

**HB 3874 A STAFF MEASURE SUMMARY**  
**Senate Committee On Energy and Environment**

**Carrier:** Sen. Golden

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**Action Date:** 04/30/25

**Action:** Do pass with amendments. (Printed A-Eng.)

**Vote:** 5-0-0-0

**Yeas:** 5 - Golden, Pham, Robinson, Smith DB, Sollman

**Fiscal:** Has minimal fiscal impact

**Revenue:** No revenue impact

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**Meeting Dates:** 4/23, 4/30

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**WHAT THE MEASURE DOES:**

The measure increases the threshold for a developer—or a local government's governing body, in consultation with the developer—to elect to defer regulatory authority to the Energy Facility Siting Council for obtaining a site certificate, from 50 to 100 megawatts of average wind energy capacity. The Act also requires counties to require decommissioning plans, including bonding or other security as financial assurance, for wind facilities generating 50 to 100 megawatts, to restore site to a useful, nonhazardous condition.

**ISSUES DISCUSSED:**

- Increased efficiency of turbine heads
- Role of the Energy Facility Siting Council and local governments in siting process

**EFFECT OF AMENDMENT:**

The amendment requires a county to require an applicant to provide a decommissioning plan to restore the site to a useful, nonhazardous condition if the renewable energy facility is an electric power generating plant with an average electric generating capacity of at least 50 megawatts but less than 100 megawatts and produces the power from wind energy at a single energy facility or within a single energy generation area. Requires decommissioning plan to include bonding or other security as financial assurance.

**BACKGROUND:**

In 2022, wind energy made up 12.6 percent of energy produced in Oregon, from 50 operating wind facilities, according to the Oregon Department of Energy. Large energy facility builders in Oregon must apply for a site certificate from the Energy Facility Siting Council (EFSC) before they can begin construction. Facilities that fall under certain limits have the option of going through a county siting process. House Bill 3179 (2023) increased the allowable size a solar photovoltaic power generation facility could be and still use a county siting process rather than the EFSC process.