



PLANNING DEPARTMENT

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FILE #: 921-18-000221

REQUEST: Legislative Request to Amend the Comprehensive Plan, Chapter 5
DECISION:

Attachments:

- A. Overview of Chapter 5
- B. Strikes and Underline Draft of Chapter 5
- C. Final Draft of Proposed Chapter 5 of Wasco County 2040 (Comprehensive Plan) including ESEE Analysis for Sensitive Wildlife Habitat and ESEE for Sensitive Birds
- D. Wasco County 2040 2019-2020 Outreach Report
- E. Strikes and Underline Draft of Proposed Wasco County Land Use and Development Ordinance Section 3.920 (EPD-8)
- F. Final Draft of Proposed Wasco County Land Use and Development Ordinance Section 3.920 (EPD-8)
- G. Map of revised EPD-8
- H. List of newly identified properties with buffer sites for EPD-12
- I. Notice sent to all property owners outside the NSA in Wasco County in accordance with ORS 215.503
- J. Comments

File Number: 921-18-000221

Request: Amend the Wasco County Comprehensive Plan
1. Change the format to align with Statewide Land Use Planning Goals
2. Update and modify Goal 5 including Sensitive Wildlife, Aggregate Resources and Historic Resources.
3. Revisions to EPD-8 (Big Game Habitat) and EPD-12 (Sensitive Birds).

Prepared by: Kelly Howsley Glover, Long Range Planner

Prepared for: Wasco County Planning Commission

Applicant: Wasco County Planning Department

Staff Recommendation: Recommend the Wasco County Planning Commission recommend adoption of the proposed amendments of the Wasco County Comprehensive Plan to the Wasco County Board of Commissioners.

Planning Commission Hearing Date: September 1st and 15th, 2020

Procedure Type: Legislative

Attachments: Attachment A: Overview of Chapter 5
Attachment B: Strikes and Underline Draft of Proposed Chapter 5 of Wasco County 2040 without ESEE
Attachment C: Final Draft of Proposed Chapter 5 of Wasco County 2040 (Comprehensive Plan) including ESEE Analysis for Sensitive Wildlife Habitat and ESEE for Sensitive Birds
Attachment D: Wasco County 2040 2019-2020 Outreach Report
Attachment E: Strikes and Underline Draft of Proposed Wasco County Land Use and Development Ordinance Section 3.920 (EPD-8)
Attachment F: Final Draft of Proposed Wasco County Land Use and Development Ordinance Section 3.920 (EPD-8)
Attachment G: Map of revised EPD-8
Attachment H: List of newly identified properties with buffer sites for EPD-12
Attachment I: Notice sent to all property owners outside the NSA in Wasco County in accordance with ORS 215.503
Attachment J: Public Comments

I. APPLICABLE CRITERIA

- A. Wasco County Comprehensive Plan Chapter 11: Revisions Process
 - 1. Section B: Form of Comprehensive Plan Amendment
 - 2. Section C: Who May Apply for a Plan revision
 - 3. Section D: Legislative Revisions
 - 4. Section H: General Criteria
 - 5. Section I: Transportation Planning Rule Compliance
 - 6. Section J: Procedure for the Amendment process
- B. Oregon Administrative Rules 660-025: Periodic Review
- C. Oregon Administrative Rules 660-023: Procedures and Requirements for Complying with Goal 5
 - 1. OAR 660-023-0020 Standard and Specific Rules and Safe Harbors
 - 2. OAR 660-023-0040 ESEE Decision Process
 - 3. OAR 660-023-0050 Programs to Achieve Goal 5
 - 4. OAR 660-023-0110 Wildlife Habitat
 - 5. OAR 660-023-0250 Applicability

II. SUBMITTED COMMENTS

As of the date of this document, Wasco County Planning Department has received no comments about the proposed revisions.

III. PUBLIC INVOLVEMENT

In addition to the public hearings required by this legislative process to allow for public testimony and the ability to provide written comment, Wasco County has included the following additional measures to ensure the process is open to the public:

A. Newspaper Notifications

Citizen Advisory Group Work Session March 3, 2020:

Public notice for a Citizen Advisory Group meeting was published in *The Dalles Chronicle* on February 12, 2020, more than 15 days prior to the Citizen Advisory March 3rd work session.

Citizen Advisory Group Work Session August 4, 2020:

Public notice for a Citizen Advisory Group meeting was published in *The Dalles Chronicle* on July 15, 2020, more than 15 days prior to the Citizen Advisory August 4, 2020 work session.

Planning Commission Hearing September 1, 2020:

Public notice for a Planning Commission hearing was published in *The Dalles Chronicle* on August 12, 2020 more than 15 days prior to the September 1st hearing.

Planning Commission Hearing September 15, 2020:

Public notice for a Planning Commission hearing was published in *The Dalles Chronicle* on August 26, 2020 more than 20 days prior to the September 15th hearing.

B. Postcard Notice

On February 1, 2020, a postcard notice was sent to all residents in unincorporated Wasco County, outside the National Scenic Area, in accordance with ORS 215.503. The language included that required by ORS 215.503, as well as roadshow event dates and time, the address for the project website and contact information.

Because the proposed hearing in April was cancelled as a result of COVID-19 restrictions, Wasco County sent a new mailed notice to all residents in unincorporated Wasco County, outside the National Scenic Area, in accordance with ORS 215.503 on August 10th, 2020. The notice is attached to the packet as Attachment I.

C. Information Available on Website

Information regarding the proposed amendments was placed on the Wasco County Planning Department Website¹ starting in December 2019. If documents are amended as a result of a public hearing, the webpage will be updated to reflect such changes. At the time of publication of this document, the following information was made available to the public:

- A listing of hearing dates, times and locations
- Drafts of the proposed amendments
- Staff report describing the process and proposed changes
- A way to submit comments and concerns

In addition, the Wasco County Comprehensive Plan website² has included several posts that have included the time and date of meetings and discussion of proposed topics. This website has 49 subscribers that receive notification of new content, and is also promoted on the Planning Department's social media channels which have over 380 followers.

D. Notification to Partners

An email notification of proposed amendments, progress on Periodic Review, and the legislative hearing was sent to the Periodic Review Assistance team and other Citizen Advisory Group identified stakeholders on March 19, 2020. The notification included links to the staff report, proposed amendments, and the opportunity to comment.

A revised notification was sent on August 18th, 2020 to the Periodic Review Assistance Team.

E. Notification to Community Notification List

During the Wasco County 2040 initial outreach phase, a public email notification list was assembled. Members of the public continue to have the opportunity to sign up for this list at any time on the project website³ or in person at any of the public hearings, work sessions or

¹ <http://co.wasco.or.us/departments/planning/index.php>

² www.Wasco2040.com

³ <https://wasco2040.com/contact/>

other events. They can also request to be put on the list via email, telephone, or in the Planning Department Office. Currently this list includes 184 interested parties from the community.

An email notification of proposed amendments, progress on Periodic Review, and the legislative hearing was sent to this notification list on March 26, 2020. Additional notices were sent to this list on July 28th, August 25, and September 2.

The notification included links to the proposed amendments, and information on how to provide comment.

F. Other Public Outreach

In addition to the public meetings, social media content helped to promote engagement with the work tasks and solicit additional input. Any comments, or other feedback were compiled and analyzed by staff and used to inform the development of the new policy and implementation strategies.

IV. FINDINGS

A. Wasco County Comprehensive Plan Criteria

1. Chapter 11 - Revisions Process

***a. Section B – Form of Comprehensive Plan Amendment
Amendments to the Comprehensive Plan include many forms and can either be legislative or quasi-judicial.***

FINDING: The request is for a legislative text amendment to policies and the format for Goal 5 (Chapter 5) of the Comprehensive Plan, as part of a broader Periodic Review work plan. In addition, the proposal is for modification to the Comprehensive Plan Zoning Map, specifically for Environmental Protection Districts (EPD) 8 (Big Game Habitat) and 12 (Sensitive Birds). Amendments include reformatting and edits to existing policy and implementation, as well as the addition of some new content including historical perspective, overview, and findings and references. There are also significant revisions to policies and implementation measures based on required ESEE analysis, external plans, and public input.

b. Section C – Who May Apply for a Plan revision

2. Planning Commission by majority vote confirmed by the Wasco County Governing Body. (Legislative)

FINDING: The Wasco County Board of Commissioners is the Wasco County Governing Body, and has authorized the Wasco County Planning Department to pursue Voluntary Periodic Review (VPR) to update the Wasco County Comprehensive Plan. The Board sent a letter to the Land Conservation and Development Commission supporting VPR on September 29, 2016.

c. Section D – Legislative Revisions

Legislative revisions include land use changes that have widespread and significant impact beyond the immediate area such as quantitative changes producing large volumes of traffic; a qualitative change in the character of the land use itself, such as conversion of residential to industrial use; or a spatial change that affects large areas or much different ownership. The Planning Commission and County Governing Body shall evaluate the plan as often as necessary to meet changes in the social, economic, or environmental character of Wasco County.

