ODA PERMIT CATALOG

Created for the Joint Permitting Council under HB 4084 (2026)



BACKGROUND

HB 4084 (2026) created the Joint Permitting Council, a body of Governor-appointed officials from different agencies, which is tasked with creating a fast-track permitting application system to advance economic development in the state. Under the framework of HB 4084 (2026), ORS 183.700 identifies five ODA permits for inclusion in this catalog:

- National Pollutant Discharge Elimination System (NPDES) Individual and General Permits for Confined Animal Feeding Operations (CAFOs)
- Water Pollution Control Facility (WPCF) Individual and General Permits for CAFOs
- New Shellfish Plat Leases

WHAT PROJECTS MIGHT BE ELIGIBLE FOR FAST-TRACK PERMITTING AT ODA?

Projects that:

- Exceed $100 million in capital investment w/in UGB of a metropolitan service district
- Exceed $50 million in capital investment outside of a metro UGB
- Exceed $25 million in capital investment within nonurban county
- Require more than one regulatory approval
- Advance job creation or GDP growth
- Meet readiness criteria (to be established by the Council)
- Demonstrate land use compatibility
- Meet other requirements established by the Council.

DELIVERING ON HB 4084 (2026)

Modernizing, streamlining, and improving the customer experience

To date, ODA has invested $9.4 million in a centralized, department-wide licensing, permitting, inspection, and customer-management system that will modernize all business operations. In addition, ODA has dedicated 2 FTE to process-improvement efforts in high-volume program areas, specifically CAFOs and pesticide-applicator licensing. These investments demonstrate that ODA is already delivering on the objectives of HB 4084 (2026) and the Joint Permitting Council.

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GENERAL NPDES CAFO PERMITS

A National Pollutant Discharge Elimination System (NPDES) general permit issued to confined animal feeding operations (CAFOs) that risk discharging waste to waters of the state

STATUTORY, REGULATORY, AND OTHER AUTHORITIES FOR ISSUING THIS PERMIT

State-level authorities:

- ORS 468B.050
- ORS 468B.200-230 (listed in ORS 187.700(2)(d)
- ORS 561.255
- OAR 603-074-0014 (adopts the General Permit)
- OAR Ch. 603 Div. 074
- OAR 340-045 &-051

Federal authorities:

- Section 203 of the Federal Clean Water Act (33 U.S.C. 1342
- 40 CFR 122.23
- 40 CFR part 412

IS THIS A REQUIREMENT OF A FEDERALLY-DELEGATED PROGRAM?

Yes. EPA delegates the NPDES program under Section 402 of the Clean Water Act to Oregon DEQ. ODA issues and administers CAFO NPDES permits under a memorandum of understanding (MOU) with DEQ (ORS 468B.217).

BRIEF DESCRIPTION AND PURPOSE OF THE PERMIT

The CAFO permitting program regulates confined animal feeding operations (CAFOs) that have the potential to discharge to waters of the state. CAFOs with potential to discharge to surface waters are required to obtain coverage under an NPDES permit. The NPDES general permit covers a category of similar potential discharges that are regulated under a standard set of conditions, and indivudal operations are “registered” to that permit.

PERMIT DURATION: 5-years from the date of issuance.

WHAT IS A “COMPLETE” APPLICATION?

For new CAFOs:

- Application to register (ATR)
- Land Use Compatibility Statement (LUCS) issued by the land use jurisdiction (ORS 468B.212)
- Nutrient Management Plan (NMP), prepared by the applicant usually with a consultant
- Application fee
- Water Supply Plan (WSP)
- If new or expanding large CAFO, a signed declaration of the preliminary interagency consultation (which must occur within 45-days of the initial intent to register)

For existing CAFOs seeking to substantially modify their facilities, applicants must submit a construction approval package, which includes:

- Construction Approval Request Form
- Site Map
- Updated NMP that incorporates proposed facility changes
- Operation and maintenance documents, including engineer-stamped plans for liquid storage systems

Large CAFOs must mail noticies of public notice period to all property owners within one half-mile of the parcel of land where the new CAFO will be located.

GENERAL NPDES CAFO PERMITS

A National Pollutant Discharge Elimination System (NPDES) general permit issued to confined animal feeding operations (CAFOs) that risk discharging waste to waters of the state

HOW DOES ODA HANDLE INCOMPLETE GENERAL NPDES CAFO PERMITS?

