
3.20.26 PGE	<i>The fifth step in EFSC’s review process is the Proposed Order. There is not an explicit process for public participation in this step. What barriers to project development, if any, have you experienced or witnessed during this stage of the process?</i> “Extensive comment records and requests for additional studies that can result in an elongated and costly process.”	Streamline frequent requirements	See the Increased Standardized Mandatory Conditions Recommendation in Table 1 and the Phase 3 rulemakings described in the Rulemaking subsection of the Siting Program Streamlining Efforts Section.
3.20.26 PGE	<i>The sixth step in EFSC’s review process is the Contested Case. What barriers to project development or to public participation, if any, have you experienced or witnessed during this stage of the process?</i> “Intervention by landowner coalitions, environmental NGOs.” “Legal discovery and expert testimony.”	Contested case	See the Streamline or Remove Contested Case Elements Recommendation in Table 1.
3.20.26 PGE	“One of the largest obstacles at EFSC is the inability of the council to evaluate any clean energy project as necessarily conducive to the state’s climate and clean energy goals.”	Land use	See the Annual Exception to Goal 3 Policy Memo Update and Workshop in Table 1. This topic is also considered in ODOE’s work on a Strategic Transmission Framework.

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Submission	Comment Text/Summary	Subject tags	Response/Evaluation
3.20.26 REC	EFSC permitting costs are too high. Clean energy developers also encounter barriers to development because of capacity constraints and internal practices at EFSC that can delay project review, increase costs, and create unnecessary friction. These challenges include... navigating multiple points of contact within EFSC; engaging extensively with EFSC consultants rather than staff; and Developers also face prolonged back-and-forth on project conditions that often yields limited additional value relative to the time and resources required	General comments	See the following recommendations in Table 1: -Increase Oversight and Capacity in Siting Division to Address Volume, Complexity and Streamlining of Project Reviews - Align Siting Division Fiscal Policies and Procedures with Staffing Needs Also see the section on Siting Program Process Improvement Activities for relevant efforts underway to mitigate these issues.
3.20.26 REC	PURPA QFs at risk recently because PPA renewal in some cases because permit renewals require facility upgrades	General comments	For Report on Reducing Barriers to Clean Energy Deployment: existing facilities are out of scope but input reviewed; investigation of barriers faced by existing facilities may be appropriate in future study.
3.20.26 RNW	Contested case proceedings need more scheduling certainty and may need to be time-bound.	Contested case	See the Streamline or Remove Contested Case Elements in Table 1.
3.20.26 RNW	Recommends implementing consent agendas for council meetings; says members have had their meeting items bumped across council meetings.	EFSC and Siting Division Processes	ODOE is unaware of any examples of Council meetings running out of time to address agenda items. OAR 345-011-0020(2) requires a consent calendar agenda item which is included on every meeting agenda.
3.20.26 RNW	EFSC capacity and communications slow project development; recommends professionalizing the Council, requiring at least one Council member be expert in renewable development, one in energy policy or law,	EFSC and Siting Division Processes	See EFSC Training Recommendation in Table 1.

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Submission	Comment Text/Summary	Subject tags	Response/Evaluation
	reducing council size, and reorganizing council to have a hearings officer.		
3.20.26 RNW	Generally, EFSC should be less deferential to interagency input and apply more discretion; comment notes history of ODEQ noise permitting for solar facilities.	General comments	EFSC's findings of facts, conclusions of law and conditions of approval are based on their standards in Table 2. See also the Participation by Other Agencies/Consolidated Review subsection in the Siting Program Fundamentals Section for how other agencies participate in the State Siting Review process.
3.20.26 RNW	Generally recommends aligning land use policies with energy policies, via legislation, rulemaking, or agency action.	Land use	See the Annual Exception to Goal 3 Policy Memo Update and Workshop and DLCD's Report on Accelerating Clean Energy Deployment Through Oregon's Land Use Planning Framework.
3.20.26 RNW	Amend high-value farmland definition; EFSC report should explore how changing the definition of high value farmland under ORS 195.300 could ease siting and permitting barriers for clean energy. Alternatively, EFSC could allow applicants to change the soil class designation and/or high-value farmland designation if certain evidence is provided. This is especially important for American Viticultural Areas, recommends revising ORS 195.300 designations for the same.	Land use	Definitions related to high-value farmland and any ability to change soil class designations are within the jurisdiction of LCDC. Please see DLCD's Report on Accelerating Clean Energy Deployment Through Oregon's Land Use Planning Framework.
3.20.26 RNW	Need statutory definition for Battery Energy Storage System (BESS) land-use; this should be defined as a "utility facility" in addition to an energy facility. There is a need	Land use	While EFSC does not have jurisdiction over standalone battery energy storage systems, they are defined in ORS 469.300(5).

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Submission	Comment Text/Summary	Subject tags	Response/Evaluation
	more clarity around permitting standalone storage facilities generally.		Any clarification of how the use should be defined from a land use perspective is within the authority of LCDR. ODOE supports the recommendation in DLCD's Report on Accelerating Clean Energy Deployment Through Oregon's Land Use Planning Framework to develop statute and rule provisions regarding stand-alone Battery Energy Storage Systems.
3.20.26 RNW	Goal 3 exceptions should include project benefits holistically, including local tax benefits, workforce benefits, agricultural mitigation payments.	Land use	See the Annual Exception to Goal 3 Policy Memo Update and Workshop in Table 1.
3.20.26 RNW	Goal 3 land-use exceptions process is a barrier and there is insufficient regulatory clarity; says recent EFSC memo on exceptions narrowed process contrary to precedent and excludes state energy policy as reason to support an exception.	Land use	See the Annual Exception to Goal 3 Policy Memo Update and Workshop in Table 1.
3.20.26 RNW	Recommends that "EFSC acknowledge that although state energy policies do not require the Council to grant an exception to Goal 3 to support renewable energy development, they also do not prohibit it. Further, we recommend that the Council exercise its discretion in interpreting what constitutes an acceptable reason for a Goal 3 exception, and that it include state energy policies like HB 2021, the RPS, and the Oregon Energy Strategy among those acceptable reasons. This recommendation is likely the single most important action EFSC could take to	Land use	See the Annual Exception to Goal 3 Policy Memo Update and Workshop in Table 1.

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Submission	Comment Text/Summary	Subject tags	Response/Evaluation
	align land use policy and energy policy, without requiring legislative action"		
3.20.26 RNW	Land-use planning revisions would require legislation but should be discussed in report; consider adding a land-use goal around climate change and in-state clean energy development needs; amending Goal 13 to include clean energy development; and expanding allowable uses within Goal 3.	Land use	See the Annual Exception to Goal 3 Policy Memo Update and Workshop in Table 1. See also DLCD's Report on Accelerating Clean Energy Deployment Through Oregon's Land Use Planning Framework.
3.20.26 RNW	Recommends that agricultural mitigation count as an acceptable reason for a Goal 3 exception, given its nexus with preserving agricultural land. The Council could also explore offering a fee in lieu of mitigation to provide optionality.	Land use	See the Annual Exception to Goal 3 Policy Memo Update and Workshop in Table 1.
3.20.26 RNW	EFSC should reexamine and streamline its role in interagency coordination to avoid duplication of developer efforts.	Permitting alignment	The state siting program is designed as a one-stop shop for applicable local ordinances and state requirements. It therefore already avoids duplication of developer efforts related to local governments and state agencies. See the EFSC and NEPA Simultaneous Review Evaluation Recommendation in Table 1 related to state and federal reviews.

