



Department of Land Conservation and Development Renewable Energy Siting Role



DLCD
Department of
Land Conservation
& Development

Energy projects fall under local or state jurisdiction based on soil quality and project size. Smaller renewable energy projects that do not require review by the Energy Facility Siting Council (EFSC) are managed by local counties. Small and medium sized wind and solar projects proposed on agricultural lands are accounted for by OAR 660-033-0130(37) and (38). Larger projects may be considered pursuant OAR 660-004 and ORS 215.446.

The Land Conservation and Development (LCDC) and Oregon Legislature have set rules and statutes that create three categories for local consideration of solar projects. Projects exceeding these categories fall under EFSC's jurisdiction.

1. Projects on high-value farmland may be no larger than 240-acres.
2. Projects proposed on cultivated farmland may be no larger than 2,560-acres.
3. Projects on all other lands may be no larger than 3,840-acres.

Policy Role

HB 3409, passed in 2023, directed DLCD to develop rules that Eastern Oregon counties can use to identify suitable areas for solar energy siting. DLCD is staffing a Rulemaking Advisory Committee (RAC) that is meeting with community members and leaders across Eastern Oregon to discuss lands that are important to maintain for agriculture and habitat, and how to balance these with the need for renewable energy. The rules will also consider proximity to transmission lines and other physical and social infrastructure needs that might affect land suitability for solar projects.

Direct Participation

DLCD can review energy facility siting like any other organization or member of the public. Sometimes, DLCD provides testimony to county decision-makers or comments during an EFSC project review.

Indirect Participation

DLCD does not issue permits but serves as a technical resource during the siting process. DLCD helps state partners, local and Tribal governments, community members, developers, and others with land use questions.

