

**WASCO COUNTY
NON-COMMERCIAL ENERGY ORDINANCE ADVISORY GROUP
EXISTING RULES AND REGULATIONS**

A. Oregon Revised Statutes

<http://landru.leg.state.or.us/ors/>

1. Utility Regulation

757.005 – Utility Regulation Definitions

757.005(b) – Public Utility Definition which does not include by reference to ORS 757.600 “Consumer-owned utilities”, “Electric Cooperatives”, or “People’s Utility Districts”.

757.300 Net metering facility allowed to connect to public utility; conditions for connecting and measuring energy; rules; application to out-of-state utilities. (This Section is what Wasco Electric Cooperative and Northern Wasco PUD base their net-metering policies on.)

2. Oregon Water Resources Department

543 – Hydroelectric Projects

3. Exclusive Farm Use Zoning Allowable Uses

215.275 Utility facilities necessary for public service; criteria; rules; mitigating impact of facility. Criteria necessary to justify locating of transmission lines in Exclusive Farm Use zone

215.276 Required consultation for transmission lines to be located on high-value farmland.

215.283(2)(m) - Transmission towers over 200 feet in height. (This is related to Federal Aviation Administration requirements and is applicable to anything over 200 feet in height)

4. All Zones

215.438 Transmission towers; location; conditions. The governing body of a county or its designate may allow a transmission tower over 200 feet in height to be established in any zone subject to reasonable conditions imposed by the governing body or its designate.

B. Oregon Administrative Rules

http://arcweb.sos.state.or.us/rules/number_index.html

1. Oregon Water Resources Department

690-051 – Appropriation And Use Of Water For Hydroelectric Power And Standards For Hydroelectric Applications

690-051-0030 – Areas Restricted from developing Hydroelectric Projects

690-051-0060 – Consultation with Other Agencies

2. Public Utility Commission

860-039 – Net Metering Rules

860-039-0005(3)(q) – Clarifies that these rules are applicable to investor Owned Utilities such as PacifiCorp or PGE only. The reference is to ORS 757.005 which defines Public Utility.

C. Wasco County Comprehensive Plan

<http://co.wasco.or.us/planning/wcCompPlan.html>

1. Chapter 2 – Physical Characteristics

Section J – Natural Areas

Section O – Energy

Section M – Fish & Wildlife Resources

Subsection 5 – Land Use Conflicts & Resolutions

2. Chapter 5 – Community Facilities and Services

Section J – Parks and Recreation and Scenic Areas

Subsection 3 – Outstanding Scenic & Recreational Areas

Section M – Utilities

3. Chapter 8 – Economics

4. Chapter 10 – Summary & Analysis

Section B – Physical Characteristics

Subsection 15 - Energy

5. Chapter 14 – Findings & Recommendations

Section B - Goal 5 Issues

6. Chapter 15 – Goals & Policies

Goal 6 – Air Water and Land Resources

Goal 13 – Energy Conservation.

D. Wasco County Land Use and Development Ordinances

<http://co.wasco.or.us/planning/wcordinance.html>

1. Chapter 2 – Development Approval Procedures

2. Chapter 3 – Basic Provisions

Individual Zones – We will need to evaluate which type of non-commercial energy and transmission projects should be allowed in each zone and should there be any specific standards.

Forest Zone –

Section 3.120(C)(11) – Additional local distribution lines (e.g., electric telephone, natural gas) and accessory utility equipment (e.g. electric distribution transformers, poles, meter cabinets, terminal boxes, pedestals), or equipment that provides service hookups, including water service hookups.

Exclusive Farm Use Zone –

Section 3.210(B)(10) Utility facility service lines: Utility facility service lines are utility lines and accessory facilities or structures that end at the point where the utility service is received by the customer and that are located on one or more of the following. These are allowed without review.

Section 3.210(D)(13) – A Transmission Facility under 200 feet in height subject to J(8)(a)(1) – (6) below and the applicable Subject to Standards criteria of Chapter 19.

Section 3.210(D)(14) – A Wind Facility, Wind Energy Conversion System (WECS) or Wind Measurement Device pursuant to the applicable Subject to Standards criteria of Chapter 19.

Section 3.210(D)(15) - A Hydroelectric Facility pursuant to the applicable Subject to Standards criteria of Chapter 19.

3. Chapter 5 – Conditional Use Review
4. Chapter 19 – Energy Development Review