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Submission	Comment Text/Summary	Subject tags	Response/Evaluation
3.20.26 RNW	EFSC permitting delays can trigger interconnection application delays and costs. Recommends enhancing ODOE, EFSC, OPUC, BPA, and utility coordination around timelines; finding ways to allow for earlier determinations of project readiness; or parallel tracking processes where feasible.	Permitting alignment	See the following recommendations in Table 1: -Increase Oversight and Capacity in Siting Division to Address Volume, Complexity, and Streamlining of Project Reviews -Align Siting Division Fiscal Policies and Procedures with Staffing Needs More staffing resources would allow agencies to better coordinate. Interconnection is also addressed in ODOE's Report on Reducing Barriers to Clean Energy Deployment.
3.20.26 RNW	EFSC permitting process takes 18-24 months before contested case proceedings, versus county processes of less than a year; EFSC should reduce timeline to 12-months with current agency resources by reducing/eliminating least useful processes.	Permitting timelines	See the Recommendations to Improve and Streamline Siting and Permitting Recommendations in Table 1. Also see the Comparison to Local Land Use in every subsection of the Siting Program Fundamentals Section which explain that the county review process has fewer substantive and procedural requirements.
3.20.26 RNW	140-day timeline from NOI to Project Order should be reduced because of growing familiarity with wind and solar permitting and repeated use of similar project order documents. Recommends adhering to a 60-day timeline.	Permitting timelines	See the Reduce Time Between Notice of Intent and Project Order Recommendation in Table 1.

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Submission	Comment Text/Summary	Subject tags	Response/Evaluation
3.20.26 RNW	Developers need further flexibility with respect to whether changes should require site certificate amendments; "Amendment requests that are largely administrative in nature such as facility name changes, construction extension requests, and the division of a large facility into smaller ones, among others, should be evaluated for streamlined review in the forthcoming reports. In particular, we recommend a fast-track amendment process in all cases when changes to the site certificate have little to no impact on the environment or the public interest. Review of site certificate amendments should be narrowly focused on the changes requested and any standards or conditions that would be impacted as a result of those changes, rather than re-opening the entire site certificate"	Site certificate amendments	See the recent Amendment Rulemaking in the Rulemaking Subsection of the Siting Program Streamlining Efforts. Also see the Scope of Council's Review for Amendments in OAR 345-027-0375 which already limits the review of amendments to the standards that are triggered as part of the respective amendment.
3.20.26 RNW	"We understand the need for EFSC to be able to issue RAIs, so instead of placing strict limits on these requests, we recommend using discretion to limit the extended request cycles"	Streamline frequent requirements	Per OAR 345-015-0190(5), a complete application includes information adequate for the Council to make findings or impose conditions on all applicable standards. ODOE therefore only requests what is necessary to review each standard. Also, see the Increased Standardized Mandatory Conditions Recommendation in Table 1 and the Phase 3 rulemakings described in the Rulemaking subsection of the Siting Program Streamlining Efforts Section.

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Submission	Comment Text/Summary	Subject tags	Response/Evaluation
3.20.26 RNW	EFSC analysis should be "right-sized" to projects; notes visual analysis requirements being similar for wind and solar despite wind being visible from a greater distance than solar.	Streamline frequent requirements	See the Increased Standardized Mandatory Conditions Recommendation in Table 1 and the Phase 3 rulemakings described in the Rulemaking subsection of the Siting Program Streamlining Efforts Section.
3.20.26 RNW	Based on comparison to county processes, consider reducing or eliminating following standards: "structural standard, public service standard, waste minimization standard, recreation standard, and organizational expertise standard". Pre-construction compliance filings have become increasingly burdensome and costly due to extensive analyses conducted by consultants.	Streamline frequent requirements	Part of the purpose of the phase 3 rulemakings described in the Rulemaking subsection of the Siting Program Streamlining Efforts Section is to evaluate overlap and duplication between related standards, which is why certain standards are being evaluated together (i.e., Soil Protection and Structural; Organizational Expertise and Retirement and Financial Assurance; Public Services and Land Use). For topical/resource impacts covered by multiple standards, Phase 3 rulemaking will reduce unnecessary duplication but must still adhere to the statutory policy requiring compliance with air, water, solid waste, land use and other environmental policies of the state.
3.20.26 RNW	Application should provide efficiency measures like a checklist, should allow entries of "not applicable" or "not impacted" rather than requiring evidence-based responses for each standard.	Streamline frequent requirements	See the Increased Standardized Mandatory Conditions Recommendation in Table 1 and the Phase 3 rulemakings described in the Rulemaking subsection of the Siting Program Streamlining Efforts Section.

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3.20.26 RNW	EFSC should require evidence of tangible benefits from any additional conditions and requirements before imposing them, especially for conditions such as monitoring.	Streamline frequent requirements	If an application meets a standard based on the evidence submitted, no condition is required. Conditions are established only when there is insufficient evidence to prove the standard is met.
3.20.26 RNW	Permitting should require detailed engineering plans later in process, based on evolving nature of technology; also, permits should provide for more flexibility in facility design within permitted project boundaries	Streamline frequent requirements; site certificate amendments	ORS 469.402 already allows EFSC to delegate the future review and approval of condition by ODOE “if, in the council’s discretion, the delegation is warranted under the circumstances of the case”.
3.20.26 RNW	Delays in EFSC permitting can directly impact a project’s position in the interconnection queue and its competitiveness in procurement processes. Specifically, delays can cause projects to miss key interconnection milestones or cluster study entry points, forcing them into later study cycles with higher upgrade costs and longer backlogs. This misalignment between EFSC milestones and interconnection processes exposes clean energy projects to multi-year delays and increased costs.	Permitting alignment	See the Recommendations to Improve and Streamline Siting and Permitting Recommendations in Table 1. Interconnection issues are also addressed in ODOE’s Report on Barriers to Clean Energy Deployment.
6.26 EFSC Meeting, Les Pool	Sited facilities should nominate viable water sources for their projects within 18 months of application, and, if not, be dismissed.	Other recommendations	All site certificates under review include conditions that require a legal and viable water source be demonstrated prior to construction, and operation if necessary.
6.26 EFSC Meeting, Les Pool	Expresses concern with any measures that might risk public engagement opportunities. Thinks early engagement could be expedited by expanding notification areas by 500ft, to about 2000ft..	Community and Tribal engagement	Public engagement is a priority for EFSC. See the Enhance Early Engagement Efforts recommendation in Table 1.

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Submission	Comment Text/Summary	Subject tags	Response/Evaluation
6.26 EFSC Meeting, Les Pool	References wildfire risks in emphasizing that EFSC standards should not be altered in any way that could impair public safety or increase wildfire risk. Adds that EO 25-29 cannot be taken to supersede any statutory law in Oregon, especially with respect to contested case proceedings.	Community and Tribal engagement; contested case	Wildfire risk is a concern to EFSC, and is addressed through the addition of the Wildfire Standard. In addition, ODOE's Siting Division is in process of working on Wildfire Mitigation templates to ensure sites have strong wildfire mitigation plans.
6.26 EFSC Meeting, Troy Jones	Cost benefit analyses and alternative sites such as brownfields and already marginalized lands should be considered prior to placing low efficiency solar facilities on valuable farmland. Industrial facilities and data centers should be responsible for providing returns for their power needs. Siting process should not provide shortcuts that endanger state's natural beauty.	Other recommendations	EFSC does not have current authority to evaluate alternative sites, except for very limited circumstances required by LCDC statutes for transmission lines on Exclusive Farm Use zoned lands and wind projects on high value farmland. Table 2 describes applicable standards which are established to ensure consistency with the air, water, solid waste, land use and other environmental protections policies of the state as required by ORS 469.310. This issue is also being addressed in ODOE's Proposed Framework for Transmission Siting.
7.02.26 ENGO Joint Submission	Siting and Barriers Reports should be coordinated; says, for example, permitting barriers are often less significant than delays related to project siting, community engagement, or transparency.	General comments	ODOE staff working on this report and the Report on Barriers to Clean Energy Deployment are coordinating extensively. See Recommendations to Improve Streamlining Siting and Permitting in Table 1.

