



## LAND USE INFORMATION

### Energy Facilities

The Morrow County Zoning Ordinance uses the term “Utility Facility” to define any major structure owned or operated by a public, private, or cooperative electric, fuel, communication, sewage, or water company for the generation, transmission, distribution or processing of its products or for the disposal of cooling water, waste, or byproducts, and including power transmission lines, major trunk pipelines, power substations, dams, water towers, sewage lagoons, sanitary landfills, and similar facilities, but excluding local sewer, water, gas, telephone, and power distribution lines and similar minor facilities allowed in any zone.

*Oregon State Law is more specific about these activities and defines some of em as other than a “utility facility” and has separate requirements for their approval. This information sheet describes “energy facilities” as defined in OAR 469.300 Regulation of Energy Facilities. Morrow County approves these “energy facilities” in accordance with applicable Statute and Rule.*

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#### **Require approval by the Oregon State Energy Facilities Siting Council (EFSC):**

1. An electric power generating plant with a nominal electric generating capacity of 25 megawatts or more, including but not limited to:
  - (i) Thermal power; or
  - (ii) Combustion turbine power plant.
2. A nuclear installation.
3. A high-voltage transmission line of more than 10 miles in length with a capacity of 230,000 volts or more to be constructed in more than one city or county in this state, but excluding:
  - (i) Lines proposed for construction entirely within 500 feet of an existing corridor occupied by high-voltage transmission lines with a capacity of 230,000 volts or more; and
  - (ii) Lines of 57,000 volts or more that are rebuilt and upgraded to 230,000 volts along the same right of way.
4. A solar collecting facility using more than 100 acres of land.
5. A pipeline that is:
  - (i) At least 6 inches in diameter, and 5 or more miles in length, used for the transportation of crude petroleum or a derivative thereof, liquefied natural gas, a geothermal energy form in a liquid state or other fossil energy resource, excluding a pipeline conveying natural or synthetic gas;
  - (ii) At least 16 inches in diameter, and 5 or more miles in length, used for the transportation of natural or synthetic gas, but excluding:
    - (I) A pipeline proposed for construction of which less than 5 miles of the pipeline is more than 50 feet from a public road, as defined in ORS 368.001; or
    - (II) A parallel or upgraded pipeline up to 24 inches in diameter that is constructed within the same right of way as an existing 16-inch or larger pipeline that has a site certificate, if all studies and necessary mitigation conducted for the existing site certificate meet or are updated to meet current site certificate standards; or
  - (iii) At least 16 inches in diameter and 5 or more miles in length used to carry a geothermal energy form in a gaseous state but excluding a pipeline used to

distribute heat within a geothermal heating district established under ORS Chapter 523.

6. A synthetic fuel plant which converts a natural resource including, but not limited to, coal or oil to a gas, liquid, or solid product intended to be used as a fuel and capable of being burned to produce the equivalent of 2 billion Btu of heat a day.
7. A plant which converts biomass to a gas, liquid, or solid product, or combination of such products, intended to be used as a fuel and if any one of such products is capable of being burned to produce the equivalent of 6 billion Btu of heat a day.
8. A storage facility for liquified natural gas constructed after September 29, 1991, that is designed to hold at least 70,000 gallons.
9. A surface facility related to an underground gas storage reservoir that, at design injection or withdrawal rates, will receive or deliver more than 50 million cubic feet of natural or synthetic gas per day, or require more than 4,000 horsepower of natural gas compression to operate, but excluding:
  - (i) The underground storage reservoir;
  - (ii) The injection, withdrawal or monitoring wells and individual wellhead equipment; and
  - (iii) An underground gas storage reservoir into which gas is injected solely for testing or reservoir maintenance purposes or to facilitate the secondary recovery of oil or other hydrocarbons.
10. An electric power generating plant with an average electric generating capacity of 35 megawatts or more, if the power is produced from geothermal, solar, or wind energy at a single energy facility or within a single energy generation area. An electric power generating plant with an average electric generating capacity of less than 35 megawatts produced from wind energy at a single energy facility or within a single energy generation area may elect to obtain a site certificate from EFSC instead of obtaining approval from the local jurisdiction.

An energy generation area means an area within which the effects of two or more small generating plants may accumulate so the small generating plants have effects of a magnitude similar to a single generating plant of 35 megawatts average electric generating capacity or more. An "energy generation area" for facilities using a geothermal resource and covered by a unit agreement, as provided in ORS 522.405 to 522.545 or by federal law, shall be defined in that unit agreement. If no such unit agreement exists, an energy generation area for facilities using a geothermal resource shall be the area that is within two miles, measured from the electrical generating equipment of the facility, of an existing or proposed geothermal electric power generating plant, not including the site of any other such plant not owned or controlled by the same person.

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