



ODOE Permit Inventory Catalogue

Energy Facility Site Certificate

The statutory authority, regulatory authority or other authority for issuing the permit:

ORS 469.300-469.564

Is this permit a requirement of a federally delegated program? If yes, please provide the name of the federal program.

No

Provide a brief description and purpose for this permit:

The site certificate process 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. To receive approval from EFSC, an applicant must provide a preponderance of evidence to prove that applicable standards are met. The same 16 standards apply to all EFSC jurisdictional projects. Those standards are: General Standard of Review, Organizational Expertise, Structural Standard, Soil Protection, Land Use, Protected Areas, Retirement and Financial Assurance, Fish and Wildlife Habitat, Threatened and Endangered Species, Scenic Resources, Historic, Cultural and Archeological Resources, Recreation, Public Services, Wildfire Prevention and Risk Mitigation, Waste Minimization, and State and Laws and Regulations.

What is the standard duration of this permit?

Life of the energy facility, once constructed. A permit can expire prior to construction if the certificate holder does not begin construction by the date required in the site certificate; a certificate holder can request an extension via an amended site certificate.

What information is needed for the application to be considered complete and what is the source of the info?

Staff evaluate what has been submitted to ensure completeness, which is when the applicant has submitted information adequate to make findings or impose conditions across Council standards; it is common that more information is requested from applicants. 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.

Please describe the process for how your agency handles incomplete applications for this permit:

The agency has 60 days to determine if an application is complete; at that point, applicants may be asked for additional information and are provided with exactly what information is needed and by which date to complete the application.

If readily available, please provide the number of incomplete applications the agency receives annually:

While the agency provides a project order that describes what must be submitted for each application and consults with applicants throughout the process, more information is generally requested as part of the completeness review for each application received. In recent years, the agency has received 4-5 applications per year.

Is there a statutory or regulatory requirement governing the time within which the agency must process applications for the permit? If yes, please describe the timeframe.

The following rule and statutes apply 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.

ORS 469.370(9)(d) establishes a 12-month timeframe from complete application to a final decision. 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. Of the 21 renewable energy projects that have been approved by EFSC, three have exceeded the 12-month timeframe. All three included a full contested case and were concluded prior to the statute being updated in 2025.

What is the application fee for the permit?

There is not a set fee. The associated review for an application is paid for via fee for service, with hourly rates for staff time. Applicants are required to submit a request for a cost estimate and enter into a cost reimbursement agreement. Applicants are invoiced as work is carried out; the agency also collects 25% of the cost estimate at time of application. Applicants can challenge invoices if they feel the costs are not reasonable, just, and necessary.

Is there a statutory, regulatory or other authority for the permit application fee?

ORS 469.421(1)

When was the application fee last changed? Please provide the date of the last change and how much the application fee increased or decreased.

Rates are evaluated annually and adjusted to reflect inflation and Department overhead changes. The hourly rates, which vary by staff classification, were last increased on July 1, 2026 by 5%.

Has your agency evaluated or identified opportunities to streamline the decision making process such as, eliminating unnecessary steps or barriers, reducing the number of incomplete applications, or eliminating any obsolete or unnecessary approval processes (without changing existing rules or statutes). If so, please summarize the opportunities identified and their implementation status.

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. Most recently, this includes the Report on Siting and Permitting Large-Scale Electricity Infrastructure, which the Department submitted to the Governor in Fall 2026 pursuant to a directive in Executive Order 25-29. Please see that report for information on past and current streamlining efforts.

Does the agency have an application backlog for this permit?

No

Approximately how many applications for this permit are currently pending at the agency?

There are currently 18 projects in some stage of the application process for a site certificate. Of those, 6 applicants have turned in initial applications and are in the review process. There is a list of Facilities Under Review on the ODOE webpage as well as a monthly report published with updates on each project.

Provide any other information you feel is relevant to understanding the permit requirement:

Please see the Report on Siting and Permitting Large-Scale Electricity Infrastructure for much more detail on the site certificate process, as well as its history and current streamlining efforts, which is expected to be published in Fall 2026.