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Submission	Comment Text/Summary	Subject tags	Response/Evaluation
7.02.26 Joint Submission	Report should identify opportunities for improved cross-agency coordination or clearer guidance on BPA transmission processes, interconnection. Report should coordinate recommendations to address EFSC barriers, land-use, and transmission.	Permitting Alignment; transmission	See Recommendations to Improve Streamlining Siting and Permitting in Table 1 including the EFSC and NEPA Simultaneous Review Evaluation. These issues are also being addressed in ODOE’s Proposed Framework for Transmission Siting.
7.02.26 Joint Submission	Expand state-fed coordination on transmission and interconnection, such as designated federal liaison around transmission; if non-feasible, explain why. Gives Maine Wind Energy Act and Ohio HB 15 (2025) designated priority investment areas as examples.	Permitting Alignment; transmission	See the EFSC and NEPA Simultaneous Review Evaluation recommendation in Table 1. These issues are also being addressed in ODOE’s Proposed Framework for Transmission Siting.
7.02.26 Joint Submission	ODOE should implement discretionary fast-track processes for "for requests like facility name changes, construction extension requests, and the division of a large facility into smaller ones", obviate need for supporting documentation. “Based on our analysis of EFSC permitting data, 48% of certificate holders have to make a change to a project after the site certificate has been issued. There are a number of reasons why this is the case ... [including] the specificity that is required when submitting an application” Construction deadline should be 6 years from site certificate under HB 3049 to avoid significant costs to developers; also construction amendments should generally occur outside of amendment process and avoid Council review. “Projects experiencing construction delays	Site certificate amendments	See the recent Amendment Rulemaking in the Rulemaking Subsection of the Siting Program Streamlining Efforts. Also see the Construction Extension Deadline Review in Table 1.

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	must seek amendments to extend construction and completion deadlines. These take an average of 192 days. Lengthy amendment timelines can compound existing construction challenges by increasing project costs by tens to hundreds of thousands of dollars and creating additional regulatory uncertainty.”		
7.02.26 Joint Submission	EFSC should establish a permitting program for transmission to be developed within identified transmission corridors, with clear permitting framework. Framework should identify how permitting will coordinate with BPA and PUC.	Streamline frequent requirements; transmission	See the EFSC and NEPA Simultaneous Review Evaluation recommendation in Table 1. These issues are also being addressed in ODOE’s Proposed Framework for Transmission Siting.
7.02.26 Joint Submission	ODOE, DLCD, and OPUC should support transmission development before projects reach interconnection queueing phase. To that end: implement HB 4076, streamline permitting for projects that would use surplus interconnection capacity; put forward concrete transmission actions rather than recommending study; review B2H history to facilitate transmission permitting processes, including a possible ODOE transmission concierge service to coordinate intergovernmental work and standardizing + clarifying review and permitting	Transmission, streamline frequent requirements	ODOE is implementing HB 4076. These issues are also being addressed in ODOE’s Proposed Framework for Transmission Siting.

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	requirements to better inform NOI-filers; and coordinating w/ agencies on WestTEC recommendations.		
7.02.26 OFB	Energy development needs should not be used to reduce substantive protections for EFUs, high-value farmland, irrigated land, productive rangeland, or surrounding farm and ranch operations; oppose removal of "economically productive farm and forest land from farm or forest zones". Requests report not characterize agricultural land processes as barriers.	Land use	See the Annual Exception to Goal 3 Policy Memo Update and Workshop in Table 1. Also, see section in ODOE Report on Barriers to Clean Energy Deployment “Not All State Requirements for Energy Facilities Are ‘Barriers’ the State Should Remove.”
7.02.26 OFB	Grid proximity or interconnection capacity should not "normalize" energy development on agricultural land, "convert productive farmland or diminish protections for surrounding operations." "[C]lean energy siting framework should require a meaningful alternatives analysis, clear findings regarding nonresource sites, and a showing that agricultural impacts have been avoided first and minimized or mitigated only where avoidance is not possible". Opinion extends to battery siting.	Land use	EFSC's analysis of impacts to agriculture come from LCDC's rules and statutes. See DLCD's report Accelerating Clean Energy Deployment Through Oregon's Land Use Planning Framework for more discussion on this topic.
7.02.26 OFB	Based on May DLCD comments, agricultural land protection framework should be maintained, "limit Goal 3 exceptions to narrow circumstances, preserve application of ORS 215.296 and related farm-impact standards, require alternatives analysis before siting energy facilities	Land use	EFSC's analysis of impacts to agriculture come from LCDC's rules and statutes. See DLCD's report Accelerating Clean Energy Deployment Through Oregon's Land Use Planning Framework for more discussion on this topic.

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	on EFU land, prioritize rooftops, developed sites, brownfields, landfills, existing energy sites, and nonresource lands, and treat mitigation as a last resort rather than a substitute for avoidance"		
7.02.26 OFB	Same caution re: transmission corridors; corridors should minimize or avoid the loss of agricultural and timberlands. "Transmission projects can affect producers for generations by altering farm layout, interfering with irrigation systems, affecting aerial application, restricting equipment movement, complicating field access, reducing productive acreage, and imposing long-term operational burdens. Any corridor process must include early notice to affected landowners, direct consultation before corridor designation, county-level participation, agricultural representation, enforceable avoidance standards for high-value and irrigated farmland, and strong mitigation and compensation requirements."	Land use; transmission	EFSC's analysis of impacts to agriculture come from LCD's rules and statutes. See DLCD's report Accelerating Clean Energy Deployment Through Oregon's Land Use Planning Framework for more discussion on this topic. See also "Transmission Line Review Process" section for description of process, including notice to landowners.
7.03.26 RNW	General support for draft recommendation on contested cases. Says contested cases take an average of 427 days and, in Oregon, is only one step of a process whereas in other states it is the entire process. Supports EFSC identifying elements of contested case procedure that can be scaled back; requests identification of procedure to implement this recommendation.	Contested case	See the Streamline or Remove Contested Case Elements in Table 1.

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7.03.26 RNW	Reform EFSC via professionalization (accounting for experience and compensation needs of members); reduction in Council size; considering procedural reforms such as use of a hearings officer; and reserving Council seats for renewable energy development experience and energy policy or law experience.	EFSC and Siting Division Processes	See EFSC Training Recommendation in Table 1.
7.03.26 RNW	Implement a plan towards the goal of 8GW of storage by 2045, per EO 25-29; recommends ODOE lead this effort and coordinate with PUC and other agencies, noting that the EO does not assign this action to any agency specifically.	General comments	There are currently 9.3 GW of battery storage that are part of active EFSC jurisdictional projects. ODOE will consider making this a Key Energy Indicator and reporting on progress towards the storage goal as part of the Biennial Energy Report.
7.03.26 RNW	Recognize state energy policies (RPS, HB 2021) as basis for goal 3 exception to better align state policies. Says this recommendation doesn't require legislative action.	Land use	See the Annual Exception to Goal 3 Policy Memo Update and Workshop in Table 1. This topic is also being addressed in ODOE's Proposed Transmission Framework.
7.03.26 RNW	Strong support for evaluating where federal and state processes can be harmonized to avoid duplication and delay, especially for transmission projects crossing multiple jurisdictions. Requests final report evaluate opportunities to this end and procedural pathways for implementing recommendations.	Permitting alignment	See the EFSC and NEPA Simultaneous Review Evaluation Recommendation in Table 1 related to state and federal reviews.

