



# Land Use Compatibility Statement

## What is a land use compatibility statement?

A LUCS is a form developed by DEQ to determine whether a DEQ permit or approval will be consistent with local government comprehensive plans and land use regulations.

## Why is a LUCS required?

DEQ and other state agencies with permitting or approval activities that affect land use are required by Oregon law to be consistent with local comprehensive plans and have a process for determining consistency. DEQ activities affecting land use and the requirement for a LUCS may be found in [Oregon Administrative Rules chapter 340, division 18](#).

## When is a LUCS required?

A LUCS is required for nearly all DEQ permits and certain approvals of plans or related activities that affect land use prior to issuance of a DEQ permit or approval. These permits and activities are listed in section 1.D on p. 1 of the LUCS form. A single LUCS can be used if more than one DEQ permit or approval is being applied for concurrently.

Permit modifications or renewals also require a LUCS when any of the following applies:

1. Physical expansion on the property or proposed use of additional land
2. Alterations, expansions, improvements or changes in method or type of disposal at a solid waste disposal site as described in
3. A significant increase in discharges to water
4. A relocation of an outfall outside of the source property
5. Any physical change or change of operation of an air pollutant source that results in a net significant emission rate increase as defined in

## How to complete a LUCS

| Step | Who Does It?                    | What Happens?   |
|------|---------------------------------|---|
| 1    | Applicant                       | Applicant completes Section 1 of the LUCS and submits it to the appropriate city or county planning office.   |
| 2    | City or County Planning Office* | City or county planning office completes Section 2 of the LUCS to indicate whether the activity or use is compatible with the acknowledged comprehensive plan and land use regulations, attaches written findings supporting the decision of compatibility, and returns the signed and dated LUCS to the applicant. |
| 3    | Applicant                       | Applicant submits the completed LUCS and any supporting information provided by the city or county to DEQ along with the DEQ permit application or approval request.  |

\* Review is needed by the city **and** county if both have jurisdiction.

## Where to get help

For questions about the LUCS process, contact the DEQ staff responsible for processing the permit or approval. DEQ staff may be reached at 1-800-452-4011 (toll-free, inside Oregon) or 503-229-5630. For general questions, please contact [DEQ land use staff](#).

## Translation or other formats

Español | 한국어 | 繁體中文 | Русский | Tiếng Việt | العربية  
800-452-4011 | TTY: 711 | [deqinfo@deq.oregon.gov](mailto:deqinfo@deq.oregon.gov)

## **Cultural resources protection laws**

Applicants involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction, or alteration of an archeological site or object or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking, to consider the effect of the undertaking that is included on or eligible for inclusion in the National Register.

For further information, contact the [State Historic Preservation Office](#) or 503-986-0690.

## **Non-discrimination statement**

DEQ does not discriminate on the basis of race, color, national origin, disability, age, sex, religion, sexual orientation, gender identity, or marital status in the administration of its programs and activities. Visit DEQ's [Civil Rights and Environmental Justice page](#).