ODA works proactively with each permittee to ensure application materials are complete at the time of submission. If an incomplete application is received, ODA sends a letter to the applicant, outlining the required materials needed to proceed with application review. The application to register (ATR) to a general permit cannot start until all application materials are submitted with the applicable applciation processing fee. New applicants are directed in OAR 603-074-0014 to have a complete application submitted a minimum of 180 days prior to when they intend to operate.

AVERAGE NUMBER OF INCOMPLETE APPLICATIONS

ODA receives 6-10 incomplete CAFO applications per year, not tracked separately by application type.

IS THERE A STATUTORY OR REGUALTORY REQUIREMENT FOR ODA TO PROCESS GENERAL NPDES CAFO PERMIT APPLICATIONS?

No, but there are several process-specific deadlines set in statute or rule. Those include:

- Complete permit application must be submitted at least 180 days prior to the proposed date of construction or operation. Review doesn't begin until the application package is complete, so the process may take more than 180 days. Then public noticing and response to comment.
- If a preliminary interagency consultation is required, the preliminary consultation must occur within 45 days after the applicant's request is received. This is a pre-application consultation completed prior to final application submission.
- New, expansion, or substantial-change applications go to public notice for at least 35 days; a hearing is held if 10 or more people request one, and the comment period stays open at least 5 days after the hearing (General Permit).
- After registration, a new or expanded facility may not receive animals until ODA reviews the construction approval package (OAR 603-074-0018) and inspects the completed waste management system (ORS 468B.295(7)). No deadline applies to that review or inspection

WHAT ARE THE CURRENT APPLICATION AND RENEWAL FEES AND THEIR STATUTORY OR REGULATORY AUTHORITIES?

Application Fees:

- Small CAFO: $100
- Medium CAFO: $150
- Large CAFO: $300

Renewal Fees:

- Small CAFO: $125/year
- Medium CAFO: $250/year
- Large Tier 1 CAFO: $400/year
- Large Tier 2 CAFO: $900/year

Fee Authorities:

ORS 468B.215(2) - requires the fees

ORS 561.255 - sets fee maximums

OAR 603-074-0020 - sets fees at statutory maximums

WHEN WERE FEES LAST UPDATED?

12/23/2019 by ODA; application fees were raised from $50 to the amounts above; Small CAFOs increased by $50, medium by $100, and large by $250. Annual permit renewal fees were increased at the same time, small increased by $25, medium by $50, Large Tier 1 by $100 and Large Tier 2 by $600.

GENERAL NPDES CAFO PERMITS

A National Pollutant Discharge Elimination System (NPDES) general permit issued to confined animal feeding operations (CAFOs) that risk discharging waste to waters of the state

HOW HAS ODA STREAMLINED THE DECISION MAKING PROCESS?

- ODA hired a CAFO permit coordinator in February 2026 to track applications and renewals and manage preliminary consultations. Before that the program was short-staffed and lacked inspector coverage in Morrow and Umatilla counties. Implemented.
- In developing the 2026 NPDES General Permit, ODA worked with industry to streamline application submission and review and built the SB 85 (2023) requirements (OAR 603-074 rules effective September 9, 2024), including Tribal notification timelines, into the standard process. Implemented June 2026.
- Incomplete applications track the operator's familiarity with the application package. More pre-submission technical assistance from CAFO staff would reduce the number of incomplete applications without a rule change. Identified, not yet implemented.
- ODA plans to move annual reporting and application status tracking online through its OneODA licensing modernization, replacing paper annual reports. In current development, not yet scheduled.

IS THERE A BACKLOG?

No.

HOW MANY APPLICATIONS ARE PENDING?

Operations registered to the prior NPDES general permit (#01-2016) are re-registering to General Permit #01-2026, which took effect June 4, 2026. ODA processes them in batches as complete paperwork arrives: the first batch (20 renewing CAFOs) went to public notice on June 4, 2026, the second batch (31 renewing CAFOs) went to public notice on July 22, and the third batch (42 renewing CAFOs) went to public notice on September 3, 2026; less than 50 CAFOs have complete renewal paperwork to be included in the next batch. There is no backlog.

OTHER IMPORTANT INFORMATION

ODA administers the CAFO program under a memorandum of understanding with DEQ (ORS 468B.217) and handles permitting and inspections. For project timelines: a new or expanding large CAFO cannot receive animals until it is registered to a CAFO permit and ODA inspects the completed waste system, so the 180-day filing requirement is a minimum. A new operation usually also needs a water right or Water Supply Plan review by OWRD and a Land Use Compatibility Statement from the county. An existing CAFO that substantially modifies its facilities must obtain ODA construction approval (request form, site map, updated Nutrient Management Plan, and engineer-stamped plans for liquid storage) before building, then request a pre-population inspection (OAR 603-074-0018). 328 CAFOs were registered to the NPDES general permit on December 31, 2025. ORS 183.702 applies to this permit (criteria and procedures offered at application; written basis for any denial).