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7.03.26 RNW	Permitting timelines should be comprehensive of NOI to certificate issuance, consistent with Berkeley Lab analysis. Longest period in process is between Project Order and determination of a complete application; cause of this time period is not strictly on developers, but arises from EFSC application requirements. Thus, should consider whether application requirements can be scaled or streamlined based on project characteristics. Notes that Berkeley Lab similarly found NOI to application submission is longest period in permitting process, quotes Berkeley Report as highlighting Oregon as being exceptional in this respect and surmising that this, as well as comparatively long periods for other permitting stages, may indicate exceptional complexity or need for clarification in Oregon. Based on this permitting timeline information, urged ODOE to evaluate the drivers of the long timelines reflected in the NOI to Submission and Submission to Completion stages in this Report. Analysis should examine why these phases are time intensive and where streamlining opportunities might be available while maintaining rigorous environmental review and public participation.	Permitting timelines	See the following recommendations in Table 1: -Increased Standardized Mandatory Conditions Recommendation in Table 1 -Reduce Time Between Notice of Intent and Project Order Also see the Phase 3 rulemakings described in the Rulemaking subsection of the Siting Program Streamlining Efforts Section.
7.03.26 RNW	Recommends shortening NOI to Project Order timeline to 60 days, reasoning this part of the process is fairly standardized	Permitting timelines	See the Reduce Time Between Notice of Intent and Project Order Recommendation in Table 1.

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7.03.26 RNW	Recommends EFSC use discretion to limit Requests for Additional Information	Permitting timelines	Per OAR 345-015-0190(5), a complete application includes information adequate for the Council to make findings or impose conditions on all applicable standards. ODOE therefore only requests what is necessary to review each standard. ODOE has increasingly created template draft plans (fire, revegetation, weed management, etc...) that applicants can choose to use in order to reduce the need to submit additional required information. Also, see the Increased Standardized Mandatory Conditions Recommendation in Table 1 and the Phase 3 rulemakings described in the Rulemaking subsection of the Siting Program Streamlining Efforts Section.
7.03.26 RNW	Recommends establishing a one-year timeline for EFSC permitting under present staffing and while maintaining meaningful public participation and environmental review; recommends right-sizing information needs and reviewing county processes.	Permitting timelines; streamline frequent requirements	See the Table 1 Recommendations to Improve and Streamline Siting and Permitting.
7.03.26 RNW	Allow greater flexibility in facility design and engineering detail within project boundaries, especially given length of time between site certificate application and actual construction and changes in market and technological conditions.	Site certificate amendments	ORS 469.402 already allows EFSC to delegate the future review and approval of condition by ODOE “if, in the council’s discretion, the delegation is warranted under the circumstances of the case”.

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7.03.26 RNW	Implement fast-track process for administrative amendment requests like name changes, construction extension requests, and the division of a large facility into smaller ones; doing so would reduce delays and project developer burdens to provide supporting documentation.	Site certificate amendments	See the recent Amendment Rulemaking in the Rulemaking Subsection of the Siting Program Streamlining Efforts. Also see the Scope of Council’s Review for Amendments in OAR 345-027-0375 which already limits the review of amendments to the standards that are triggered as part of the respective amendment.
7.03.26 RNW	Supports phase 3 rulemaking as designed to right-size application requirements and ensure that required information is clearly defined, proportionate, and directly connected to each standard. Encourages ODOE to develop this into more specific, actionable recommendations that can advance the EO's goal of streamlining siting and permitting.	Streamline frequent requirements	Phase 3 rulemakings are described in the Rulemaking subsection of the Siting Program Streamlining Efforts Section.
7.03.26 RNW	Evaluate opportunities for efficiencies in EFSC review of transmission projects, relying on B2H experience; consider a transmission concierge person at ODOE to facilitate interagency review and standardizing and clarifying environmental review requirements. Refers to a Sightline publication on this recommendation.	Transmission; permitting alignment	More staffing resources would be required for ODOE to perform this function. See the following recommendations in Table 1: -Increase Oversight and Capacity in Siting Division to Address Volume, Complexity, and Streamlining of Project Reviews -Align Siting Division Fiscal Policies and Procedures with Staffing Needs - Implement Oregon Department of Energy’s 2026-2029 Strategic Plan action to complete developer-focused resources to help navigate the siting process.

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			These topics are also addressed in ODOE's Proposed Strategic Transmission Framework.
7.06.26 Hilary Boudet	Commenter provided a report on community benefits mechanisms as supporting context to assist in the development of EO 25-29 reports.	General comments	ODOE appreciates this resource!
7.14.26 C. Rigby	Report should more explicitly acknowledge barriers to energy development in coastal and rural Oregon; particularly, how limited grid capacity, aging transmission lines, and geographic isolation compound permitting, construction, and interconnection challenges. Small communities often lack resources to navigate complex or multi-jurisdictional processes. Failure to address these challenges may exacerbate existing inequalities; addressing them would align the report with the equity and justice framework.	General comments	This comment is addressed in report Section <i>Siting Program Fundamentals</i> , which describes the review EFSC review process and how ODOE engages with all local governments where a facility is located. EFSC has not received an ASC for a facility located in a coastal area, however, if it did, it would coordinate with that government in the review. Opportunities for public engagement are provided in Report Section <i>Enhancing Public Engagement</i> .
7.14.26 C. Rigby	Cross-agency coordination would also help reduce delays, especially when federal, state, and local reviews overlap.	Permitting alignment	See the EFSC and NEPA Simultaneous Review Evaluation Recommendation in Table 1 related to state and federal reviews.

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7.14.26 C. Rigby	EFSC processes would benefit from clearer early coordination and more accessible guidance; in particular, standardized pre-application meetings with local governments, clearer timelines for when counties must respond, and simplified pathways for small jurisdictions that lack dedicated energy or legal staff. Template materials, checklists, and technical assistance for rural and coastal governments would be helpful.	Permitting Alignment	This comment is addressed in report Section <i>Siting Program Fundamentals</i>, which describes the review EFSC review process and how ODOE engages with all local governments where a facility is located. Templates and checklists are addressed in Report Section Modernization of Staff Organizational Structure for Siting Division, <i>Updates to Funding Model, and Analyst Consistency</i>. See also the recommendation to implement ODOE’s strategic plan action around improving understanding and clarity of the EFSC process for the public and developers.
7.23.26 B. Wills	ODOE should require applicants to submit complete, real-world empirical safety testing (such as full container NFPA 855/UL 9540A burn-down data) upfront during application filing; provide standardized, plain-language technical summaries to reduce procedural delays; and require ODOE staff to answer factual technical safety inquiries prior to issuing Proposed Orders.	Other recommendatio ns	See the Phase 3 rulemakings described in the Rulemaking subsection of the Siting Program Streamlining Efforts Section. During these rulemakings the public will be able to provide input on what information is necessary to include in an ASC or amendment to demonstrate compliance with standards.