## Oregon DEQ Land Use Compatibility Statement

| SECTION 1 - TO BE COMPLETED BY APPLICANT   |   |   |   |
|--|---|---|---|
| <b>1A. Applicant Name:</b>   | <b>1B. Project Name:</b> PGE Salem Battery Energy Storage   |   |   |
| <b>Contact Name:</b>   | <b>Physical Address:</b> 1705 22nd St. SE, Lot 2  |   |   |
| <b>Mailing Address:</b>  | <b>City, State, Zip:</b> Salem, OR 97302  |   |   |
| <b>City, State, Zip:</b>   | <b>Tax Lot #:</b> 073W35AC 01700/ 01600   |   |   |
| <b>Telephone:</b>  | <b>Township:</b> 7S <b>Range:</b> 3W <b>Section:</b> 35   |   |   |
| <b>Tax Account #:</b> 527837   | <b>Latitude:</b> 44.92123458  |   |   |
|  | <b>Longitude:</b> - 123.019700  |   |   |
| <p><b>1C. Describe the project, include the type of development, business, or facility and services or products provided (attach additional information if necessary):</b></p> <p>PGE Salem Battery Energy Storage facility, approved under Site Plan Review 24-118643-PLN order dated December 10, 2024.</p> <p>The site address was changed per the request of the City, see attached documentation.</p>   |   |   |   |
| <p><b>1D. Check the type of DEQ permit(s) or approval(s) being applied for at this time.</b></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> Air Quality Notice of Construction<br/> <input type="checkbox"/> Air Contaminant Discharge Permit (excludes portable facility permits)<br/> <input type="checkbox"/> Air Quality Title V Permit<br/> <input type="checkbox"/> Air Quality Indirect Source Permit<br/> <input type="checkbox"/> Parking/Traffic Circulation Plan<br/> <input type="checkbox"/> Solid Waste Land Disposal Site Permit<br/> <input type="checkbox"/> Solid Waste Treatment Facility Permit<br/> <input type="checkbox"/> Solid Waste Composting Facility Permit (includes Anaerobic Digester)<br/> <input type="checkbox"/> Conversion Technology Facility Permit<br/> <input type="checkbox"/> Solid Waste Letter Authorization Permit<br/> <input type="checkbox"/> Solid Waste Material Recovery Facility Permit<br/> <input type="checkbox"/> Solid Waste Energy Recovery Facility Permit<br/> <input type="checkbox"/> Solid Waste Transfer Station Permit<br/> <input type="checkbox"/> Solid Waste - Waste Tire Storage Site Permit<br/> <input type="checkbox"/> Solid Waste Commingled Recycling Processing Facility Permit<br/> <input type="checkbox"/> Solid Waste Limited Sort Facility Permit </td> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> Hazardous Waste Treatment, Storage, or Disposal Permit<br/> <input type="checkbox"/> Pollution Control Bond Request<br/> <input type="checkbox"/> Clean Water State Revolving Fund Loan Application<br/> <input type="checkbox"/> Wastewater and Sewer Construction Plan and Specifications (new and modified systems)<br/> <input type="checkbox"/> Water Quality NPDES Individual Permit<br/> <input type="checkbox"/> Water Quality WPCF Individual Permit (for onsite construction-installation permits use the DEQ <a href="#">Onsite LUCS form</a>)<br/> <input type="checkbox"/> Water Quality NPDES Stormwater General Permit (1200-A, 1200-C, 1200-CA, 1200-COLS, and 1200-Z)<br/> <input type="checkbox"/> Water Quality General Permit (all general permits, except 600, 700-PM, 1700-A, and 1700-B when they are mobile.)<br/> <input type="checkbox"/> Water Quality 401 Certification for federal permit or license </td> </tr> </table> |   | <input type="checkbox"/> Air Quality Notice of Construction<br><input type="checkbox"/> Air Contaminant Discharge Permit (excludes portable facility permits)<br><input type="checkbox"/> Air Quality Title V Permit<br><input type="checkbox"/> Air Quality Indirect Source Permit<br><input type="checkbox"/> Parking/Traffic Circulation Plan<br><input type="checkbox"/> Solid Waste Land Disposal Site Permit<br><input type="checkbox"/> Solid Waste Treatment Facility Permit<br><input type="checkbox"/> Solid Waste Composting Facility Permit (includes Anaerobic Digester)<br><input type="checkbox"/> Conversion Technology Facility Permit<br><input type="checkbox"/> Solid Waste Letter Authorization Permit<br><input type="checkbox"/> Solid Waste Material Recovery Facility Permit<br><input type="checkbox"/> Solid Waste Energy Recovery Facility Permit<br><input type="checkbox"/> Solid Waste Transfer Station Permit<br><input type="checkbox"/> Solid Waste - Waste Tire Storage Site Permit<br><input type="checkbox"/> Solid Waste Commingled Recycling Processing Facility Permit<br><input type="checkbox"/> Solid Waste Limited Sort Facility Permit | <input type="checkbox"/> Hazardous Waste Treatment, Storage, or Disposal Permit<br><input type="checkbox"/> Pollution Control Bond Request<br><input type="checkbox"/> Clean Water State Revolving Fund Loan Application<br><input type="checkbox"/> Wastewater and Sewer Construction Plan and Specifications (new and modified systems)<br><input type="checkbox"/> Water Quality NPDES Individual Permit<br><input type="checkbox"/> Water Quality WPCF Individual Permit (for onsite construction-installation permits use the DEQ <a href="#">Onsite LUCS form</a> )<br><input type="checkbox"/> Water Quality NPDES Stormwater General Permit (1200-A, 1200-C, 1200-CA, 1200-COLS, and 1200-Z)<br><input type="checkbox"/> Water Quality General Permit (all general permits, except 600, 700-PM, 1700-A, and 1700-B when they are mobile.)<br><input type="checkbox"/> Water Quality 401 Certification for federal permit or license |
| <input type="checkbox"/> Air Quality Notice of Construction<br><input type="checkbox"/> Air Contaminant Discharge Permit (excludes portable facility permits)<br><input type="checkbox"/> Air Quality Title V Permit<br><input type="checkbox"/> Air Quality Indirect Source Permit<br><input type="checkbox"/> Parking/Traffic Circulation Plan<br><input type="checkbox"/> Solid Waste Land Disposal Site Permit<br><input type="checkbox"/> Solid Waste Treatment Facility Permit<br><input type="checkbox"/> Solid Waste Composting Facility Permit (includes Anaerobic Digester)<br><input type="checkbox"/> Conversion Technology Facility Permit<br><input type="checkbox"/> Solid Waste Letter Authorization Permit<br><input type="checkbox"/> Solid Waste Material Recovery Facility Permit<br><input type="checkbox"/> Solid Waste Energy Recovery Facility Permit<br><input type="checkbox"/> Solid Waste Transfer Station Permit<br><input type="checkbox"/> Solid Waste - Waste Tire Storage Site Permit<br><input type="checkbox"/> Solid Waste Commingled Recycling Processing Facility Permit<br><input type="checkbox"/> Solid Waste Limited Sort Facility Permit  | <input type="checkbox"/> Hazardous Waste Treatment, Storage, or Disposal Permit<br><input type="checkbox"/> Pollution Control Bond Request<br><input type="checkbox"/> Clean Water State Revolving Fund Loan Application<br><input type="checkbox"/> Wastewater and Sewer Construction Plan and Specifications (new and modified systems)<br><input type="checkbox"/> Water Quality NPDES Individual Permit<br><input type="checkbox"/> Water Quality WPCF Individual Permit (for onsite construction-installation permits use the DEQ <a href="#">Onsite LUCS form</a> )<br><input type="checkbox"/> Water Quality NPDES Stormwater General Permit (1200-A, 1200-C, 1200-CA, 1200-COLS, and 1200-Z)<br><input type="checkbox"/> Water Quality General Permit (all general permits, except 600, 700-PM, 1700-A, and 1700-B when they are mobile.)<br><input type="checkbox"/> Water Quality 401 Certification for federal permit or license |   |   |
| <p><b>1E. This application is for:</b>    <input type="checkbox"/> Permit Renewal    <input type="checkbox"/> New Permit    <input type="checkbox"/> Permit Modification    <input type="checkbox"/> Other:</p>  |   |   |   |

