

Wind Power Generation Facility Siting Requirements Overview

The table below is a high level summary of the major elements of the planning ordinances in the Union, Gilliam, and Lake counties. Detailed ordinance language is attached for each of the sections referenced here. The planning ordinances provide the most complete information and can be found at the websites included in the reference section in Appendix A.

Topic	Union County	Gilliam County	Lake County
Purpose	Clarify existing rules with the intent to encourage wind power development	Establish a local conditional use permitting process that is clear, timely, and predictable	None
Definitions			
<i>a. Commercial Wind Power Generation</i>	Combined generating capacity of 3 MW	Combined generating capacity of 1 MW	None
<i>b. Commercial Wind Power Generation Facility</i>	Turbines and devices connected to a common switching station or constructed, maintained, or operated as a contiguous unit.	Turbines and devices connected to a common switching station or constructed, maintained, or operated as a group of devices.	None
<i>c. Decommissioning Fund</i>	None	An adequate financial vehicle with yearly adjustments to assure the money to dismantle and the Facility and restore the site to useful, nonhazardous condition.	None
Application			
<i>d. Project Description</i>	General description, tentative construction schedule, legal description of property, map showing location components	General description, tentative construction schedule, legal description of property, map showing location components	None
<i>e. Potential Conflicts</i>	Identification of any potential conflicts with 1) accepted farming	Identification of any potential conflicts with 1) accepted farming	None

	practices (ORS 214.20(2)(c)) 2)other resource operations on adjacent lands 3) accepted farm or forest practices on adjacent lands	practices (ORS 214.20(2)(c)) 2)other resource operations on adjacent lands 3) Cost impact to accepted farm or forest practices on surrounding EFU land.	
<i>f. Transportation Plan</i>	Plan, with recommendations, reflecting the impacts of facility on regional road system during and after construction. The plan will designate the size, number, location and nature of vehicle access points.	Plan, with recommendations, reflecting the impacts of facility on regional road system during and after construction. The plan will designate the size, number, location and nature of vehicle access points.	None
<i>g. Avian Plan</i>	Plan shall be designed and administered by the applicant's wildlife professionals.	Plan shall be designed and administered by the applicant's wildlife professionals. A technical oversight committee will review the plan and will consist of a landowner/farm tenant, ODFW, 2 County residents, USFW and County planning commission member.	None
<i>h. Covenant Not to Sue</i>	Generally accepted farming practices shall be consistent with the definition of Farming Practices under ORS 30.930. The applicant shall covenant not to sue owners, operators, contractors, employees, or invitees of property zoned for farm use or for generally accepted farming practices.	Generally accepted farming practices shall be consistent with the definition of Farming Practices under ORS 30.930. The applicant shall covenant not to sue owners, operators, contractors, employees, or invitees of property zoned for farm use or for generally accepted farming practices.	None
<i>i. Fire Protection & Emergency Response Plan</i>	The plan shall address the major concern associated with the terrain, dry conditions, and	The plan shall address the major concern associated with the terrain, dry conditions, and	Facilities shall be designed and operated so as to provide fire protection measures acceptable

	limited access and address the fire siting standards in the applicable zone.	limited access.	to the County and any adjacent land management agency.
<i>j. Erosion Control</i>	Include the seeding of all road cuts or related bare road areas as a result of all construction, demolition and rehabilitation with an appropriate mix of native vegetation or vegetation suited to the area.	Include the seeding of all road cuts or related bare road areas as a result of all construction, demolition and rehabilitation with an appropriate mix of native vegetation or vegetation suited to the area.	Facilities shall be designed and operated so as to avoid massive earth movement, prevent erosion, and minimize disturbance to natural drainages.
<i>k. Weed Control Plan</i>	prevention and control of all Union County identified noxious weeds directly resulting from the Wind Power Generation Facility during preparation, construction, operation and demolition/rehabilitation.	prevention and control of all Union County identified noxious weeds directly resulting from the Wind Power Generation Facility during preparation, construction, operation and demolition/rehabilitation.	None
<i>l. Socioeconomic Impact Assessment</i>	In order to maximize potential benefits and to mitigate outcomes that are viewed as problematic, decision-makers need information about the socioeconomic impacts that are likely to occur.	In order to maximize potential benefits and to mitigate outcomes that are viewed as problematic, decision-makers need information about the socioeconomic impacts that are likely to occur.	Air and water quality Historic and cultural resources Public health and safety Water rights Beneficial use of wastes Waste disposal
<i>m. Decommissioning Plan</i>	A decommissioning plan including all components of the Commercial Wind Power Generation Facility prepared by the applicant and approved by the landowner(s).	A plan for dismantling and/or decommissioning that provides for completion of dismantling or decommissioning of the facility without significant delay and protects public health, safety and the environment in compliance with the restoration requirements of this section.	None
<i>n. Application Review</i>	Union County may impose clear	Gilliam County may impose clear	None

<i>Requirements</i>	and objective conditions in accordance with the County Land Use Plan; County Zoning, Partition & Subdivision Ordinance; and state law	and objective conditions in accordance with the County Comprehensive Plan, County Development Code and State law	
<i>o. Amendments</i>	Requirements shall be facility specific, but can be amended as long as the facility does not exceed the boundaries of the Union County conditional use permit where the original facility was constructed.	Requirements shall be facility specific, but can be amended as long as the facility does not exceed the boundaries of the Union County conditional use permit where the original facility was constructed.	None
<i>p. Annual Review</i>	Within 120 days after the end of each calendar year the facility owner/operator shall provide Union County an annual report	Within 120 days after the end of each calendar year the facility owner/operator shall provide Union County an annual report	None