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7.23.26 B. Wills	Objects to any removal of requirements for developers to evaluate federally listed threatened and endangered species. Siting must enforce mandatory physical setback buffers for encircled "inholding" farms, and align construction timelines with real-time safety data.	Community and Tribal engagement, streamline frequent requirements	See the Threatened and Endangered Species Standard in Table 2 for information on existing standards. EFSC does not have any authority over Federally listed and endangered species through the Endangered Species Act. EFSC's Threatened and Endangered Species standard is based on the flora and fauna listed on the Oregon Threatened and Endangered Species list, which may be different than the federal list. ODOE/EFSC has no plans to limit or reduce any evaluations or protections of these species. EFSC standards do not set specific setback requirements. However, setbacks are evaluated and set on a project-by-project basis as a result of potential impacts to adjoining property owners based on issues such as noise. Additionally, local land use requirements may include setbacks that may apply to projects reviewed by EFSC.
7.23.26 B. Wills	Says ODOE revoked promised ADA Title II plain-language technical accommodations, presenting an accessibility barrier for this report. For draft reports generally, "ODOE must ensure full ADA Title II compliance by providing accessible plain-language technical summaries for complex exhibits; provide direct, written answers to	General comments	ODOE is mindful of both the broad public interest in the content of this report and the large number of venues and conversations where issues similar or overlapping with the content of this report are being discussed. To that end, ODOE provided multiple

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	factual public safety inquiries; and cease treating unattended digital listening sessions (such as the June 29, 2026 session with one public attendee) as successful procedural outreach."		opportunities to comment on this report - including multiple listening sessions and written comment periods. ODOE also endeavors to incorporate relevant feedback from other venues to ensure our work considers the diverse array of perspectives heard in energy policymaking. ODOE also strives to make materials and public engagement opportunities as accessible as possible. We appreciate the feedback provided and welcomes any input on how we can improve our outreach efforts going forward, which can be provided through the Energy Strategy comment portal or ODOE Customer Survey .
7.23.26 B. Wills	Rural agricultural families' process rights, especially with respect to public health, conflagration safety, and emergency egress protections, must be protected; streamlining should be limited to improved technical clarity.	Community and Tribal engagement	All streamlining efforts take into consideration the potential impacts to participants in the siting process. See the Siting Program Streamlining Efforts section introduction. ODOE/EFSC take a thorough and thoughtful approach to streamlining efforts and will do so with all efforts identified in this report.

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7.23.26 B. Wills	Contested case discovery and exceptions processes should be maintained. Removing these processes would deprive citizens of the ability to test applicant data, violate ORS 183.482(8)(c), and contravene Friends of the Columbia Gorge v. EFSC (Oregon, 2021). Discovery must be preserved because landowners presently cannot seek technical inquiries before a record is formed and, were discovery rights to be removed in contested cases, technical inquiries would be barred after record formation. Report should acknowledge role of discovery to ensure permit decisions are supported by substantial evidence.	Community and Tribal engagement; contested case	See the Streamline or Remove Contested Case Elements in Table 1. ODOE will convene a rulemaking project with a Rulemaking Advisory Committee to evaluate opportunities to streamline or remove contested case elements without negatively affecting the purpose and value of this steps or the rights of parties.
7.23.26 B. Wills	Report fails to reflect public input regarding real-world life-safety risks, emergency access, and administrative transparency.	Community and Tribal engagement	Final report does incorporate and reflect public comment. It does not propose weakening any safety standards, emergency access, or administrative transparency efforts. Also see recommendation to Enhance Early Engagement Efforts in Table 1.
7.23.26 PGE	PGE supports reforming the contested case process to streamline contested case discovery steps, reduce exceptions procedures, establish clearer schedules, and remove duplicative procedural requirements, saying the average contested case duration is 427 days. Contested case procedures should be reformed similar to recent EFSC revisions to the site certificate amendment process.	Contested case	See the Streamline or Remove Contested Case Elements in Table 1.

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7.23.26 PGE	EFSC should explore creating a standardized, expedited pathway for project with low environmental and land use impacts, such as projects within existing corridors or facility upgrades.	Streamline frequent requirements	See Identify Opportunities to Streamline Process for Low-Impact Facilities Recommendation in Table 1.
7.23.26 PGE	Supports aligning review procedures to reduce duplicative work, especially regarding whether NEPA analyses, Section 106 reviews, and other federal environmental reviews can satisfy EFSC standards.	Permitting alignment	See EFSC and NEPA Simultaneous Review Evaluation Recommendation in Table 1.
7.23.26 PGE	Supports streamlining standards for routine issues, e.g., waste minimization, organizational expertise, soil protection and certain transmission standards.	Streamline frequent requirements	See the Increased Standardized Mandatory Conditions Recommendation in Table 1 and the Phase 3 rulemakings described in the Rulemaking subsection of the Siting Program Streamlining Efforts Section.
7.23.26 PGE	PGE Comments on ODOE Draft Report on Reducing Barriers to Clean Energy Deployment, July 2, 2026: Letter provides comments on: PGE approaches capacity needs through supply side and demand side strategies, Interconnection and Transmission Constraints, Voluntary Reporting of Planned Interconnection Withdrawals, Convene recurring forum on permitting–interconnection–construction alignment, Analyze day-ahead market data to inform interconnection cost prioritization/funding, Regulatory Frameworks for Long-Lead Infrastructure, Federal and Regional Transmission Processes, Utility Wildfire Liability Risk.	Transmission	No changes made to the report in response to this comment. ODOE agrees that the availability of interconnection queue information is lacking. This frequently is brought up by EFSC as a concern about the probability of an energy facility connecting to the grid in general. ODOE understands these comments are targeted toward transmission, however, ODOE agrees that a more transparent queue/interconnect process would be beneficial on the energy development landscape. These suggestions, however, are more appropriately directed at the OPUC and BPA. These topics are also

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			addressed in ODOE's Report on Reducing Barriers to Clean Energy Deployment.
7.23.26 RNW	General support for role of Siting Division's consolidated approach, standards-based review, well-established stages, and opportunities for public engagement, as well as efforts towards continuous improvement. However, ample opportunity for process streamlining and improvement; yet only 6 of report's 91 pages present problem-solving. Final report should develop present recommendations into specific, actionable recommendations with proposed means of implementation.	General comments	See Recommendations to Improve and Streamline Siting Permitting in Table 1.
7.24.26 Climate Jobs Oregon	Clean labor standards should be expanded and more rigorously enforced; Responsible Labor Contractor Labor Standards from HB 2021 should be expanded to projects smaller than 10 MW (to 1 MW projects) and to clean energy infrastructure projects more generally (like distribution lines, conduit, substations, and charging infrastructure). Cites NY, CT, NJ, and MI wage laws as using a similar 1 or 2MW standard. Also, labor standards	Other recommendations	Per ORS 469.401(5), labor regulations are outside the scope and jurisdiction of EFSC, which is the focus of this report. ODOE currently houses the portal through which HB 2021 labor standards compliance is tracked, but has no regulatory authority. The changes described in this recommendation would require legislative action.

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	should be enforced by the Bureau of Labor & Industries rather than through attestation.		
7.24.26 Climate Jobs Oregon	Opportunities to expedite clean energy development in Oregon include coordinating transmission, reforming the interconnection process, and expediting siting and permitting processes. These can be done while securing community engagement, local benefits, and strong labor standards.	General comments	See Recommendations to Improve and Streamline Siting Permitting in Table 1. Please also note that per ORS 469.401(5), labor regulations are outside the scope and jurisdiction of EFSC. These topics are also addressed in ODOE's Report on Barriers to Clean Energy Deployment.
7.24.26 Climate Jobs Oregon	Supports Draft Report on Reducing Barriers to Clean Energy Deployment recommendations as means to facilitate interconnection in the near term - including recommendations to encourage interconnection queue applicants to signal intentions to withdraw, to convene forum on interconnection processes, and use early operating data from the Extended Day-Ahead Market to study how the state might help prioritize and fund interconnection costs.	General comments	ODOE appreciates commenter's feedback on the Reducing Barriers to Clean Energy Deployment recommendations.