FINDING: The proposed text amendments to policies and format of the Comprehensive Plan are applicable to all properties governed by the Wasco County Comprehensive Plan and therefore the proposal is a legislative revision. The proposed amendments are part of a larger Periodic Review process approved by the Planning Commission, Board of County Commissioners, Department of Land Conservation and Development and the Land Conservation and Development Commission. To be accepted for periodic review, staff prepared extensive justification demonstrating the need for amendments to the Comprehensive Plan as a result of changes in the social, economic and environmental character of Wasco County.

d. Section H – General Criteria

The following are general criteria which must be considered before approval of an amendment to the Comprehensive Plan is given:

- 1). Compliance with the statewide land use goal as provided by Chapter 15 or further amended by the Land Conservation and Development Commission, where applicable.***
- 2). Substantial proof that such change shall not be detrimental to the spirit and intent of such goals.***
- 3). A mistake in the original comprehensive plan or change in the character of the neighborhood can be demonstrated.***
- 4). Factors which relate to the public need for healthful, safe and aesthetic surroundings and conditions.***
- 5). Proof of change in the inventories originally developed.***
- 6). Revisions shall be based on special studies or other information which will serve as the factual basis to support the change. The public need and justification for the particular change must be established.***

FINDING:

Periodic Review was requested by Wasco County, in accordance with Oregon Administrative Rule (OAR) 660-025-0035, along with a justification for the requested action based on public input on local circumstances and conditions that warranted periodic review.

During the 2017 Periodic Review scoping phase, the Wasco County Planning Department conducted outreach to key stakeholders including the Oregon Department of Fish and Wildlife (ODFW). At that time, ODFW informed Wasco County Planning that the sensitive wildlife maps were out of date and needed to be revised during Periodic Review. Specifically, ODFW launched their interactive mapping tool, COMPASS, in 2012. COMPASS is based on a variety of data sets from federal, state and regional partners. This data is currently used by ODFW in their consultations and advisement with applicants on any conditional use applications in Wasco County, regardless of their inclusion in EPD-8.

OAR 660-023-0000 outlines how local governments are required to apply Goal 5 when conducting periodic review. This includes the process for evaluating protections for each of the listed Goal 5 resources. OAR 660-023-0110 specifically addresses sensitive wildlife habitat. OAR 660-023-0110 (2) states that “local governments shall obtain current habitat inventory information from the Oregon Department of Fish and Wildlife (ODFW), and other state and federal agencies” which include sensitive bird sites, big game winter range, and threatened and endangered wildlife species habitat information. The rule goes further in (4)(a-e) to identify that local government must rely on documented wildlife habitat information provided by the state of Oregon and federal partners. Because the “area is identified as mapped by ODFW as habitat for a wildlife species of concern and/or as habitat of concern” (OAR 660-023-0110 (4)(e)) the proposed revisions to the map meet the criteria of significant wildlife habitat.

Wasco County relied on ODFW, as technical experts, to provide information supporting the need for changing inventories as consistent with OAR 660-023. Although some of the information is confidential, particularly with sensitive bird species, it was evident in comparing Wasco County’s environmental protection district overlay zones and those used for regulatory and advisement purposes by ODFW, that there were obvious discrepancies. In order to support Statewide Land Use Planning Goals 1, 2, and 5 appropriately, staff worked with ODFW to evaluate the potential for map revisions based on the data.

OAR 660-023-0250 states that local governments are required to amend their Comprehensive Plan to address Goal 5 at the time of Periodic Review if they meet one of the criteria. Criteria “c” is “New information is submitted at the time of periodic review concerning resource sites not addressed by the plan at the time of acknowledgment or in previous periodic reviews.” As ODFW did inform Wasco County at the time of developing the work plan for Periodic Review that revisions to the maps and sensitive wildlife protections were needed to protect resource sites not currently under protection, it was evident this criteria applied. Wasco County identified this need under Work Task 18 in the official Periodic Review work plan submitted to the State Department of Land Conservation and Development and approved by the Department in 2018. The work task was specifically meant to address big game habitat, but as ODFW continued to develop their analysis, they identified better available data for sensitive birds as well. As a result, ODFW submitted two new maps to Wasco County with big game habitat and sensitive bird revisions in 2020.

Wasco County has protected big game winter range since the adoption of the Wasco County Comprehensive Plan in 1983. Some revisions were made to Goal 5 protections in the late 1990s with the Transition Lands Study Area (TLSA). Big game winter range is currently protected by Wasco County through the administration of Environmental Protection District (EPD) 8. The sensitive bird overlay zone, EPD 12, was first adopted into the Wasco County Comprehensive Plan Zoning Map in 2004 during Periodic Review to address Goal 5 issues.

In 2012, ODFW adopted a revised map for big game winter range statewide including portions in Wasco County. The new map includes protections for areas zoned Exclusive Farm Use, minimum parcel size 160 acres, that were previously omitted because they were considered protected by the EFU zone and parcel size. According to ODFW, the maps were amended to remove assumptions and procedural oversights with the increasing amount of conflict presented by commercial energy facility projects and other conditional uses or rezones that significantly changed the landscape and uses in formerly agricultural lands. These changes in conditions necessitated modifications to mapped protections. These projects and conversations about impact also increased targeted research for sensitive bird nesting sites to understand impacts of uses like commercial wind facilities on sensitive birds.

Per OAR 660-023-0110 (5), ODFW has determined that publication of location information may increase the threat of habitat or species loss. Pursuant to ORS 192.345 (13), Wasco County will disclose the nesting sites in EPD 12 at the time of development application, in person and as needed. Staff has included a list of impacted properties as Attachment H. All impacted property owners were sent a separate mailed notice, consistent with ORS 215.503, to inform of them of any changes to their inclusion/exclusion in EPD-12. This notice was sent on February 6, 2020.

The proposed maps for EPD 8 and EPD 12 provided by ODFW demonstrate proof of change in the inventories and are consistent with the OAR requirements that Wasco County rely on documented resources from state and federal partners. Revisions do not represent a mistake in the Comprehensive Plan but a change in conditions that necessitate updates to be consistent with Goal 5. As detailed in Attachment D, community meetings were held to discuss the proposed maps and allow for the public to provide input on the ESEE analysis for both EPD 8 and EPD 12 - to ensure revisions factor in impacts to public health, safety, and aesthetic surroundings.

In conjunction with map revisions, staff is recommending revisions to the EPD 8 ordinance language in the Wasco County Land Use and Development Ordinance, and policies and implementation measures within Wasco County 2040, the Wasco County Comprehensive Plan. These can be viewed in Attachments E and F.

Additional revisions to other Goal 5 policies include clarifications to language or terminology or references to current practice. These reflect the passage of time or updates made to the Land Use and Development Ordinance. For instance, language related to mineral resources are modified to reflect current inventory naming conventions and updates from Division 16 to Division 23 of the Oregon Administrative Rules.

One revision that is substantive is proposed for Historic, Cultural and Archaeological resources and is related to the review process. Work Task 17, related to historic resources, was removed from the work plan. However, after input and consideration, staff is proposing to remove all references to the Historic Landmarks Commission and replace with delegating authority to the Planning Director or designee. The Historic Landmarks Commission has not functioned as a body in several decades, and the Planning Department has served as a proxy. However, they have only had to hear one matter in those several decades. In evaluating other models statewide, the Planning Director is a common and expeditious option for permits. In keeping with the public interest of reducing regulation and streamlining the planning process, staff proposes that the Planning Director can heretofore be the authority on

development review, modification or demolition of historic resources.

e. Section I- Transportation Planning Rule Compliance

1). Review of Applications for Effect on Transportation Facilities – A proposed zone change or land use regulation change, whether initiated by the County or by a private interest, shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with Oregon Administrative Rule (OAR) 660-012-0060 (the Transportation Planning Rule – “TPR”). “Significant” means the proposal would:

- a). Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);**
- b). Change standards implementing a functional classification system; or**
- c). As measured at the end of the planning period identified in the adopted transportation system plan:
 - (1) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;**
 - (2) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP; or**
 - (3) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or Comprehensive Plan.****

FINDING: The proposed updates will not change the functional classification of an existing or planned transportation facility, change standards implementing a functional classification system or allow uses or development resulting in impacts to the transportation system.

f. Section J – Procedure for the Amendment Process

- 1. A petition must be filed with the Planning Offices on forms prescribed by the Director of Planning.**
- 2. Notice of a proposed revision within, or to, the urban growth boundary will be given to the appropriate city at least thirty (30) days before the County public hearing.**
- 3. Notification of Hearing:
 - (1) Notices of public hearings shall summarize the issues in an understandable and meaningful manner.**
 - (2) Notice of a legislative or judicial public hearing shall be given as prescribed in ORS 215.503. In any event, notice shall be given by publishing notice in newspapers of general****

circulation at least twenty (20) days, but not more than forty (40) days, prior to the date of the hearing.

