

**HB 2329 -1 STAFF MEASURE SUMMARY**  
**House Committee On Energy and Environment**

---

**Prepared By:** Misty Freeman, LPRO Analyst

**Meeting Dates:** 2/28

---

**WHAT THE MEASURE DOES:**

Modifies the definition of an energy facility subject to site certificate requirements in ORS 469.300. Exempts solar photovoltaic power generation facilities from requirements if they are less than 200 acres in size and located on high-value farmland as defined in ORS 19.5300, or any size if located on land other than high-value farmland. Exempts solar thermal power plants; certain transmission lines associated with a high voltage transmission line of more than 10 miles in length with a capacity of 230,000 volts to be constructed in more than one city or county; and electric power generating plants with an average generating capacity of 35 megawatts or more using geothermal or wind energy at a single facility or within a single energy generation area. Establishes that an energy facility exempted from site certificate requirements may elect to obtain a site certificate through the Energy Facility Siting Council.

**ISSUES DISCUSSED:**

**EFFECT OF AMENDMENT:**

-1 Adds requirement for local governments to consider Energy Facility Siting Council (EFSC) standards when evaluating application for a permit to construct an energy facility not subject to EFSC site certificate requirements.

**BACKGROUND:**

Before a large energy facility is built in Oregon, the developer must apply for a site certificate from the Energy Facility Siting Council (EFSC). The types of energy facilities requiring a site certificate include:

- Electric power plants with a nominal electric generating capacity of 25 megawatts or more from thermal power, a combustion turbine power plant or a solar thermal power plant
- Electric power plants with an average electric generating capacity of 35 megawatts or more if the power is produced from geothermal or wind energy at a single energy facility or within a single energy generation area
- A solar photovoltaic power generation facility using more than: 100 acres located on high-value farmland as defined in ORS 195.300; 100 acres located on land that is predominantly cultivated or that, if cultivated, is predominantly composed of class I-IV soils; or 320 acres located on any other land
- Transmission lines of 230 kilovolts or more that are more than 10 miles in length and that are to be constructed in more than one city or county in the state
- Surface facilities associated with underground natural gas storage facilities with capacity greater than 50 million cubic feet per day
- Liquid fuel pipelines that are six inches or larger in diameter and five miles or more in length
- Liquefied natural gas storage facilities with capacity of 70,000 gallons or more
- Intrastate natural gas pipelines that are 16 inches or more in diameter and five miles or more in length
- Synthetic fuel plants that produce gas, liquid, or solid fuel capable of being burned to produce the equivalent of two billion Btu of heat per day
- Plants that convert biomass to gas, liquid, or solid fuel products if any one of such products is capable of being burned to produce the equivalent of six billion Btu of heat per day
- Small generating plants within an energy generation area, as described in OAR 345-001-0200, if the accumulated effects of development are similar to a single plant with an average electric generating capacity of 35 megawatts or more

## HB 2329 -1 STAFF MEASURE SUMMARY

- Radioactive waste disposal sites and nuclear installations

House Bill 2329 would modify the definition of an energy facility subject to the EFSC site certificate requirements. The bill would exempt solar photovoltaic power generation facilities from requirements if they are less than 200 acres in size and located on high-value farmland as defined in ORS 19.5300, or any size if located on land other than high-value farmland. The bill would also exempt solar thermal power plants; certain transmission lines associated with a high voltage transmission line of more than 10 miles in length with a capacity of 230,000 volts to be constructed in more than one city or county; and certain electric power generating plants using geothermal or wind energy. HB 2329 would allow energy facilities that are exempted from requirements to obtain a site certificate through EFSC.