INDIVIDUAL NPDES CAFO PERMITS

A National Pollutant Discharge Elimination System (NPDES) individual permit issued to confined animal feeding operations (CAFOs) that risk discharging waste to waters of the state

STATUTORY, REGULATORY, AND OTHER AUTHORITIES FOR ISSUING THIS PERMIT

State-level authorities:

- ORS 468B.050
- ORS 468B.200-230 (listed in ORS 187.700(2)(d)
- ORS 561.255
- OAR 603-074-0014 (adopts the General Permit)
- OAR Ch. 603 Div. 074
- OAR 340-045 &-051

Federal authorities:

- Section 203 of the Federal Clean Water Act (33 U.S.C. 1342
- 40 CFR 122.23
- 40 CFR part 412

IS THIS A REQUIREMENT OF A FEDERALLY-DELEGATED PROGRAM?

Yes. EPA delegates the NPDES program under Section 402 of the Clean Water Act to Oregon DEQ. ODA issues and administers CAFO NPDES permits under a memorandum of understanding (MOU) with DEQ (ORS 468B.217).

BRIEF DESCRIPTION AND PURPOSE OF THE PERMIT

The CAFO permitting program regulates confined animal feeding operations (CAFOs) that have the potential to discharge to waters of the state. CAFOs with the potential to discharge to surface water are required to obtain coverage under an NPDES permit. An operation may apply for an individual permit instead of General Permit coverage, and ODA may require one for operations in a groundwater management area, operations using experimental technology, or operations with a significant noncompliance history. A new large CAFO in a groundwater management area that land-applies manure or wastewater within that area must obtain an individual NPDES or WPCF permit (OAR 603-074-0012(3); 603-074-0014(4)).

PERMIT DURATION: 5-years from the date of issuance.

WHAT IS A "COMPLETE" APPLICATION?

For new CAFOs:

- Application to register (ATR)
- Land Use Compatibility Statement (LUCS) issued by the land use jurisdiction (ORS 468B.212)
- Nutrient Management Plan (NMP), prepared by the applicant usually with a consultant
- Application fee
- Water Supply Plan (WSP)
- If new or expanding large CAFO, a signed declaration of the preliminary interagency consultation (which must occur within 45-days of the initial intent to register)

For existing CAFOs seeking to substantially modify their facilities, applicants must submit a construction approval package, which includes:

- Construction Approval Request Form
- Site Map
- Updated NMP that incorporates proposed facility changes
- Operation and maintenance documents, including engineer-stamped plans for liquid storage systems

Large CAFOs must mail noticies of public notice period to all property owners within one half-mile of the parcel of land where the new CAFO will be located.

INDIVIDUAL NPDES CAFO PERMITS

A National Pollutant Discharge Elimination System (NPDES) individual permit issued to confined animal feeding operations (CAFOs) that risk discharging waste to waters of the state

HOW DOES ODA HANDLE INCOMPLETE INDIVIDUAL NPDES CAFO PERMITS?

ODA works proactively with each permittee to ensure application materials are complete at the time of submission. If an incomplete application is received, ODA sends a letter to the applicant, outlining the required materials needed to proceed with application review. The application to register (ATR) to a general permit cannot start until all application materials are submitted with the applicable applciation processing fee. New applicants are directed in OAR 603-074-0014 to have a complete application submitted a minimum of 180 days prior to when they intend to operate.

AVERAGE NUMBER OF INCOMPLETE APPLICATIONS

ODA receives 6-10 incomplete CAFO applications per year, not tracked separately by application type.

IS THERE A STATUTORY OR REGULATORY REQUIREMENT FOR ODA TO PROCESS INDIVIDUAL NPDES CAFO PERMIT APPLICATIONS?

No, but there are several process-specific deadlines set in statute or rule. Those include:

- A new CAFO must file at least 180 days before it begins operating (OAR 603-074-0014(3)(a)).
- For a new large or expanding large CAFO, the preliminary consultation must occur within 45 days after ODA or DEQ receives the request (ORS 468B.215(4)).
- The Water Resources Department returns its determination on the Water Supply Plan within 45 days of ODA's request (ORS 468B.216).
- After the permit issues, a new or expanded facility may not receive animals until ODA reviews the construction approval package and inspects the completed waste management system (ORS 468B.215(7); OAR 603-074-0018). No deadline applies to that review or inspection.
- ODA and DEQ draft the facility-specific permit and an evaluation report; the applicant has 15 days to review the draft; ODA then issues public notice for 35 days with a public hearing, and ODA and DEQ respond to comments before deciding to issue the permit as written, to edit the permit, or to deny the permit (OAR 340-045; ODA CAFO permit process).