- (3) A quorum of the Planning Commission must be present before a public hearing can be held. If the majority of the County Planning Commission present cannot agree on a proposed change, the Commission will hold another public hearing in an attempt to resolve the difference or send the proposed change to the County Governing Body with no recommendation.*
- (4) After the public hearing, the Planning Commission shall recommend to the County Governing Body that the revision be granted or denied, and the facts and reasons supporting their decision. In all cases the Planning Commission shall enter findings based on the record before it to justify the decision. If the Planning Commission sends the proposed change with no recommendation, the findings shall reflect those items agreed upon and those items not agreed upon that resulted in no recommendation.*
- (5) Upon receiving the Planning Commission's recommendation, the County Governing Body shall take such action as they deem appropriate. The County Governing Body may or may not hold a public hearing. In no event shall the County Governing Body approve the amendment until at least twenty (20) days have passed since the mailing of the recommendation to parties.*

FINDING: The Planning Department and the Planning Commission sought approval to revise the Comprehensive Plan through the Board of County Commissioners and the State Department of Land Conservation and Development (DLCD). DLCD approved Wasco County for Periodic Review on February 20, 2018.

The Periodic Review does not involve a modification or amendment to any of the urban growth boundaries and therefore no notices to Cities are required. Planning staff has contacted incorporated cities within Wasco County to solicit ongoing feedback and participation in Wasco County 2040.

Notices for all amendments are occurring in accordance with ORS 215.503. Section III of the staff report, above, details all the public noticing issued for this Periodic Review work task.

A quorum for this hearing was present to deliberate. By a vote of ___ to ___ the Planning Commission voted to **recommend approval** of the amendments to Goal 5 to the Board of County Commissioners. The first hearing by the Board of County Commissioners will be held on **xxx, 2020**, 35 days following this hearing.

Oregon Administrative Rule 660-025: Periodic Review

Oregon Administrative Rule 660-0010: Purpose

The purpose of this division is to carry out the state policy outlined in ORS 197.010 and 197.628. This division is intended to implement provisions of ORS 197.626 through 197.651. The purpose for periodic review is to ensure that comprehensive plans and land use regulations remain in compliance with the statewide planning goals adopted pursuant to ORS 197.230, the commission's rules and applicable

land use statutes. Periodic review also is intended to ensure that local government plans and regulations make adequate provision for economic development, needed housing, transportation, public facilities and services, and urbanization, and that local plans are coordinated as described in ORS 197.015(5). Periodic Review is a cooperative planning process that includes the state and its agencies, local governments, and other interested persons.

Oregon Administrative Rules 660-025-0130: Submission of Completed Work Task

- 1). A local government must submit completed work tasks as provided in the approved work program or a submittal pursuant to OAR 660-025-0175 to the department along with the notice required in OAR-660-025-0140 and any form required by the department. A local government must submit to the department a list of persons who participated orally or in writing in the local proceedings leading to the adoption of the work task or who requested notice of the local government's final decision on a work task.**

FINDING: A notice was sent to DLCD on February 26, 2020, consistent with requirements, to inform them of the proposed April 2, 2020 hearing and subsequent hearings to adopt Chapter 5 related to Periodic Review work task 18. Due to COVID-19, staff wrote DLCD in March requesting an extension. An extension was approved. A new notice was sent to DLCD on July 27, 2020, consistent with requirements, to inform them of the proposed September 1, 2020 hearing and subsequent hearings to adopt amendments. A list of persons who participate orally or in writing in the local proceedings will be submitted with materials to DLCD.

- 3). For a periodic review tasks to be complete, a submittal must be a final decision containing all required elements identified for that task in the work program. The department may accept a portion of a task or subtask as a complete submittal if the work program identified that portion of the task or subtasks as a separate item for adoption by the local government. All submittals required by section 1) of this rule are subject to the following requirements:**
 - a). If the local record does not exceed 2,000 pages, a submittal must include the entire local record, including but not limited to adopted ordinances and orders, studies, inventories, findings, staff reports, correspondence, hearings minutes, written testimony and evidence, and any other items specifically listed in the work program.**
 - b). If the local record exceeds 2,000 pages, a submittal must include adopted ordinances, resolutions, and orders; any amended comprehensive or regional framework plan provisions or land use regulations; findings, hearing minutes; materials from the record that the local government deems necessary to explain the submittal or cities in its findings; and a detailed index listing all items in the local record and indicating whether or not the item is included in the submittal. All items in the local record must be made available for public review during the period for submitting objections under OAR 660-025-0140. The director or commission**

may require a local government to submit any materials from the local record not included in the initial submittal;

- c) A submittal of over 500 pages must include an index of all submitted materials. Each document must be separately indexed, in chronological order, with the last document on the top. Pages must be consecutively numbered at the bottom of the page.*

FINDING: The local record for Work Tasks 18 will not exceed 2,000 pages. Consistent with this requirement, submittal to DLCD will include the entire local record, including but not limited to the adopted ordinance and orders, studies, findings, staff reports, correspondence, hearing minutes, written testimony and evidence and any other relevant material.

A copy of the record, when complete, will also be available for inspection at the Planning Department.

OAR 660-023-023-0020 Standard and Specific Rules and Safe Harbors

(1) The standard Goal 5 process, OAR 660-023-0030 through 660-023-0050, consists of procedures and requirements to guide local planning for all Goal 5 resource categories. This division also provides specific rules for each of the fifteen Goal 5 resource categories (see OAR 660-023-0090 through 660-023-0230). In some cases this division indicates that both the standard and the specific rules apply to Goal 5 decisions. In other cases, this division indicates that the specific rules supersede parts or all of the standard process rules (i.e., local governments must follow the specific rules rather than the standard Goal 5 process). In case of conflict, the resource-specific rules set forth in OAR 660-023-0090 through 660-023-0230 shall supersede the standard provisions in OAR 660-023-0030 through 660-023-0050.

(2) A “safe harbor” consists of an optional course of action that satisfies certain requirements under the standard process. Local governments may follow safe harbor requirements rather than addressing certain requirements in the standard Goal 5 process. For example, a jurisdiction may choose to identify “significant” riparian corridors using the safe harbor criteria under OAR 660-023-0090(5) rather than follow the general requirements for determining “significance” in the standard Goal 5 process under OAR 660-023-0030(4). Similarly, a jurisdiction may adopt a wetlands ordinance that meets the requirements of OAR 660-023-0100(4)(b) in lieu of following the ESEE decision process in OAR 660-023-0040.

FINDING:

OAR 660-023-0110(4) allows for local governments to determine significant wildlife habitat sites where one or more of the following conditions exist:

(a) The habitat has been documented to perform a life support function for a wildlife species listed by the federal government as a threatened or endangered species or by the state of Oregon as a threatened, endangered, or sensitive species;

(b) The habitat has documented occurrences of more than incidental use by a species described in subsection (a) of this section;

(c) The habitat has been documented as a sensitive bird nesting, roosting, or watering resource site for osprey or great blue herons pursuant to [ORS 527.710](#) (Oregon Forest Practices Act) and OAR 629-024-0700 (Forest Practices Rules);

(d) The habitat has been documented to be essential to achieving policies or population objectives specified in a wildlife species management plan adopted by the Oregon Fish and Wildlife Commission pursuant to ORS Chapter 496; or

(e) The area is identified and mapped by ODFW as habitat for a wildlife species of concern and/or as a habitat of concern (e.g., big game winter range and migration corridors, golden eagle and prairie falcon nest sites, or pigeon springs).

ODFW informed Wasco County of data available identifying new big game habitat and sensitive bird nesting sites during the Periodic Review assessment period. These species are all identified by the Oregon Department of Fish and Wildlife as threatened, endangered, or sensitive species. The habitat has been documented by ODFW as having more than incidental use by sensitive wildlife species, including nesting sites for sensitive birds. ODFW has documented sites as essential to achieving policy objectives.

The big game habitat for sensitive wildlife is currently used and implemented by ODFW through their COMPASS map tool. The sensitive bird sites, while confidential, have also been mapped for bird species of concern.

Wasco County has elected to use the safe harbor method to determine significance based on these factors and the documented resources provided by ODFW and consistent with requirements of OAR 660-023-0110.

Wasco County finds that the new data for big game winter range and sensitive birds sites as provided by ODFW is consistent with the safe harbor criteria and 660-023-0110.