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7.24.26 Climate Jobs Oregon	Recommends making HB 4031's optionality towards local permitting permanent, subject to guardrails around permitting timelines. If permitting timelines differ between state and local processes, labor standards and/or community benefit agreements may be imposed on the faster of the two, consistent with examples described. As examples, California's Assembly Bill 205 provides the inverse, the option to opt into state permitting, with reasonable guardrails in 1) the Commission cannot approve a project without finding a net economic benefit to the local government that would otherwise have permitted it, and 2) projects in the program must pay prevailing wage and enter into community benefits agreements. Cites multiple projects as benefiting from this option. Also cites Michigan's Public Act 233 of 2023 as allowing developers to bypass local laws and apply directly with Public Service Commission unless the local government adopted a compatible renewable energy ordinance that met the state law's requirements. Says that Michigan projects have permitting timelines of 120 days for local projects and 365 days for commission projects, and that projects approved by the commission must use registered apprenticeship programs and pay no less than the prevailing wage.	Other recommenda tions	See Recommendations to Improve and Streamline Siting Permitting in Table 1.

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Submission	Comment Text/Summary	Subject tags	Response/Evaluation
7.24.26 Climate Jobs Oregon	Recommends OR identify suitable sites for development, such as sites near existing transmission, large demand, or on brownfield property. Says NYSERDA Build-Ready Program identifies and prepares sites for development, including site evaluation, permitting, and community benefit package development, followed by an auction process.	Other recommendatio ns	This identification of suitable sites for development is not within the authority of EFSC/ODOE. This type of authority would require a statutory change. However, ODOE has developed a tool to help developers identify sites near transmission, the Oregon Renewable Energy Siting Assessment Tool. See the recommendation to Implement the Oregon Energy Strategy action to update this tool.
7.24.26 Climate Jobs Oregon	BPA grid capacity limitation is a barrier to development; notes interconnection timelines increasing nationally and aging BPA transmission infrastructure that requires upgrade alongside need construction. State ability to prompt BPA transmission development is limited, and transmission development is slow (noting B2H process starting in 2008 and construction only beginning in 2025).	Transmission	ODOE staff in the Planning and Innovation Division track BPA transmission reforms, such as the Grid Expansion and Reinforcement Portfolio and the Grid Access Transformation Project. This topic is also addressed in ODOE's Report on Reducing Barriers to Clean Energy Deployment and the Proposed Transmission Framework.
7.24.26 Climate Jobs Oregon	ODOE should address transmission barriers by building on ORESA and identifying high-resource, low-conflict areas where wind and solar development is concentrated.	Transmission	See Proposed Transmission Framework
7.24.26 Climate Jobs Oregon	ODOE should use "long-dormant" authority to designate transmission corridors and align BPA, PAC, and PGE planning.	Transmission	See Proposed Transmission Framework

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7.24.26 Climate Jobs Oregon	Fast-track process should be provided for projects in extant rights-of-way, like transmission project coordinated with PGE and Confederated Tribes of Warm Springs.	Transmission, streamline frequent requirements	See the Identify Opportunities to Streamline Process for Low-Impact Facilities in Table 1. This topic is also addressed in ODOE's Proposed Transmission Framework.
7.24.26 Joint Submission	Appreciates ongoing process improvements; however, per EO 25-29 and Pro Publica ranking of Oregon renewable development, more concrete recommendations are needed. Need more analysis of underlying causes of delays at EFSC process, specific changes, and description of which changes require legislation, rulemaking, interagency coordination, or other next steps, as well as timelines. Although the draft report identifies several challenges impacting the EFSC process, it doesn't consistently examine their underlying causes or determine which sources of delay contribute most to overall timelines. Without that analysis, it's difficult to identify and prioritize the actions most likely to improve the process. Instead, its recommendations are largely additional evaluation, continuation of existing work, or implementation of actions already planned in the Energy Strategy and Strategic Plan.	General comments	See the Identify Opportunities to Streamline Process for Low-Impact Facilities in Table 1.

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7.24.26 Joint Submission	Per earlier 3.20 comments, requests Report acknowledge value in ODOE recognizing and encouraging projects that demonstrate strong community and/or Tribal engagement and provide benefits. Process should evaluate whether documented early engagement, responsive project design, agreed mitigation measures, and enforceable applicant commitments could support earlier issue identification, coordinated agency review, and more predictable scheduling. Process should build on recent requirement to engage potentially affected Tribes before NOI. Report should be consistent with OSU community benefits framework project that had a June '26 date for publication.	Community and Tribal engagement, streamline frequent requirements	See the Increased Standardized Mandatory Conditions Recommendation in Table 1 and the Phase 3 rulemakings described in the Rulemaking subsection of the Siting Program Streamlining Efforts Section. Also see Enhanced Early Engagement recommendation in Table 1.
7.24.26 Joint Submission	Report should address HB 3681 contested case duration target of 12 months and name procedural steps, rulemaking, or resources needed to meet that target.	Contested case	See the Streamline or Remove Contested Case Elements Recommendation in Table 1.
7.24.26 Joint Submission	Consider reviewing EFSC's volunteer-based structure or providing technical training for Council-members. Notes that WA pairs a governor-appointed chair with representatives appointed by five state agencies with relevant energy, utility, environmental, and natural-resource responsibilities; CT compensates members through fund supported via industry assessments and fees.	EFSC and Siting Division Processes	See the EFSC Training Recommendation in Table 1.

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7.24.26 Joint Submission	Consider a decentralized permitting model; consider successes of decentralized models such as in Texas (permitting as a private property transaction between developers and landowners); Kansas and Nebraska (county-level permitting with minimal state involvement); NM (300MW trigger for state-level involvement). If OR pursues a decentralized model, however, additional staff resources will be needed on the county level.	EFSC and Siting Division Processes	See the History subsection in the Siting Program Overview for the purpose and intent of the State Siting Program as established by the Oregon Legislature.
7.24.26 Joint Submission	Reports should identify which actions fall within agency authority; which need legislation; which are priorities ahead of 2027 leg session	General comments	See the Recommendations to Improve and Streamline Siting and Permitting in Table 1 for more details regarding evaluation and implementation.
7.24.26 Joint Submission	HB 2021 and RPS alignment should be recognized as justifications for Goal 3 exceptions. Report should designate a means to address this via legislation or rulemaking. Notes that HB 4076 already directs EFSC to treat efficient use of existing grid capacity as a qualifying reason for a Goal 3 exception. The final report should build on that by analyzing how EFSC can recognize a project's contribution to meeting the requirements of HB 2021 and the RPS, together with the policy direction provided by the Oregon Energy Strategy, as reasons supporting a goal exception where existing authority allows. ODOE should initiate rulemaking where ODOE has authority and state plainly where a durable solution instead requires DLCD coordination or legislation.	Land use	See the Annual Exception to Goal 3 Policy Memo Update and Workshop Recommendation in Table 1.