WHAT ARE THE CURRENT APPLICATION AND RENEWAL FEES AND THEIR STATUTORY OR REGULATORY AUTHORITIES?

Application Fees:

- $15,000

Renewal Fees:

- Large Tier 1 CAFO: $3,500/year
- Large Tier 2 CAFO: $10,000/year

Fee Authorities:

ORS 468B.215(2) - requires the fees
ORS 561.255 - sets fee maximums
OAR 603-074-0020 - sets fees at statutory maximums

WHEN WERE FEES LAST UPDATED?

12/23/2019 by ODA. Initial application fees were $50. Application fees for Tier 1 and Tier 2 Large CAFOs applying for an Individual NPDES permit increased to $15,000, an increase of $14,950. Annual renewal fees were updated at the same time; Individual NPDES CAFO permit renewal fees increased from $300 to $3,500 for Large Tier 1 and $10,000 for Large Tier 2 CAFOs, an increase of $3,200 and $9,700, respectively.

INDIVIDUAL NPDES CAFO PERMITS

A National Pollutant Discharge Elimination System (NPDES) individual permit issued to confined animal feeding operations (CAFOs) that risk discharging waste to waters of the state

HOW HAS ODA STREAMLINED THE DECISION MAKING PROCESS?

- ODA hired a CAFO permit coordinator in February 2026 to track applications and renewals and manage preliminary consultations. Before that the program was short-staffed and lacked inspector coverage in Morrow and Umatilla counties. Implemented.
- In developing the 2026 NPDES General Permit, ODA worked with industry to streamline application submission and review and built the SB 85 (2023) requirements (OAR 603-074 rules effective September 9, 2024), including Tribal notification timelines, into the standard process. Implemented June 2026.
- Incomplete applications track the operator's familiarity with the application package. More pre-submission technical assistance from CAFO staff would reduce the number of incomplete applications without a rule change. Identified, not yet implemented.
- ODA plans to move annual reporting and application status tracking online through its OneODA licensing modernization, replacing paper annual reports. In current development, not yet scheduled.

IS THERE A BACKLOG?

No.

HOW MANY APPLICATIONS ARE PENDING?

Zero NPDES individual permits.

OTHER IMPORTANT INFORMATION

ODA administers the CAFO program under a memorandum of understanding with DEQ (ORS 468B.217) and handles permitting and inspections. For project timelines: a new or expanding large CAFO cannot receive animals until it is registered to a CAFO permit and ODA inspects the completed waste system, so the 180-day filing requirement is a minimum. A new operation usually also needs a water right or Water Supply Plan review by OWRD and a Land Use Compatibility Statement from the county. An existing CAFO that substantially modifies its facilities must obtain ODA construction approval (request form, site map, updated Nutrient Management Plan, and engineer-stamped plans for liquid storage) before building, then request a pre-population inspection (OAR 603-074-0018). 328 CAFOs were registered to the NPDES general permit on December 31, 2025. ORS 183.702 applies to this permit (criteria and procedures offered at application; written basis for any denial).

GENERAL WPCF CAFO PERMITS

A General Water Pollution Control Facility (WPCF) water quality permit for confined animal feeding operations (CAFOs) that risk discharging waste to ground waters of the state

STATUTORY, REGULATORY, AND OTHER AUTHORITIES FOR ISSUING THIS PERMIT

State-level authorities:

- ORS 468B.050
- ORS 468B.200-230 (listed in ORS 187.700(2)(d)
- ORS 561.255
- OAR 603-074-0014 (adopts the General Permit)
- OAR Ch. 603 Div. 074
- OAR 340-045 &-051

IS THIS A REQUIREMENT OF A FEDERALLY-DELEGATED PROGRAM?

No. WPCF is a state permit, not a federally delegated permit for CAFOs. ODA administers WPCF permits for CAFOs via a memorandum of understanding with DEQ.

BRIEF DESCRIPTION AND PURPOSE OF THE PERMIT

The CAFO permitting program regulates confined animal feeding operations (CAFOs) that have the potential to discharge to waters of the state. CAFOs that only have the potential to discharge to groundwater may seek coverage under a Water Pollution Control Facilities (WPCF) permit. The WPCF general permit covers a category of similar potential discharges that are regulated under a standard set of conditions, and individual operations are "registered" to that permit.