OAR 660-023-0040 ESEE Decision Process

(1) Local governments shall develop a program to achieve Goal 5 for all significant resource sites based on an analysis of the economic, social, environmental, and energy (ESEE) consequences that could result from a decision to allow, limit, or prohibit a conflicting use. This rule describes four steps to be followed in conducting an ESEE analysis, as set out in detail in sections (2) through (5) of this rule. Local governments are not required to follow these steps sequentially, and some steps anticipate a return to a previous step. However, findings shall demonstrate that requirements under each of the

steps have been met, regardless of the sequence followed by the local government. The ESEE analysis need not be lengthy or complex, but should enable reviewers to gain a clear understanding of the conflicts and the consequences to be expected. The steps in the standard ESEE process are as follows:

(a) Identify conflicting uses;

(b) Determine the impact area;

(c) Analyze the ESEE consequences; and

(d) Develop a program to achieve Goal 5.

(2) Identify conflicting uses. Local governments shall identify conflicting uses that exist, or could occur, with regard to significant Goal 5 resource sites. To identify these uses, local governments shall examine land uses allowed outright or conditionally within the zones applied to the resource site and in its impact area. Local governments are not required to consider allowed uses that would be unlikely to occur in the impact area because existing permanent uses occupy the site. The following shall also apply in the identification of conflicting uses:

(a) If no uses conflict with a significant resource site, acknowledged policies and land use regulations may be considered sufficient to protect the resource site. The determination that there are no conflicting uses must be based on the applicable zoning rather than ownership of the site. (Therefore, public ownership of a site does not by itself support a conclusion that there are no conflicting uses.)

(b) A local government may determine that one or more significant Goal 5 resource sites are conflicting uses with another significant resource site. The local government shall determine the level of protection for each significant site using the ESEE process and/or the requirements in OAR 660-023-0090 through 660-023-0230 (see 660-023-0020(1)).

(3) Determine the impact area. Local governments shall determine an impact area for each significant resource site. The impact area shall be drawn to include only the area in which allowed uses could adversely affect the identified resource. The impact area defines the geographic limits within which to conduct an ESEE analysis for the identified significant resource site.

(4) Analyze the ESEE consequences. Local governments shall analyze the ESEE consequences that could result from decisions to allow, limit, or prohibit a conflicting use. The analysis may address each of the identified conflicting uses, or it may address a group of similar conflicting uses. A local government may conduct a single analysis for two or more resource sites that are within the same area or that are similarly situated and subject to the same zoning. The local government may establish a matrix of commonly occurring conflicting uses and apply the matrix to particular resource sites in order to facilitate the analysis. A local government may conduct a single analysis for a site containing more than one significant Goal 5 resource. The ESEE analysis must consider any applicable statewide goal or acknowledged plan requirements, including the requirements of Goal 5. The analyses of the ESEE consequences shall be adopted either as part of the plan or as a land use regulation.

(5) Develop a program to achieve Goal 5. Local governments shall determine whether to allow, limit, or prohibit identified conflicting uses for significant resource sites. This decision shall be based upon and supported by the ESEE analysis. A decision to prohibit or limit conflicting uses protects a resource site. A decision to allow some or all conflicting uses for a particular site may also be consistent with Goal 5, provided it is supported by the ESEE analysis. One of the following determinations shall be reached with regard to conflicting uses for a significant resource site:

(a) A local government may decide that a significant resource site is of such importance compared to the conflicting uses, and the ESEE consequences of allowing the conflicting uses are so detrimental to the resource, that the conflicting uses should be prohibited.

(b) A local government may decide that both the resource site and the conflicting uses are important compared to each other, and, based on the ESEE analysis, the conflicting uses should be allowed in a limited way that protects the resource site to a desired extent.

(c) A local government may decide that the conflicting use should be allowed fully, notwithstanding the possible impacts on the resource site. The ESEE analysis must demonstrate that the conflicting use is of sufficient importance relative to the resource site, and must indicate why measures to protect the resource to some extent should not be provided, as per subsection (b) of this section.

FINDING:

Wasco County staff conducted an ESEE Analysis for both sensitive wildlife habitat and sensitive birds (Attachment C, Appendix 5-D). These analyses identify conflicting uses in the underlying zone, state the impact area as those identified with the safe harbor method, an analysis of ESEE consequences and recommendations for a program to achieve Goal 5.

To determine conflicting uses, Wasco County listed all the uses permitted in the underlying zones and separated them into broader categories of residential, commercial, and industrial. For the sensitive wildlife habitat analysis, staff added in a consideration for resource uses as most of the impacted zones are resource. The sensitive bird analysis created a separate category for commercial energy facilities to specifically address unique aspects of the use that may impact sensitive birds in a different way, by in large due to height and other characteristics of the facilities.

During work sessions in February 2020, the public was also asked to identify their perceived conflicts and/or uses that don't conflict with the resources. That information, along with other public input, is included in Attachment D.

The review of sensitive wildlife habitat underlying zones, and consistent with consultation from ODFW, determined that farm uses represent no conflict to both sensitive wildlife types. For sensitive birds, forestry uses were also considered to not conflict due to the ODF regulations that govern forest practices related to sensitive species. The Ordinance language for EPD 8 has been amended to reflect an exemption to additional rules for farm uses (Attachment F).

Analysis found conflicts for all other categories of uses and utilized the ESEE analysis to determine the level of protection for all sites.

Utilizing public input, staff then analyzed the ESEE consequences that could result from decisions to allow, limit or prohibit a conflicting use. This was done by looking at groups of similar conflicting uses, or use categories.

Based on the analysis, staff provided recommendations for a program to achieve Goal 5 including maintaining existing overlay zone ordinance regulations and criteria with some modifications. It was found in all cases, except for farm uses for sensitive wildlife habitat and farm and forest uses for sensitive birds, that all conflicting uses are important compared to each other and that the conflicting uses should be allowed in a limited way that protects the resource to a desired extent necessary to be consistent with ODFW management plans and the ODFW Conservation Strategy.

The ESEE analysis will be adopted as appendix material to Goal 5/Chapter 5 of Wasco County 2040.

Based on the analysis and process as outlined above, staff finds Wasco County is consistent with OAR 660-023-0040.

660-023-0050 Programs to Achieve Goal 5

(1) For each resource site, local governments shall adopt comprehensive plan provisions and land use regulations to implement the decisions made pursuant to OAR 660-023-0040(5). The plan shall describe the degree of protection intended for each significant resource site. The plan and implementing ordinances shall clearly identify those conflicting uses that are allowed and the specific standards or limitations that apply to the allowed uses. A program to achieve Goal 5 may include zoning measures that partially or fully allow conflicting uses (see OAR 660-023-0040(5)(b) and (c)).

(2) When a local government has decided to protect a resource site under OAR 660-023-0040(5)(b), implementing measures applied to conflicting uses on the resource site and within its impact area shall contain clear and objective standards. For purposes of this division, a standard shall be considered clear and objective if it meets any one of the following criteria:

(a) It is a fixed numerical standard, such as a height limitation of 35 feet or a setback of 50 feet;

(b) It is a nondiscretionary requirement, such as a requirement that grading not occur beneath the dripline of a protected tree; or

(c) It is a performance standard that describes the outcome to be achieved by the design, siting, construction, or operation of the conflicting use, and specifies the objective criteria to be used in evaluating outcome or performance. Different performance standards may be needed for different resource sites. If performance standards are adopted, the local government shall at the same time adopt a process for their application (such as a conditional use, or design review ordinance provision).

(3) In addition to the clear and objective regulations required by section (2) of this rule, except for aggregate resources, local governments may adopt an alternative approval process that includes land use regulations that are not clear and objective (such as a planned unit development ordinance with discretionary performance standards), provided such regulations:

(a) Specify that landowners have the choice of proceeding under either the clear and objective approval process or the alternative regulations; and

(b) Require a level of protection for the resource that meets or exceeds the intended level determined under OAR 660-023-0040(5) and 660-023-0050(1).

FINDING:

The ESEE Analysis for both sensitive wildlife habitat and sensitive birds describe the degree of protection intended for the resource and make directions to the implementing ordinance revisions. Revisions to the implementing ordinance for EPD-8 are attached (Attachment E).

The standards for EPD-8 include the clear and objective requirement for new dwellings to be located within 300 feet of a road or access way. This provision allows for alternative approvals subject to ODFW review to exempt them from the 300 feet standard that are not clear and objective but allow landowners to select either or.

Also included in the implementing ordinance is the connection to notice and review by ODFW required based on other provisions. This connects to site specific performance standards required with subject to standards and conditional use reviews.

The regulation and criteria for EPD-12 are focused on site specific performance standards that describe the outcome to be achieved by the design, siting, construction, or operation of the conflicting use based on a review of a sensitive resource plan by ODFW and the unique site and resource characteristics.

Based on the analysis, public input, and consultation with ODFW, these protection measures for sensitive wildlife have been determined to meet the intended level determined under OAR 660-023-0040(5) and 660-023-0050(1).

OAR 660-023-0110 Wildlife Habitat

(1) For purposes of this rule, the following definitions apply:

(a) “Documented” means that an area is shown on a map published or issued by a state or federal agency or by a professional with demonstrated expertise in habitat identification.