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Submission	Comment Text/Summary	Subject tags	Response/Evaluation
7.24.26 Joint Submission	Siting division should connect their goal exception process to DLCD EO 25-29 report and explain how agencies will coordinate recommendations to effectuate Goal 3 exceptions in alignment with HB 2021 and the Renewable Portfolio Standard.	Land use	See the Annual Exception to Goal 3 Policy Memo Update and Workshop Recommendation in Table 1.
7.24.26 Joint Submission	Because WestTEC lines cross states, ODOE should coordinate with other state offices for project review. Doing so would be consistent with June '26 multistate endorsement of WestTEC and Permitting Alignment and Coordination Task Force.	Permitting alignment	ODOE staff engage with other state energy offices through multiple venues such as the Western Interstate Energy Board and the National Association of State Energy Offices. Siting Division staff are working with the WA Energy Facility Site Evaluation Council to review the Cascade Renewable Transmission System line.
7.24.26 Joint Submission	We ask ODOE to do that directly, and to consider options from our July 2 comments: a concierge or single coordinator role for transmission projects....	Permitting Alignment; transmission	This recommendation is addressed in ODOE's Proposed Transmission Framework.
7.24.26 Joint Submission	Boardman-to-Hemingway shows problems of sequencing, rather than coordinating, state and federal review. ODOE should explore solutions, such as joint scoping, shared studies, aligned comment periods, and standing agreements with BLM, DOE, and the Army Corps that set expectations before an applicant files; or a single ODOE coordinator for transmission projects. Also consider providing a clear statement, up front, of what studies and	Permitting Alignment; transmission	See the EFSC and NEPA Simultaneous Review Evaluation Recommendations in Table 1.

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Submission	Comment Text/Summary	Subject tags	Response/Evaluation
	information reviewing agencies require so an applicant knows what to expect before filing a Notice of Intent.		
7.24.26 Joint Submission	Based on permitting timelines, areas that most need to be addressed are the completeness and Request for Additional Information cycle, and contested cases. Commenters support ongoing ODOE Phase 3 rulemakings on completeness; ask that, furthermore, ODOE: publish baseline stage-by-stage timelines disaggregated by project type (solar, wind, storage, geothermal, transmission), with target ranges for each stage; only issue RAIs on a discretionary basis when genuinely necessary; provide recommendations for each stage of the review cycle; and establish a concrete goal to realize a one-year permitting timeframe.	Permitting timelines	See multiple recommendations in Table 1.
7.24.26 Joint Submission	Based on a recent study, the notice of intent phase is where Oregon review periods depart from other states; ODOE should address this period, look to other states for best practices. ODOE should tighten NOI to Project Order timeline to 60 days.	Permitting timelines	See Reduce Time Between Notice of Intent and Project Order Recommendation in Table 1.
7.24.26 Joint Submission	Report should increase transparency around response to comments. Says Barriers' Report Appendix D is a good example, and Siting report should include a comparable appendix.	General comments	This Appendix is established to respond to comments consistent with the Barriers' Report.

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Submission	Comment Text/Summary	Subject tags	Response/Evaluation
7.24.26 Joint Submission	Need expedited amendment track for changes that do not increase, or that reduce, a project's footprint or impacts; e.g. swapping to higher-efficiency panels or turbines within an approved boundary, or adding storage within an already-reviewed site.	Site certificate amendments	See the recent Amendment Rulemaking in the Rulemaking Subsection of the Siting Program Streamlining Efforts. Also see the Scope of Council's Review for Amendments in OAR 345-027-0375 which already limits the review of amendments to the standards that are triggered as part of the respective amendment.
7.24.26 Joint Submission	Transmission deserves its own recommendations, to be addressed because of WestEC identified needs and EFSC's experience with its six prior transmission projects.	Transmission	See the following Recommendations in Table 1: -Increase Oversight and Capacity in Siting Division to Address Volume, Complexity, and Streamlining of Project Reviews -Align Siting Division Fiscal Policies and Procedures with Staffing Needs -EFSC and NEPA Simultaneous Review Evaluation Also see ODOE's Proposed Transmission Framework.
7.24.26 Joint Submission	Siting report should address transmission corridor designation, along with barriers and recommendations. Report should address why counties have not used LCDC's OAR 660-033-0055 corridor designation regulations; corridors should be identified via WestTEC and ORESA	Transmission	See ODOE's Proposed Transmission Framework.

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	data, along with an expedited EFSC pathway for projects in designated corridors.		
7.24.26 Joint Submission	Transmission Need for Facility standard should be updated; the rule currently references WSCC, an entity defunct since 2002. Rules should now reference NERC and WECC reliability standards and WestTEC regional planning.	Transmission	OAR 345-023-0030(2) currently refers to the North American Electrical Reliability Corporation and not the Western systems Coordinating Council.
7.24.26 Joint Submission	Per EO 25-29 Section 2, Report should explicitly address EFSC jurisdiction for transmission upgrades, including reconductoring and Grid-Enhancing Technologies (GETs) and clarify these projects are not subject to greenfield development requirements. Says, in practice, EFSC doesn't exercise jurisdiction over these projects. If review is necessary for these projects, the siting process should be expedited.	Transmission, streamline frequent requirements	See the Authority Subsection in the Transmission Line Projects Section for EFSC's jurisdiction. ODOE's Proposed Transmission Framework.
7.24.26 L. Feldman	- Involve the local communities where these large electrical projects will be built. This saves a lot of time and lives in the end. - Potential Energy Facilities should be permitted if they adhere to Oregon's environmental standards and regulations, and in alignment with the states Climate Action Roadmap goal process. - Streamlining projects that the public are fighting to prevent is, again, bad business.	Community and Tribal engagement	See the Enhancing Public Engagement Recommendation in Table 1.

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Submission	Comment Text/Summary	Subject tags	Response/Evaluation
7.24.26 L. Feldman	Provided draft recommendations regarding keeping Oregon Nuclear free and further underlines the importance of including impacted communities in the conversation.	Community and Tribal engagement	While a Nuclear power project is currently allowed and can be reviewed by EFSC, there are two statutes that make it unlikely that such a project would be submitted: ORS 469.595 - Before a site certificate could be issued, there must be federal repository for the disposal of high-level radioactive waste produced by the plan. No such repository exists. ORS 469.579 - The proposed project would have to be approved in a general election by Oregon voters.
7.24.26 OSSIA	Tentative support for use of AI; however, this is an internal management tool, not an improvement to siting and permitting process per se.	EFSC and Siting Division Processes	See the Responsible Use of Artificial Intelligence Recommendations in Table 1 in addition to the other recommendations.
7.24.26 OSSIA	Under EO 25-29 directive at l.c to "evaluate and recommend actions to update siting and permitting processes" should be answered with more material and direct actions towards siting and permitting processes. The Report contains only a brief section on "Opportunities for Further Improvement". This discussion of new opportunities is only 5 pages of the 91 page report. OSSIA is disappointed to see that the Report does not go further to identify more meaningful actions to streamline clean energy siting.	General comments	See the recommendations in Table 1.

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7.24.26 OSSIA	The opportunities offered in the Report are recommendations describing how ODOE and EFSC might become a more efficient organization but do not clearly explain how those internal improvements will translate into changes to the siting and permitting process that the EO asks the agencies to evaluate. As a result, OSSIA reads the Report more as a retrospective assessment of the current rules than as a roadmap for additional reforms to streamline clean energy deployment.	General comments	See the recommendations in Table 1.
7.24.26 OSSIA	Tentative support for modernizing staff organizational structure; however, this is internal management and not responsive to the EO. Requests more measurable information on this recommendation, including metrics or targets, and specific deficiencies that would be filled by extra staff.	General comments	See the following recommendations in Table 1. -Increase Oversight and Capacity in Siting Division to Address Volume, Complexity, and Streamlining of Project Reviews -Align Siting Division Fiscal Policies and Procedures with Staffing Needs -EFSC and NEPA Simultaneous Review Evaluation
7.24.26 OSSIA	Regarding Meaningful Engagement on Focused Ideas: commenter reads this recommendation as a vague aspirational description rather than an actionable policy recommendation. The Report does not define “meaningful engagement” or “focused ideas.” The Report does not explicitly list out a deficiency this recommendation aims to improve. OSSIA requests that ODOE expand this recommendation with much more detail that would provide any reader the information needed to read this	General comments	See the recommendations in Table 1.