PERMIT DURATION: 10-years from the date of issuance.

WHAT IS A "COMPLETE" APPLICATION?

For new CAFOs:

- Application to register (ATR)
- Land Use Compatibility Statement (LUCS) issued by the land use jurisdiction (ORS 468B.212)
- Nutrient Management Plan (NMP), prepared by the applicant usually with a consultant
- Application fee
- Water Supply Plan (WSP)
- If new or expanding large CAFO, a signed declaration of the preliminary interagency consultation (which must occur within 45-days of the initial intent to register)

For existing CAFOs seeking to substantially modify their facilities, applicants must submit a construction approval package, which includes:

- Construction Approval Request Form
- Site Map
- Updated NMP that incorporates proposed facility changes
- Operation and maintenance documents, including engineer-stamped plans for liquid storage systems

Large CAFOs must mail noticies of public notice period to all property owners within one half-mile of the parcel of land where the new CAFO will be located.

GENERAL WPCF CAFO PERMITS

A General Water Pollution Control Facility (WPCF) water quality permit for confined animal feeding operations (CAFOs) that risk discharging waste to ground waters of the state

HOW DOES ODA HANDLE INCOMPLETE GENERAL WPCF CAFO PERMITS?

ODA works proactively with each permittee to ensure application materials are complete at the time of submission. If an incomplete application is received, ODA sends a letter to the applicant, outlining the required materials needed to proceed with application review. The application to register (ATR) to a general permit cannot start until all application materials are submitted with the applicable applciation processing fee. New applicants are directed in OAR 603-074-0014 to have a complete application submitted a minimum of 180 days prior to when they intend to operate.

AVERAGE NUMBER OF INCOMPLETE APPLICATIONS

ODA receives 6-10 incomplete CAFO applications per year, not tracked separately by application type.

IS THERE A STATUTORY OR REGULATORY REQUIREMENT FOR ODA TO PROCESS GENERAL WPCF CAFO PERMIT APPLICATIONS?

No, but there are several process-specific deadlines set in statute or rule. Those include:

- Complete permit application must be submitted at least 180 days prior to the proposed date of construction or operation. Review doesn't begin until the application package is complete, so the process may take more than 180 days. Then public noticing and response to comment.
- If a preliminary interagency consultation is required, the preliminary consultation must occur within 45 days after the applicant's request is received. This is a pre-application consultation completed prior to final application submission.
- New, expansion, or substantial-change applications go to public notice for at least 35 days; a hearing is held if 10 or more people request one, and the comment period stays open at least 5 days after the hearing (General Permit).
- After registration, a new or expanded facility may not receive animals until ODA reviews the construction approval package (OAR 603-074-0018) and inspects the completed waste management system (ORS 468B.295(7)). No deadline applies to that review or inspection

WHAT ARE THE CURRENT APPLICATION AND RENEWAL FEES AND THEIR STATUTORY OR REGULATORY AUTHORITIES?

Application Fees:

- Small CAFO: $100
- Medium CAFO: $150
- Large CAFO: $300

Renewal Fees:

- Small CAFO: $125/year
- Medium CAFO: $250/year
- Large Tier 1 CAFO: $400/year
- Large Tier 2 CAFO: $900/year

Fee Authorities:

ORS 468B.215(2) - requires the fees

ORS 561.255 - sets fee maximums

OAR 603-074-0020 - sets fees at statutory maximums

WHEN WERE FEES LAST UPDATED?

12/23/2019 by ODA; application fees were raised from $50 to the amounts above; Small CAFOs increased by $50, medium by $100, and large by $250. Annual permit renewal fees were increased at the same time, small increased by $25, medium by $50, Large Tier 1 by $100 and Large Tier 2 by $600.

GENERAL WPCF CAFO PERMITS

A General Water Pollution Control Facility (WPCF) water quality permit for confined animal feeding operations (CAFOs) that risk discharging waste to ground waters of the state

HOW HAS ODA STREAMLINED THE DECISION MAKING PROCESS?