(b) “Wildlife habitat” is an area upon which wildlife depend in order to meet their requirements for food, water, shelter, and reproduction. Examples include wildlife migration corridors, big game winter range, and nesting and roosting sites.

(2) Local governments shall conduct the inventory process and determine significant wildlife habitat as set forth in OAR 660-023-0250(5) by following either the safe harbor methodology described in section (4) of this rule or the standard inventory process described in OAR 660-023-0030.

(3) When gathering information regarding wildlife habitat under the standard inventory process in OAR 660-023-0030(2), local governments shall obtain current habitat inventory information from the

Oregon Department of Fish and Wildlife (ODFW), and other state and federal agencies. These inventories shall include at least the following:

(a) Threatened, endangered, and sensitive wildlife species habitat information;

(b) Sensitive bird site inventories; and

(c) Wildlife species of concern and/or habitats of concern identified and mapped by ODFW (e.g., big game winter range and migration corridors, golden eagle and prairie falcon nest sites, and pigeon springs).

(4) Local governments may determine wildlife habitat significance under OAR 660-023-0040 or apply the safe harbor criteria in this section. Under the safe harbor, local governments may determine that “wildlife” does not include fish, and that significant wildlife habitat is only those sites where one or more of the following conditions exist:

(a) The habitat has been documented to perform a life support function for a wildlife species listed by the federal government as a threatened or endangered species or by the state of Oregon as a threatened, endangered, or sensitive species;

(b) The habitat has documented occurrences of more than incidental use by a species described in subsection (a) of this section;

(c) The habitat has been documented as a sensitive bird nesting, roosting, or watering resource site for osprey or great blue herons pursuant to ORS 527.710 (Oregon Forest Practices Act) and OAR 629-024-0700 (Forest Practices Rules);

(d) The habitat has been documented to be essential to achieving policies or population objectives specified in a wildlife species management plan adopted by the Oregon Fish and Wildlife Commission pursuant to ORS Chapter 496; or

(e) The area is identified and mapped by ODFW as habitat for a wildlife species of concern and/or as a habitat of concern (e.g., big game winter range and migration corridors, golden eagle and prairie falcon nest sites, or pigeon springs).

(5) For certain threatened or endangered species sites, publication of location information may increase the threat of habitat or species loss. Pursuant to ORS 192.501(13), local governments may limit publication, display, and availability of location information for such sites. Local governments may adopt inventory maps of these areas, with procedures to allow limited availability to property owners or other specified parties.

(6) As set out in OAR 660-023-0250(5), local governments shall develop programs to protect wildlife habitat following the standard procedures and requirements of OAR 660-023-0040 and 660-023-0050. Local governments shall coordinate with appropriate state and federal agencies when adopting programs intended to protect threatened, endangered, or sensitive species habitat areas.

FINDING:

The documented wildlife habitat are those areas identified by ODFW as sensitive habitat. These were identified as significant by Wasco County using the safe harbor method as described in the safe harbor section of the staff report. The data included sensitive bird site inventories, sensitive wildlife species habitat, big game winter range areas identified and mapped by ODFW, and sensitive bird sites mapped by ODFW.

ODFW informed Wasco County of data available identifying new big game habitat and sensitive bird nesting sites during the Periodic Review assessment period. These species are all identified by the Oregon Department of Fish and Wildlife as threatened, endangered, or sensitive species. The habitat has been documented by ODFW as having more than incidental use by sensitive wildlife species, including nesting sites for sensitive birds. ODFW has documented sites as essential to achieving to achieving policy objectives.

The big game habitat for sensitive wildlife is currently used and implemented by ODFW through their COMPASS map tool. The sensitive bird sites, while confidential, have also been mapped for bird species of concern.

Wasco County has elected to use the safe harbor method to determine significance based on these factors and the documented resources provided by ODFW and consistent with requirements of OAR 660-023-0110.

Wasco County finds that the new data for big game winter range and sensitive birds sites as provided by ODFW is consistent with 660-023-0110.

OAR 660-023-0250 Applicability

(1) This division replaces OAR 660, division 16, except with regard to cultural resources, and certain PAPAs and periodic review work tasks described in sections (2) and (4) of this rule. Local governments shall follow the procedures and requirements of this division or OAR 660, division 16, whichever is applicable, in the adoption or amendment of all plan or land use regulations pertaining to Goal 5 resources. The requirements of Goal 5 do not apply to land use decisions made pursuant to acknowledged comprehensive plans and land use regulations.

(2) The requirements of this division are applicable to PAPAs initiated on or after September 1, 1996. OAR 660, division 16 applies to PAPAs initiated prior to September 1, 1996. For purposes of this section "initiated" means that the local government has deemed the PAPA application to be complete.

(3) Local governments are not required to apply Goal 5 in consideration of a PAPA unless the PAPA affects a Goal 5 resource. For purposes of this section, a PAPA would affect a Goal 5 resource only if:

(a) The PAPA creates or amends a resource list or a portion of an acknowledged plan or land use regulation adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5;

(b) The PAPA allows new uses that could be conflicting uses with a particular significant Goal 5 resource site on an acknowledged resource list; or

(c) The PAPA amends an acknowledged UGB and factual information is submitted demonstrating that a resource site, or the impact areas of such a site, is included in the amended UGB area.

(4) Consideration of a PAPA regarding a specific resource site, or regarding a specific provision of a Goal 5 implementing measure, does not require a local government to revise acknowledged inventories or other implementing measures, for the resource site or for other Goal 5 sites, that are not affected by the PAPA, regardless of whether such inventories or provisions were acknowledged under this rule or under OAR 660, division 16.

(5) Local governments are required to amend acknowledged plan or land use regulations at periodic review to address Goal 5 and the requirements of this division only if one or more of the following conditions apply, unless exempted by the director under section (7) of this rule:

(a) The plan was acknowledged to comply with Goal 5 prior to the applicability of OAR 660, division 16, and has not subsequently been amended in order to comply with that division;

(b) The jurisdiction includes riparian corridors, wetlands, or wildlife habitat as provided under OAR 660-023-0090 through 660-023-0110, or aggregate resources as provided under OAR 660-023-0180; or

(c) New information is submitted at the time of periodic review concerning resource sites not addressed by the plan at the time of acknowledgement or in previous periodic reviews, except for historic, open space, or scenic resources.

(6) If a local government undertakes a Goal 5 periodic review task that concerns specific resource sites or specific Goal 5 plan or implementing measures, this action shall not by itself require a local government to conduct a new inventory of the affected Goal 5 resource category, or revise acknowledged plans or implementing measures for resource categories or sites that are not affected by the work task.

(7) The director may exempt a local government from a work task for a resource category required under section (5) of this rule. The director shall consider the following factors in this decision:

(a) Whether the plan and implementing ordinances for the resource category substantially comply with the requirements of this division; and

(b) The resources of the local government or state agencies available for periodic review, as set forth in ORS 197.633(3)(g).

(8) Local governments shall apply the requirements of this division to work tasks in periodic review work programs approved or amended under ORS 197.633(3)(g) after September 1, 1996. Local governments shall apply OAR 660, division 16, to work tasks in periodic review work programs approved before September 1, 1996, unless the local government chooses to apply this division to one or more resource categories, and provided:

(a) The same division is applied to all work tasks concerning any particular resource category;

(b) All the participating local governments agree to apply this division for work tasks under the jurisdiction of more than one local government; and

(c) The local government provides written notice to the department. If application of this division will extend the time necessary to complete a work task, the director or the commission may consider extending the time for completing the work task as provided in OAR 660-025-0170.

FINDING:

These amendments are submitted as part of Voluntary Periodic Review consistent with the DLCD work plan. Items (2)-(4) do not apply.

As required by (5), Wasco County is amending the Comprehensive Plan and implementing ordinances at the time of periodic review to address Goal 5 because new information was submitted during the work plan drafting phase of Periodic Review concerning resource sites not addressed by the plan at the time of acknowledgment or in a previous periodic review.

Wasco County has not received an exemption from work task 18, the work task to address sensitive wildlife habitat.

Staff finds that this work task, and the work contained herein, are consistent with rule and requirements of OAR 660-023-0250 requiring revisions to sensitive wildlife habitat maps and ordinances to be consistent with Goal 5.

Attachment A

Chapter 5 Proposed Amendments

Documentation: The following is a summarized overview of proposed amendments.