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	recommendation as an actionable item that would implement the directives in EO 25-29.		
7.24.26 OSSIA	Supports reforming contested case process; requests ODOE review where cases most frequently experience delay and potential time savings of removing steps.	Contested case	See the Streamline or Remove Contested Case Elements Recommendation in Table 1
7.24.26 OSSIA	Consider professionalizing EFSC by providing compensation to members, especially in recognition of EFSC members' time and decision-making obligations	EFSC and Siting Division Processes	See the EFSC Training Recommendation in Table 1.
7.24.26 OSSIA	EFSC should focus its response to public comment on issues and evidence material to governing standards.	EFSC and Siting Division Processes	EFSC receives varied comments related to applications and amendments. EFSC's final decision, including findings of facts, conclusions of law and conditions of approval is limited to their authority.
7.24.26 OSSIA	Recommends procedural changes to EFSC to handle increased project volume; consider consent agenda or calendar for uncontested applications or routine amendments. Says other states have done similar.	EFSC and Siting Division Processes	OAR 345-011-0020(2) requires a consent calendar agenda item which is included on every meeting agenda.

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7.24.26 OSSIA	Would support recommendation for aligning permitting if more detail were provided; commenter understands this recommendation to pertain to the use of studies underlying federal permitting for state permitting. Cautions that any action of this type should avoid making concurrent review harder and aim to preserve predictability. Would need clear guidance on when studies for federal permits are sufficient, rather than case-by-case determinations	Permitting alignment	See the EFSC and NEPA Simultaneous Review Evaluation in Table 1.
7.24.26 OSSIA	ODOE should reevaluate end-of-life requirements for utility-scale solar facilities to better reflect the long-term value of established energy sites. Once a developer has successfully developed a site, the site becomes a valuable energy asset that is well-positioned to host repowered solar facilities...The requirement for applicants to maintain financial assurance for complete site restoration in circumstances where the site will not need restoration imposes significant costs without providing a commensurate public benefit. ODOE should evaluate a more flexible approach that recognizes the likelihood of continued energy use while preserving the ability to require full decommissioning where site-specific circumstances warrant.	Streamline frequent requirements	EFSC currently has an active Phase 3 Rulemaking that includes an evaluation of both the Retirement and Financial Assurance Standards and the Organizational Expertise Standard. The commentor is encouraged to provide comments on the draft rules to Council when they are filed with the Oregon Secretary of State.

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7.24.26 OSSIA	Recommends streamlining standards requirements. States that standards requirements are often inapplicable to solar development. ODOE should continue modernizing application requirements by removing or tailoring information requirements for standards that consistently present little or no permitting risk for solar and storage projects. Commenter priority areas include the Organizational Expertise, Structural, Recreation, Public Service, Waste Minimization standards, as well as the Carbon Dioxide Emissions, Carbon Dioxide Money Offset, and Need for Non-Generating Facilities standards, which OSSIA states are already largely inapplicable to these facilities	Streamline frequent requirements	See the Increased Standardized Mandatory Conditions Recommendation in Table 1 and the Phase 3 rulemakings described in the Rulemaking subsection of the Siting Program Streamlining Efforts Section.
7.24.26 OSSIA	Goal 3 exception process should be reviewed to align with State clean energy policies and balanced with agricultural lands protections. States that EFSC has narrowed the range of Goal 3 benefits over time, especially for projects proposed on agricultural land. Goal 3 benefits should include "local property tax revenue, construction and long-term operations employment, local spending during project construction and operation, agricultural mitigation payments, habitat restoration, and opportunities for dual-use agricultural activities like agrivoltaics." ODOE should therefore evaluate whether the current application of the Goal 3 exception standard appropriately balances agricultural land protection with Oregon's evolving clean energy objectives and recommend changes to better harmonize these important state interests.	Streamline frequent requirements; land use	See the Annual Exception to Goal 3 Policy Member Update and Workshop Recommendation in Table 1.

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7.24.26 OSSIA	BPA transmission studies and PacifiCorp interconnection delays are primary barriers to development. OSSIA continues to advocate streamlining the amendment process for extending a project's begin-construction date. Site certificate amendments for construction dates should be simpler, allow reliance on prior findings, especially when delay is caused by PAC interconnection or BPA transmission study. Comment notes cost impacts of full site amendment processes to support simplification	Permitting alignment; site certificate amendments	See Construction Extension Deadline Review Recommendation in Table 1.
7.24.26 Sightline	Recommends eliminating contested case requirements for projects that meet "objective environmental mitigation criteria and that engage communities before filing a Notice of Intent"; says that Minnesota implemented a similar process in 2024 for some transmission projects and that WA introduced legislation to similar effect.	Contested case	See Streamline or Remove Contested Case Elements Recommendation in Table 1.
7.24.26 Sightline	Says OR law requires county-level permits following EFSC site certification but that county permits are sometimes delayed; cites interviews with EFSC and IPCO representatives on B2H construction as identifying outstanding Morrow and Umatilla permit needs. Local-level permits can be subjective and inconsistent. Report should address these challenges by recommending: clear and objective standard for transmission projects in all land use zones; statewide clear and objective criteria applicable to transmission projects; empowering EFSC to deem projects aligned with land use goals under statewide criteria; and updating Statewide Land Use	Land use; transmission	ORS 469.401(3) mandates the following: <i>After issuance of the site certificate or amended site certificate, any affected state agency, county, city and political subdivision shall, upon submission by the applicant of the proper applications and payment of the proper fees, but without hearings or other proceedings, promptly issue the permits, licenses and certificates addressed in the site certificate or amended site certificate, subject only to conditions set forth in the site certificate or amended site certificate.</i>

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	Planning Goals to include clean energy infrastructure and transmission lines.		See the Transmission Line Projects Section and Authority and Transmission Lines Standards Subsections for further explanation of how transmission lines are reviewed at the state and local level. Topics are also addressed in ODOE’s Proposed Transmission Framework.
7.24.26 Sightline	Recommends ODOE collaborate with reviewing agencies to pre-identify information needs, study requests, and design recommendations common across most transmission projects and then incorporate these into application requirements; hopes this would reduce need for requests for additional information (RAIs). These areas could also flag areas that—when a developer sites a project there—would trigger a special study or condition.	More Meaningful Review and Public Engagement on Focused Rules; Streamline frequent requirements	See the following recommendations in Table 1. -Increase Oversight and Capacity in Siting Division to Address Volume, Complexity, and Streamlining of Project Reviews -Align Siting Division Fiscal Policies and Procedures with Staffing Needs -EFSC and NEPA Simultaneous Review Evaluation ODOE would need additional staffing and resources to conduct this type of collaboration.
7.24.26 Sightline	Recommends developing clear objective environmental mitigation criteria and application requirements, especially for transmission projects with similar impacts.	More Meaningful Review and Public Engagement on	See the Increased Standardized Mandatory Conditions Recommendation in Table 1 and the Phase 3 rulemakings described in the

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Submission	Comment Text/Summary	Subject tags	Response/Evaluation
	Recommends WA's Programmatic EIS for large transmission for reference.	Focused Rules; Streamline frequent requirements; transmission	Rulemaking subsection of the Siting Program Streamlining Efforts Section.