- ODA hired a CAFO permit coordinator in February 2026 to track applications and renewals and manage preliminary consultations. Before that the program was short-staffed and lacked inspector coverage in Morrow and Umatilla counties. Implemented.
- In developing the 2026 NPDES General Permit, ODA worked with industry to streamline application submission and review and built the SB 85 (2023) requirements (OAR 603-074 rules effective September 9, 2024), including Tribal notification timelines, into the standard process. Implemented June 2026.
- Incomplete applications track the operator's familiarity with the application package. More pre-submission technical assistance from CAFO staff would reduce the number of incomplete applications without a rule change. Identified, not yet implemented.
- ODA plans to move annual reporting and application status tracking online through its OneODA licensing modernization, replacing paper annual reports. In current development, not yet scheduled.

IS THERE A BACKLOG?

No.

HOW MANY APPLICATIONS ARE PENDING?

None. The WPCF General Permit (#01-2015) has been administratively extended for all CAFOs (142 total) registered to it, and no new facilities can apply until the WPCF general permit is renewed. WPCF general permit renewal is expected in spring of 2027.

OTHER IMPORTANT INFORMATION

ODA administers the CAFO program under a memorandum of understanding with DEQ (ORS 468B.217) and handles permitting and inspections. For project timelines: a new or expanding large CAFO cannot receive animals until it is registered to a CAFO permit and ODA inspects the completed waste system, so the 180-day filing requirement is a minimum. A new operation usually also needs a water right or Water Supply Plan review by OWRD and a Land Use Compatibility Statement from the county. An existing CAFO that substantially modifies its facilities must obtain ODA construction approval (request form, site map, updated Nutrient Management Plan, and engineer-stamped plans for liquid storage) before building, then request a pre-population inspection (OAR 603-074-0018). 328 CAFOs were registered to the NPDES general permit on December 31, 2025. ORS 183.702 applies to this permit (criteria and procedures offered at application; written basis for any denial).

INDIVIDUAL WPCF CAFO PERMITS

An individual Water Pollution Control Facility (WPCF) water quality permit for confined animal feeding operations (CAFOs) that risk discharging waste to ground waters of the state

STATUTORY, REGULATORY, AND OTHER AUTHORITIES FOR ISSUING THIS PERMIT

State-level authorities:

- ORS 468B.050
- ORS 468B.200-230 (listed in ORS 187.700(2)(d)
- ORS 561.255
- OAR 603-074-0014 (adopts the General Permit)
- OAR Ch. 603 Div. 074
- OAR 340-045 &-051

IS THIS A REQUIREMENT OF A FEDERALLY-DELEGATED PROGRAM?

No. WPCF is a state permit, not a federally delegated permit for CAFOs. ODA administers WPCF permits for CAFOs via a memorandum of understanding with DEQ.

BRIEF DESCRIPTION AND PURPOSE OF THE PERMIT

The CAFO permitting program regulates confined animal feeding operations (CAFOs) that have the potential to discharge to waters of the state. CAFOs that only have the potential to discharge to groundwater may seek coverage under a Water Pollution Control Facilities (WPCF) permit. CAFOs that operate beyond the scope of activities covered under the WPCF general permit must obtain and individual, site-specific WPCF permit. To date, no CAFOs are permitted under a WPCF individual permit.

PERMIT DURATION: 10-years from the date of issuance.

WHAT IS A "COMPLETE" APPLICATION?

For new CAFOs:

- Application to register (ATR)
- Land Use Compatibility Statement (LUCS) issued by the land use jurisdiction (ORS 468B.212)
- Nutrient Management Plan (NMP), prepared by the applicant usually with a consultant
- Application fee
- Water Supply Plan (WSP)
- If new or expanding large CAFO, a signed declaration of the preliminary interagency consultation (which must occur within 45-days of the initial intent to register)

For existing CAFOs seeking to substantially modify their facilities, applicants must submit a construction approval package, which includes:

- Construction Approval Request Form
- Site Map
- Updated NMP that incorporates proposed facility changes
- Operation and maintenance documents, including engineer-stamped plans for liquid storage systems

Large CAFOs must mail noticies of public notice period to all property owners within one half-mile of the parcel of land where the new CAFO will be located.

INDIVIDUAL WPCF CAFO PERMITS

An individual Water Pollution Control Facility (WPCF) water quality permit for confined animal feeding operations (CAFOs) that risk discharging waste to ground waters of the state

HOW DOES ODA HANDLE INCOMPLETE INDIVIDUAL WPCF CAFO PERMITS?

ODA works proactively with each permittee to ensure application materials are complete at the time of submission. If an incomplete application is received, ODA sends a letter to the applicant, outlining the required materials needed to proceed with application review. The application to register (ATR) to a general permit cannot start until all application materials are submitted with the applicable applciation processing fee. New applicants are directed in OAR 603-074-0014 to have a complete application submitted a minimum of 180 days prior to when they intend to operate.