State of the Comprehensive Plan:

- A. **Purpose:** The main purpose of the Comprehensive Plan is to function as a visionary policy document with a 20 year horizon. The plan represents the desires of the citizens of Wasco County and provides generalized direction for development, preservation, the planning process, citizen involvement and numerous other elements related to land use planning. Due to frequent changes in circumstances, law, and the desires of the citizens of the county, the major components should be updated every five to ten years as needed. The land use and development ordinance includes the specific rules and regulations that are meant to implement this vision and amendments to it are required to be consistent with Comprehensive Plan language.
- B. **Prior Updates:** The Comprehensive Plan was acknowledged by the Land Conservation and Development Department in 1983. Major components of the document have not been updated since 1983, resulting in them now being out of date. Other portions have been updated but were done inconsistently and in some cases, the new language did not get inserted into the amended document. In several instances, updates to the ordinance are now out of compliance with the Comprehensive Plan because of the lack of comprehensive updates. A more comprehensive update was initiated in 2009, but ultimately not completed. Staff has used some of the past findings and information in drafting the proposed updates.
- C. **Format:** The Comprehensive Plan is currently organized in a way that puts unrelated information in the same chapter and separated related information into multiple chapters. This has created significant difficulty for staff and the public to find information and utilize as the plan was intended.
- D. **Reformatting:** After a careful case study of other Oregon county comprehensive plans, the Citizen Advisory Group held several work sessions in 2015 and 2016 to discuss, among other issues, reformatting the Comprehensive Plan for increased use, transparency and readability. Based on those work sessions, staff was directed to compile and organize information in a manner that better aligned the plan to the Statewide Land Use Planning Goals.
 1. **Oregon's Land Use Goals:** The vast majority of the Comprehensive Plan language is tied to one of the State of Oregon's Land Use Goals. Other than some introductory chapters, the entire Comprehensive Plan is being formatted so that each chapter corresponds to one of the applicable Land Use Goals. Each chapter will include all of the policies, findings, and inventories for the specific goal, in addition to any references and historical information.
 2. **Format of Goal Chapters:** Each Goal related chapter will be formatted according to the following conventions:

- a. Overview: A sentence to a paragraph on the outlining the purpose behind the Goal and Wasco County policies.
- b. Statement of Wasco County Goal and reference to Statewide Planning Goal
- c. Any cross-references to other Goals
- d. Policy Statements
- e. Implementation Statements for each policy
- f. Findings and reference section detailing any relevant findings and references.
- g. Appendices: Supplemental materials, including inventories.

Chapter by Chapter Overview of Proposed Substantive Amendments:

A. Chapter 5- Goal 5 Natural Resources, Scenic and Historic Areas, and Open Spaces

This new chapter maps to Goal 5 and includes an overview of Wasco County’s Goal 5 resources, a brief overview of the goal’s purpose in Wasco County, an excerpt of Oregon’s Statewide Land Use Planning Goal 5, policies, implementation strategies for each policy, and a new findings and references section.

1. **Overview:** The overview briefly discusses Goal 5 as applied in Wasco County.
2. **Goal 5 Inventories:** An overview of various Goal 5 inventories in Wasco County.
3. **Excerpt of Statewide Planning Goal:** Excerpt from the Oregon Administrative Rules on Goal 5 that outlines for staff and public the purpose of Goal 5.
4. **Wasco County’s Goal:** This maps directly to the State’s Goal 5, and has not been modified from existing broad goal.
5. **Photo:** A collection of staff photos showing various Goal 5 resources in Wasco County.
6. **Cross Reference:** A list of other goals that relate to Goal 5 was included for easy reference.
7. **Policies:** The existing plan has ten policies. Most of the policies were revised with previous Periodic Review work tasks and were adopted on December 18, 2019. The focus of this work task is on policy 3, wildlife. Minor revisions to other policies are also included.
 - a. Policy 1, Implementation “d” is proposed to be added to make clear additional projections for habitat. The proposed language references a current Environmental Protection District: “Conserve important riparian areas with the implementation of the Reservoir Overlay Zone (EPD-6)”.
 - b. Policy 3: Is taken from parts of the former “Fish and Wildlife” category. The newly adopted policy is similar to riparian and wetlands: “Preserve wildlife habitat to provide for productive ecological function.”
 - (1). Implementation measure “a 1” modified to include the acronym (EPD) for Environmental Protection District, as it is a common acronym used throughout the text.

- (2). Implementation measure “a 2” is proposed to be removed, as staff and ODFW recommends removal of Area of Voluntary Siting Standards.
- (3). Implementation strategy “b” is revised to include the overlay zone for sensitive wildlife, EPD-8.
- (4). Implementation measure “c” is also revised to refer to EPD-8 rather than using the general term “overlay zone”.
- (5). Implementation strategy “d” is a new policy that reflects current Ordinance language, so is a clarification rather than an additional regulation recommendation: “Areas designated as Impacted Areas in the Transition Lands Study Area shall be exempt from provisions of EPD-8.”
- (6). Implementation measure “e” is proposed to clarify additional exemptions identified through the ESEE analysis, public input, and ODFW consultation: “Based on the ESEE Analysis, farm uses have been identified as non-conflicting with Big Game Habitat protections. Farm uses permitted outright or with ministerial review shall be exempt from the provisions and siting standards of EPD-8.”
- (7). Implementation measure “f”. Although renumbered, no change is proposed for this implementation strategy related to riparian area setbacks.
- (8). Implementation measure “g” is revised for clarity to read: “Sensitive bird habitat sites are protected through provisions in the EPD-12 overlay zone. Sites are confidential and the map is only available for onsite review by the property owner at the time of application.” The confidentiality of data is a requirement by ODFW.
- (9). Implementation strategy “h” is proposed to now read: “h. Western Pond Turtles are protected through the EPD-13 overlay zone. Sites are confidential and the map is available for onsite review by the property owner at the time of application.”
- (10). Implementation measure “i” has a minor revision to the capitalization of “wildlife” and updating division 16 to the new Goal 5 Oregon Administrative Rule 660, division 23.
- (11). Implementation strategies previously numbered f-h are proposed to be removed. F and H are no longer relevant, based on the proposed removal of voluntary siting standards from EPD-8. G is being addressed by the proposed adoption of a destination resort map.
- (12). Implementation measure “j” is a new strategy, based on public and stakeholder feedback: “Sensitive wildlife maps shall be evaluated for update on a five year cycle or in conjunction with major updates from Oregon Department of Fish and Wildlife or other State or Federal wildlife agencies.”

- c. Policy 9.1 relates to Mineral Resources. A few minor revisions are proposed to the following implementation measures:
 - (1). Implementation “c and c1”, the term “other sites” is replaced with “existing sites” to clarify how the inventory currently reads on maps.
 - d. Policy 9.2 also relates to Mineral Resources. A few minor revisions are proposed to the following:
 - (1). Policy point “a”, quotes will removed around the classification “Significant Sites” to be consistent with previous conventions.
 - (2). Policy point “b” will remove quotes to “Potential Sites” and add the clarification “that were established prior to 1996”to the sentence related to significance determinations to connect to Wasco County’s process and Goal 5 requirements.
 - (3). Policy point “c” will follow revisions to “b”, and read: “An inventory of Existing Sites, previously identified as Other Sites, that were established prior to 1996 and for which available information demonstrates that the site is not a significant resource to be protected.”
 - (4). Policy point “d” is proposed to add in the acronym for Environmental Protection District, EPD.
 - (5). Implementation “b” is proposed to remove redundant “or grandfathered” language.
 - (6). Implementation measure “c” replaces Other with Existing.
 - (7). Implementation measure “d” and its subpoints are proposed to be removed.
 - e. Policy 11, related to historical, cultural, and archeological resource has the following updated revisions, based on feedback:
 - (1). Implementation measure “g” will remove language about the Historical Landmarks Commission and add the following sentence: “All designations or removals from the inventory are required to go through a Comprehensive Plan amendment.”
 - (2). A new Implementation strategy “o” is proposed: “The Planning Director or designee, shall have authority of review of application related to historical, cultural, and archaeological landmarks and sites including development review and demolition or modification.”
8. **Findings and References:** To help provide some information about each of the policies, as well as some history, findings and references are provided at the end of the chapter. Findings are included as endnotes and reference specific text within the policies and

implementation measures. Findings provide additional context for some of the policies and implementation strategies. The references list a variety of external plans and reports that are useful, not only in giving context to the policies, but also for research or reference for current planning.

9. **Appendix:** The appendix for Goal 5 includes a variety of inventories, analysis and supporting information related to the Goal 5 resources. The ESEE analysis for both EPD-8 and EPD-12 are included as Appendix 5-D.

Goal5

Open Spaces, Scenic and
Historic Areas and
Natural Resources

Goal5

Open Spaces, Scenic and Historic Areas and Natural Resources

Overview

Goal 5 offers framework for Wasco County's role in protecting its natural resources, open spaces, groundwater resources, rivers, waterways, historic and mineral/aggregate resources.

Protection of these diverse resources requires a variety of approaches. The role of land use planning in this protection involves a threefold approach:

- Collecting and maintaining data and other inventories of assets;
- Coordinating with local, regional, state and federal programs; and
- Administering local and state regulations that protect the sustainability and quality of the resources.

Goal 5 Inventories:

Goal 5 requires inventories be developed for each resource to help protect and plan for conflicting uses and development. Resource sites are assessed to identify significant sites.