## Oregon DEQ Land Use Compatibility Statement

| SECTION 2 - TO BE COMPLETED BY CITY OR COUNTY PLANNING OFFICIAL   |                      |               |
|---|----------------------|---------------|
| <b>Applicant Name:</b>  | <b>Project Name:</b> |               |
| <b>Instructions:</b> Written findings of fact for all local decisions are required; written findings from previous actions are acceptable. For uses allowed outright by the acknowledged comprehensive plan, DEQ will accept written findings in the form of a reference to the specific plan policies, criteria, or standards that were relied upon in rendering the decision with an indication of why the decision is justified based on the plan policies, criteria, or standards.  |                      |               |
| <b>2A. The project is located:</b> <input type="checkbox"/> Inside city limits <input type="checkbox"/> Inside UGB <input type="checkbox"/> Outside UGB   |                      |               |
| <b>2B. Name of the city or county that has land use jurisdiction</b> (the legal entity responsible for land use decisions for the subject property or land use):<br><input type="checkbox"/> This project or land use is not within the land use jurisdiction of any other city or county.<br><input type="checkbox"/> This project is also within the land use jurisdiction of the following city or county:   |                      |               |
| <b>2C. Is the activity a composting facility?</b> <input type="checkbox"/> No <input type="checkbox"/> Yes; SB 462 (2013) notification requirements have been met.  |                      |               |
| <b>2D. Is the activity or use compatible with your acknowledged comprehensive plan as required by OAR 660-031?</b><br>Please complete this form to address the activity or use for which the applicant is seeking approval (see 1.C on the previous page). If the activity or use is to occur in multiple phases, please ensure that your approval addresses the phases described in 1.C. For example, if the applicant's project is described in 1.C as a subdivision and the LUCS indicates that only clearing and grading are allowed outright but does not indicate that the subdivision is approved, DEQ will delay its permit issuance until approval for the <i>entire</i> subdivision is obtained from the local planning official. |                      |               |
| <input type="checkbox"/> The activity or use is specifically exempt by the acknowledged comprehensive plan; explain:  |                      |               |
| <input type="checkbox"/> <b>YES</b> , the activity or use is pre-existing nonconforming use allowed outright by (provide reference for local ordinance):  |                      |               |
| <input type="checkbox"/> <b>YES</b> , the activity or use is allowed outright by (provide reference for local ordinance):   |                      |               |
| <input type="checkbox"/> <b>YES</b> , the activity or use received preliminary approval that includes requirements to fully comply with local requirements; findings are attached.  |                      |               |
| <input type="checkbox"/> <b>YES</b> , the activity or use is allowed; findings are attached.  |                      |               |
| <input type="checkbox"/> <b>NO</b> , complete below or attach findings for noncompliance and identify requirements the applicant must comply with before compatibility can be determined.<br>Relevant specific plan policies, criteria, or standards:   |                      |               |
| Provide the reasons for the decision:   |                      |               |
| Additional comments (attach additional information as needed):  |                      |               |
| <b>Planning Official Signature:</b>   |                      | <b>Title:</b> |
| <b>Print Name:</b>  | <b>Telephone #:</b>  | <b>Date:</b>  |
| <i>If necessary, depending upon city/county agreement on jurisdiction outside city limits but within UGB:</i>   |                      |               |
| <b>Planning Official Signature:</b>   |                      | <b>Title:</b> |
| <b>Print Name:</b>  | <b>Telephone #:</b>  | <b>Date:</b>  |