AVERAGE NUMBER OF INCOMPLETE APPLICATIONS

ODA receives 6-10 incomplete CAFO applications per year, not tracked separately by application type.

IS THERE A STATUTORY OR REGULATORY REQUIREMENT FOR ODA TO PROCESS INDIVIDUAL WPCF CAFO PERMIT APPLICATIONS?

No, but there are several process-specific deadlines set in statute or rule. Those include:

- Complete permit application must be submitted at least 180 days prior to the proposed date of construction or operation. Review doesn't begin until the application package is complete, so the process may take more than 180 days. Then public noticing and response to comment.
- If a preliminary interagency consultation is required, the preliminary consultation must occur within 45 days after the applicant's request is received. This is a pre-application consultation completed prior to final application submission.
- New, expansion, or substantial-change applications go to public notice for at least 35 days; a hearing is held if 10 or more people request one, and the comment period stays open at least 5 days after the hearing (General Permit).
- After registration, a new or expanded facility may not receive animals until ODA reviews the construction approval package (OAR 603-074-0018) and inspects the completed waste management system (ORS 468B.295(7)). No deadline applies to that review or inspection

WHAT ARE THE CURRENT APPLICATION AND RENEWAL FEES AND THEIR STATUTORY OR REGULATORY AUTHORITIES?

Application Fees:

- $15,000

Renewal Fees:

- Large Tier 1 CAFO: $3,500/year
- Large Tier 2 CAFO: $10,000/year

Fee Authorities:
ORS 468B.215(2) - requires the fees
ORS 561.255 - sets fee maximums
OAR 603-074-0020 - sets fees at statutory maximums

WHEN WERE FEES LAST UPDATED?

12/23/2019 by ODA. Initial application fees were $50. Application fees for Tier 1 and Tier 2 Large CAFOs applying for an Individual NPDES permit increased to $15,000, an increase of $14,950. Annual renewal fees were updated at the same time; Individual NPDES CAFO permit renewal fees increased from $300 to $3,500 for Large Tier 1 and $10,000 for Large Tier 2 CAFOs, an increase of $3,200 and $9,700, respectively.

INDIVIDUAL WPCF CAFO PERMITS

An individual Water Pollution Control Facility (WPCF) water quality permit for confined animal feeding operations (CAFOs) that risk discharging waste to ground waters of the state

HOW HAS ODA STREAMLINED THE DECISION MAKING PROCESS?

- ODA hired a CAFO permit coordinator in February 2026 to track applications and renewals and manage preliminary consultations. Before that the program was short-staffed and lacked inspector coverage in Morrow and Umatilla counties. Implemented.
- In developing the 2026 NPDES General Permit, ODA worked with industry to streamline application submission and review and built the SB 85 (2023) requirements (OAR 603-074 rules effective September 9, 2024), including Tribal notification timelines, into the standard process. Implemented June 2026.
- Incomplete applications track the operator's familiarity with the application package. More pre-submission technical assistance from CAFO staff would reduce the number of incomplete applications without a rule change. Identified, not yet implemented.
- ODA plans to move annual reporting and application status tracking online through its OneODA licensing modernization, replacing paper annual reports. In current development, not yet scheduled.

IS THERE A BACKLOG?

No.

HOW MANY APPLICATIONS ARE PENDING?

None. No CAFOs are permitted vi an individual WPCF Permit in Oregon.

OTHER IMPORTANT INFORMATION

ODA administers the CAFO program under a memorandum of understanding with DEQ (ORS 468B.217) and handles permitting and inspections. For project timelines: a new or expanding large CAFO cannot receive animals until it is registered to a CAFO permit and ODA inspects the completed waste system, so the 180-day filing requirement is a minimum. A new operation usually also needs a water right or Water Supply Plan review by OWRD and a Land Use Compatibility Statement from the county. An existing CAFO that substantially modifies its facilities must obtain ODA construction approval (request form, site map, updated Nutrient Management Plan, and engineer-stamped plans for liquid storage) before building, then request a pre-population inspection (OAR 603-074-0018). 328 CAFOs were registered to the NPDES general permit on December 31, 2025. ORS 183.702 applies to this permit (criteria and procedures offered at application; written basis for any denial).