Six Goal 5 resources rely on state or federal inventories: wild and scenic rivers, state scenic water ways, ground water resources, Oregon recreation trails, Sage Grouse habitat, and wilderness areas.

Wasco County has maintained local inventories for several of the Goal 5 resources since 1983 including: aggregate and mining resources, historic resources, scenic views, natural areas and open spaces. The National Wetland Inventory and State Wetland Inventory have traditionally been used to identify riparian and wetland resources.

Wasco County Goal

Statewide Planning Goal 5

To protect natural resources and conserve scenic and historic areas and open spaces.

Local governments shall adopt programs that will protect natural resources and conserve scenic, historic, and open space resources for present and future generations. These resources promote a healthy environment and natural landscape that contributes to Oregon's livability.

Excerpt from
OAR 660-015-0000(5)

Cross-Reference

Additional policies related to this goal: Goal 2, Goal 13

Open Spaces, Scenic and Historic Areas and Natural Resources

To conserve open space and protect natural and scenic resources.



Policies

Riparian Corridors

- 5.1.1 Preserve riparian areas to provide for productive ecological function.

Implementation for Policy 5.1.1:

- a. Encourage land use and land management practices which contribute to the preservation and enhancement of fish and wildlife resources, with consideration for private agricultural practices.
- b. Maintain wildlife diversity and habitat so that it will support optimum numbers of wildlife for recreation and aesthetic opportunities.
- c. Consistent with the development standards of the land use ordinance, sensitive riparian areas of perennial and intermittent streams identified by the State Wetland Inventory, as well as to protect people and property from flood damage, the zoning ordinance shall prohibit development within 100 feet of the mean high water mark of perennial or intermittent stream or lake or river or riparian area in a resource zone, and 50 feet of the mean high water mark of a perennial or intermittent stream or lake or river or riparian area in residential zones.
- d. Conserve important riparian areas with the implementation of the Reservoir Overlay Zone (EPD-6).

Wetlands

- 5.2.1 Preserve wetland areas to provide for productive ecological function.

Implementation for Policy 5.2.1:

- a. The county shall notify the Oregon Department of State Lands and the Oregon Department of Fish and Wildlife of any development application for land within a wetland identified

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on the State Wetland Inventory.

- b. Consistent with the development standards of the land use ordinance, wetlands identified in the State Wetland Inventory, the zoning ordinance shall prohibit development within 100 feet of the mean high water mark of perennial or intermittent stream or lake or river or wetland in a resource zone, and 50 feet of the mean high water mark of a perennial or intermittent stream or lake or river or wetland in residential zones.

Wildlife Habitat

5.3.1 Preserve wildlife habitat to provide for productive ecological function.

Implementation for Policy 5.3.1:

- a. Identify and maintain all wildlife habitats by:
 - 1. Implementation of an Environmental Protection District (EPD) overlay zone for significant fish and wildlife habitats and for the big game winter range.
 - ~~2. Designation of the Big Game Winter Range and Area of Voluntary Siting Standards (low elevation winter range) on the map contained in this plan's Resource Element.~~
- b. The winter range identified on the Big Game Habitat Map included in the Resource Element of this plan shall be protected by an overlay zone, EPD-8.
- c. The Rural Service Centers identified in the Comprehensive Plan which lie within the EPD-8 overlay zone shall be exempt from the provisions of the EPD-8 overlay zone.
- d. Areas designated as Impacted Areas in the Transition Lands Study Area shall be exempt from provisions of EPD-8.
- ~~b.e.~~ Based on the ESEE Analysis, farm uses have been identified as non-conflicting with Big Game

Habitat protections. Farm uses permitted outright or with ministerial review shall be exempt from the provisions and siting standards of EPD-8.

~~e.f.~~ Consistent with the development standards of the land use ordinance, sensitive riparian areas of perennial and intermittent streams identified in the Resource Element, as well as to protect people and property from flood damage, the zoning ordinance shall prohibit development within 100 feet of the mean high water mark of perennial or intermittent stream or lake in a resource zone, and 50 feet of the mean high water mark of a perennial or intermittent stream or lake in residential zones.

g. Sensitive bird habitat sites (~~bald eagle, golden eagle, osprey, great grey owl, great blue heron~~) are protected through provisions in the EPD-12 overlay zone. Sites are confidential and the map is only able for onsite review by the property owner at the time of application.

~~d.h.~~ and mammal habitat sites (Western pond turtle nesting sites) identified in the Resource Element of the plan shall be protected by a Sensitive Bird and Mammal Overlay Zone-Western Pond Turtles during periodic review pursuant to the current County approved work program are protected through the EPD-13 overlay zone. Sites are confidential and the map is available for onsite review by the property owner at the time of application. If a deed restriction is required, a map will be provided by staff to the property owners for their records.

~~e.i.~~ When site specific information is available to the County on the location, quality and quantity of threatened and endangered fish and wildlife species listed by State or Federal ~~wildlife-wildlife~~ agencies and the Oregon Department of Fish and Wildlife develops protection criteria for the species, the county shall proceed with a Goal 5 ESEE analysis in compliance with OAR 660 Div. 1623.

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- ~~f. The county shall review the Transition Land Study Area (TLSA) big game habitat areas and designated as "1-B" Goal 5 resources, during the next periodic review or as additional information on the location, quality and quantity of the habitat areas becomes available. (ORD. 3.180). County owned land shall be managed to protect and enhance fish and wildlife habitat except where a conflicting public use outweighs the loss of habitat.~~
- ~~g. An application for a destination resort, or any portion thereof, in a recognized big game habitat overlay zone shall not be accepted pending completion of the County's Goal 8 destination resort mapping process. (ORD 3.180)~~
- ~~h. The county shall provide ODFW an annual record of development approvals within the areas designated as Area of Voluntary Siting Standards' on the plan map to allow ODFW to monitor and evaluate if there is a significant detrimental effect on habitat.~~
- i. Sensitive wildlife maps shall be evaluated for update on a five year cycle or in conjunction with major updates from Oregon Department of Fish and Wildlife or other State or Federal wildlife agencies.

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Federal Wild and Scenic Rivers

- 5.4.1 The White River will be protected consistent with the White River Management Plan and OAR 660-023-0120.

Implementation for Policy 5.4.1:

- a. The White River was designated an Outstanding Scenic and Recreation Area by the 1983 Comprehensive Plan.
- b. Rules and criteria pertaining to the Federal Wild and Scenic Rivers program are administered through the Comprehensive Plan Map designation Environmental Protection District (EPD) 7 and related overlay zone chapter in the Wasco County Land Use and

Development Ordinance.

- c. In accordance with the Federal White River Management Plan, applicants for development along the White River shall be given educational materials to support mitigating development impacts such as erosion, run off, and scenic impacts.

Oregon Scenic Waterways

5.5.1 The Deschutes and John Day Scenic Waterways shall be maintained and protected consistent with respective management plans and OAR 660-023-0130.

Implementation for Policy 5.5.1:

- a. Coordinate all land use planning activities with the Bureau of Land Management, Oregon State Department of Transportation and the Warm Springs Indian Reservation. These three parties shall be notified of all proposed land actions within the Deschutes River and John Day River Scenic Waterways for their review and comment.
- b. Allow agricultural operations within the Deschutes and John Day Scenic Waterways.
- c. Allow only buildings customarily provided in conjunction with farm use within the visual corridors of the Deschutes and John Day Scenic Waterways.
- d. Encourage the preservation of landscape features of the Deschutes and John Day rivers.
- e. Consistent with the Scenic Waterways Act, Oregon Parks and Recreation Department (OPRD) must be notified of certain changes that landowners may want to make to their property, and those changes may be subject to review. The landowner is obligated to make this notification on OPRD forms and submit directly to OPRD.
- f. Rules and criteria pertaining to the Oregon Scenic

Waterways program are administered through the Comprehensive Plan Map designation Environmental Protection District (EPD) 7 and related overlay zone chapter in the Wasco County Land Use and Development Ordinance.

Groundwater Resources

- 5.6.1** Maintain quantity and quality of water in compliance with state and federal standards.

Implementation for Policy 5.6.1:

- a. The County Watermaster and Environmental Health Specialist shall continue to regulate appropriations, diversions and sewage waste disposals to ensure quality water resources.
- b. The adequacy and quality of ground water supplies shall be a major consideration of all development.
- c. Limit water dependent development in areas with known water deficiencies including areas adjacent to the watershed.
- d. Coordinate with local, state and federal agencies, including the Department of State Lands, the Army Corp of Engineers, and Oregon Water Resource Department, on projects and applications as appropriate.
- e. When significant ground water resources are identified in Wasco County, the Comprehensive Plan shall be updated to follow requirements of OAR 660-023-0040 for protection.

Approved Oregon Recreation Trails

- 5.7.1** Recreation trails designated as an Oregon Recreation Trail shall follow rules set forth by OAR 660-023-0150.

