

Seventy-Eighth Oregon Legislative Assembly - 2015 Regular Session
STAFF MEASURE SUMMARY
Senate Committee On Environment and Natural Resources

MEASURE: SB 259 A
CARRIER: Sen. Prozanski

Fiscal: Has minimal fiscal impact

Revenue: No Revenue Impact

Action Date: 03/30/15

Action: Do Pass With Amendments. (Printed A-Eng.)

Meeting Dates: 02/09, 03/30

Vote:

Yeas: 5 - Dembrow, Edwards, Olsen, Prozanski, Thomsen

Prepared By: Beth Reiley, Committee Administrator

WHAT THE MEASURE DOES:

Requires Energy Facility Siting Council (EFSC) to evaluate notice of intent or request for expedited review. Authorizes EFSC to compensate state agency or local government incurring expenses directly related to evaluation activities for consultation initiated by applicant for notice of intent or request for expedited review prior to submittal of notice request; limits such expenses to those established in estimate and agreed to by applicant. Excludes legal expenses of agency or local government incurred as result of participation in contested case from compensation. Authorizes EFSC to compensate tribe identified by Commission on Indian Services for expenses directly related to certain evaluation activities related to site certificates. Authorizes EFSC to commission independent study on any aspect of proposed facility within its authority to review. Authorizes EFSC to periodically review documents, reports or other materials to ensure compliance with terms and conditions of site certificate, or request another agency or local government to do so and compensate them for their work.

ISSUES DISCUSSED:

- Role of tribes in Energy Facility Siting Council's process
- Consultation provided through notice of intent process
- Public involvement in process

EFFECT OF COMMITTEE AMENDMENT:

Requires Energy Facility Siting Council (EFSC) to evaluate notice of intent or request for expedited review. Authorizes EFSC to compensate state agency or local government incurring expenses directly related to evaluation activities for consultation initiated by applicant for notice of intent or request for expedited review prior to submittal of notice request; limits such expenses to those established in estimate and agreed to by applicant. Excludes legal expenses of agency or local government incurred as result of participation in contested case from compensation. Authorizes EFSC to compensate tribe identified by Commission on Indian Services for expenses directly related to certain evaluation activities related to site certificates. Authorizes EFSC to commission independent study on any aspect of proposed facility within its authority to review.

BACKGROUND:

Oregon's Energy Facility Siting Council (EFSC) is a seven member board appointed by the Governor to review applications for site certificates for all state-jurisdiction energy facilities. The Department of Energy administers the EFSC process, which consolidates state and local government regulations into a single review process. Upon review of the application, EFSC may issue a site certificate, which is a binding contract between the applicant and all political subdivisions. State agencies then issue permits with EFSC's conditions.

Senate Bill 259A expands EFSC's authority to allow the compensation of a state agency or local government for their expenses directly related to their consultation initiated by an applicant for a notice of intent or a request for an expedited review prior to the submittal of a notice request. The Act also authorizes EFSC to compensate a tribe for expenses directly related to a tribe's review of a notice of intent, site certificate application or request for expedited review.