NEW SHELLFISH PLAT LEASES

An authorization for an application to lease a specified area of state-owned estuary or tidelands for commercial shellfish cultivation

STATUTORY, REGULATORY, AND OTHER AUTHORITIES FOR ISSUING THIS PERMIT

State-level authorities:

- ORS 622.250 (listed at ORS 183.700(2)(d)
- ORS 182.162(3) (Tribal consultation, generally)
- OAR Chapter 603 Division 82

IS THIS A REQUIREMENT OF A FEDERALLY-DELEGATED PROGRAM?

ODA's authorization under ORS 622.210-250 is not a federally delegated program or authority. However, certain federal reviews and approvals are delegated to other state agencies:

- DEQ: Clean Water Act Section 401 (water quality certificates)
- DSL: Clean Water Act Section 404 (dredge and fill permits)
- DLCD: Coastal Zone Management Act (federal consistency reviews)

The US Army Corps of Engineers (USACE) retains authority over Section 10 permits (for structures in or above navigable waters) and consultation responsibility under the Endangered Species Act for actions associated with a permit that may impact listed endangered species.

BRIEF DESCRIPTION AND PURPOSE OF THE PERMIT

For plats in place prior to January 1, 1997, authorizes the commercial cultivation of oysters, clams, or mussels on a designated area of state-owned estuary lands. For plats in place after January 1, 1997, authorizes the commercial cultivation of oysters only on a designated area of state-owned estuary lands.

LEASE DURATION: Indefinite, unless leaseholder substantially changes operations

WHAT IS A "COMPLETE" APPLICATION?

Preliminary decision:

- Completed and signed ODA shellfish aquaculture plat application
- Legal description of the proposed plat, including boundaries and acreage, with an accompanying map.
- Application fee.
- Public notice once a week for two consecutive weeks in a newspaper of general circulation in the county(ies) where the plat is located

Final decision may require the following::

- Section 401 (water quality) certificate – issued by DEQ via delegation from EPA
- Section 404 (dredge and fill) permit – issued by DSL via delegation from EPA
- Land Use Compatibility Statement or similar authorization – from local land use planning authority
- Section 10 permit (structures in or above navigable waters) – issued by USACE
- Coastal Zone Management Act federal consistency review – conducted by DLCD
- NEPA compliance and review, depending on site-specific characteristics and proposed actions – typically conducted by the USACE

NEW SHELLFISH PLAT LEASES

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HOW DOES ODA HANDLE INCOMPLETE SHELLFISH PLAT LEASE APPLICATION?

ODA encourages applicants to complete a pre-application questionnaire and connect with the appropriate program staff to begin the application process. A pre-application meeting is scheduled with representatives from ODA, DLCD, and ODFW to identify potential concerns early, direct applicants to the appropriate federal permits required and engage other key stakeholders prior to final submission. ODA maintains communication with lease applicants, and program staff identify application deficiencies in real time to rectify those deficiencies.

AVERAGE NUMBER OF INCOMPLETE APPLICATIONS

1 on average per year

IS THERE A STATUTORY OR REGULATORY REQUIREMENT FOR ODA TO PROCESS SHELLFISH PLAT LEASE APPLICATIONS?

Yes. ORS 622.250(2) establishes a 90-day timeframe for ODA to act on a new oyster plat application. The Department may grant the lease no later than the 90th calendar day after publication of the required public notice, provided the notice requirements are satisfied, the area is available, and the Department has classified the area as suitable for oyster cultivation. The initial decision is provisional, pending survey and review by the US Army Corps of Engineers before issuing a final approval if the plat is located within navigable waters of the state.

WHAT ARE THE CURRENT APPLICATION AND RENEWAL FEES AND THEIR STATUTORY OR REGULATORY AUTHORITIES?

ORS 622.290(1) & (4); OAR 603-082-0080

WHEN WERE FEES LAST UPDATED?

Last changed in statute (ORS 622.290) in 1997; fees were increased from $25 to $250 per plat ($225 increase).

HOW HAS ODA STREAMLINED THE DECISION MAKING PROCESS?

ODA has been working with ODFW, DLCD, DSL, USACE, NOAA, and Oregon aquaculture development groups to identify how the permitting process could be streamlined and improved. To date, this collective effort has focused on identifying process bottlenecks and assigning ownership of those bottlenecks. ODA created a process flow that is distributed to each interested applicant that maps the process and whether the action is housed at ODA, another agency, or with the applicant. The USACE developed a Joint Permitting Application that lease applicants can use to apply for state-level approvals, including land use approvals. Pre-application meetings with ODA, ODFW, DSL, and DLCD help applicants determine which application pathway suits their needs and site-specific considerations.

IS THERE A BACKLOG?

No.

HOW MANY APPLICATIONS ARE PENDING?

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