Natural Areas

- 5.8.1 Protect identified natural areas from conflicting uses and activities.

Implementation for Policy 5.8.1:

- a. Maintain identified natural area protections through administration of EPD-7.
- b. Amendments to the Oregon State Register of Natural Heritage Resources or the Wasco County Natural Areas trigger the requirement to amend the natural areas inventory and conduct an ESEE analysis.

Mineral Resources

- 5.9.1 Protect and utilize appropriately the mineral and aggregate resources of Wasco County, and minimize conflict between surface mining and surrounding land uses.

Implementation for Policy 5.9.1:

- a. The development of new rock and aggregate resource sites shall be consistent with the State Planning Goal 5 and Oregon Administrative Rules Chapter 660, Division 23 process to balance conflicts between mining operations and new and existing surrounding conflicting uses.
- b. Sites identified as significant aggregate resource sites shall not support interim or permanent uses which may jeopardize the future availability of the resource.
- c. Mining and processing of gravel and mineral materials may only be allowed at sites included on the "~~Other Site~~Existing Sites" inventory or "~~Significant Sites~~" inventory.
 1. Mining at sites on the "~~Other Sites~~Existing Sites" (formerly "other sites") inventory may be allowed by a conditional use permit.

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2. Mining at sites on the "Significant Sites" inventory may only be permitted in accordance with the Mineral Resources Overlay.
- d. For each site determined to be significant, the County shall complete the remainder of the County Goal 5 process identifying conflicting uses, analyzing the ESEE consequences of the conflicting use(s), and designating a level of protection from conflicting uses. If the final decision concerning the site is to preserve fully or partially protect the resource from conflicting uses, the County shall zone the site with the Mineral Resources Overlay.

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5.9.2 The County shall maintain an inventory of mineral and aggregate resource sites. The comprehensive plan inventory shall consist of three parts:

- a. An inventory of "Significant Sites" identified through the Goal 5 process (OAR 660-023-0030) as important resources that will be protected from conflicting uses;
- b. An inventory of "Potential Sites" for which sufficient information concerning the location, quality, and quantity of a resource site is not adequate to allow the County to make a determination of significance that were established prior to 1996;
- c. An inventory of Existing Sites, previously identified as "Other Sites", that were established prior to 1996 and for which available information demonstrates that the site is not a significant resource to be protected.
- d. The inventory is kept in the Comprehensive Plan and on the Comprehensive Plan Zoning Map as Environmental Protection District (EPD)-5. Rules related to permitting for these sites are listed in the Land Use and Development Ordinance under EPD-5, Mineral and Aggregate Resources.

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Implementation for Policy 5.9.2:

a. The significance of non-aggregate mineral resources shall be judged on a case by-case basis, taking into account information concerning the commercial or industrial use of the resource, as well as the relative quality and relative abundance of the resource within at least the County.

b. The scope of an existing ~~or "grandfathered"~~ aggregate operation shall be established by:

1. Authorization by a County land use approval; or
2. The extent of the area disturbed by mining on the date that the mining operation became a non-conforming use.

c. Sites on the ~~Existing "Other Sites"~~ inventory shall not be protected from conflicting uses.

~~d. For sites on the "Potential Sites" inventory, the County shall review available information about mineral and aggregate resources, and if the information is sufficient, determine the site to be significant when one of the following conditions exist:~~

- ~~1. As part of the next scheduled Periodic Review;~~
- ~~2. When a landowner or operator submits information concerning the potential significance of a resource site and requests a Comprehensive Plan amendment;~~
- ~~3. When resolution of the status of a potential resource site is necessary to advance another planning objective.~~

~~e.d.~~ In order to approve surface mining at a site zoned for exclusive farm or forestry use, the County shall find, as part of the ESEE analysis, that the proposed activity will not: 1) force a significant change in, or significantly increase the cost of, accepted farming or forestry practices on surrounding lands, and 2) will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire

suppression personnel.

~~f.e.~~ The County may establish and impose conditions on operation of a surface mine when deemed necessary as a result of a site-specific Goal 5 analysis. Where such conditions conflict with criteria and standards in the Mineral and Aggregate Resources Overlay, the conditions developed through the Goal 5 analysis shall control.

~~g.f.~~ No surface mining or processing activity, as defined by the zoning ordinance, shall commence without land use approval from the County, and approval of a reclamation plan and issuance of an operating permit by DOGAMI.

~~h.g.~~ Aggregate sites shall be subordinate to the landscape setting as seen from travel corridors when such travel corridors have been determined to be significant by the ESEE analysis.

5.9.3 Applications for new aggregate mining sites shall be consistent with the process and rules in OAR 660-023-180.

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Implementation for Policy 5.9.3:

- a. An application for a Post Acknowledgment Plan Amendment (PAPA) concerning a significant aggregate site shall be adequate, in accordance with OAR 660-023-0180, if it includes:
1. Information regarding quantity, quality, and location sufficient to determine whether the standards and conditions in section (3) of this rule are satisfied;
 2. A conceptual site reclamation plan;
 3. A traffic impact assessment within one mile of the entrance to the mining area pursuant to section (5)(b)(B) of OAR 660-023-180;
 4. Proposals to minimize any conflicts with existing uses preliminarily identified by the applicant within a

1,500 foot impact area; and

5. A site plan indicating the location, hours of operation, and other pertinent information for all proposed mining and associated uses.

- b.** New mineral and aggregate sites shall not be allowed within the quarter mile boundary of either the John Day or Deschutes River.

Energy Sources

5.10.1 Promote energy conservation and limit conflicting uses of significant energy source sites.

Implementation for Policy 5.10.1:

- a.** A current inventory of significant energy sources, including those applied for or approved through the Oregon Energy Facility Siting Council (EFSC) or the Federal Energy Regulatory Commission (FERC), shall be maintained in the Comprehensive Plan (OAR 660-023-0190).
- b.** New conflicting uses within the impact area of significant energy sources shall be limited (OAR 660-023-0190).
- c.** For new energy facilities not under the jurisdiction of EFSC or FERC, Wasco County shall follow the standards and procedures of OAR 660-023-0030 through 660-023-0050 to inventory and protect energy resources (OAR 660-023-0190).
- d.** Support incentives for homes and businesses to install alternative energy systems.
- e.** Review and revise the Wasco County Land Use and Development Ordinance as needed to ensure up to date practices and standards for commercial and non-commercial energy facilities.

Historic, Cultural, and Archeological Resources

5.11.1 Preserve the historical, archaeological, and cultural resources of the County.

Implementation for Policy 5.11.1:

- a.** Wasco County shall maintain an inventory of significant archaeological and cultural resources in the County. Require preservation of resources identified as significant historically, culturally, or archaeologically in keeping with state and national rules
- b.** Location of archaeological sites shall not be disclosed, (this information is exempt from the Freedom of Information Act), unless development is proposed which would threaten these resources. When any development is proposed which may affect an identified archaeological site, the site will be protected by the Wasco County Land Use and Development Ordinance, Chapter 3, Historic Preservation Overlay zone.
- c.** Resources listed as Wasco County Historic Landmarks will be protected by the Wasco County Land Use and Development Ordinance Chapter 3 Historic Preservation Overlay zone.
- d.** When adequate information becomes available, Wasco County shall evaluate its Goal 5 1-B historic resources for inclusion on the inventory or designation as a significant (1-C) resource and, where appropriate, provide protection under the County's Historic Preservation Overlay Chapter of the Wasco County Land Use and Development Ordinance.
- e.** Pursue private and public sources of funding for use by property owners in renovation and maintenance of historic properties.
- f.** Pursue options and incentives to allow productive, reasonable use, and adaptive reuse of historic properties.

- ~~g. Wasco County shall maintain a Historic Landmarks Commission, which evaluates applications for development, alteration or demolition in accordance with the Land Use and Development Ordinance and State Law.~~ All resources listed on the National Register or determined eligible for the National Register of Historic Places shall be designated a Wasco County landmark subject to EPD-4. All designations or removals from the inventory are required to go through a Comprehensive Plan amendment.
- i. Maintain EPD-4 in accordance with state regulations.
- m. Encourage active participation and coordination with local, regional, state and federal partners.
- n. Provide outreach and information to maintain public awareness of state and federal laws protecting historic and prehistoric resources, including deposit of prehistoric artifacts and records with appropriate institutions.
- ~~o.~~ The Planning Director, or designee, shall have authority of review of applications related to historical, cultural and archaeological landmarks and sites including development review and demolition or modification.

Open Space

5.12.1 Protect existing open space as defined by OAR 660-023-0220 and ensure for the maintenance of new open spaces.

Implementation for Policy 5.12.1:

- a. Continue to preserve A-1, F-1, F-2, FF zones for open space, in addition to primary permitted uses.
- b. Ensure ongoing maintenance of open space and road systems through deed restrictions and HOA requirements when approving new subdivisions.

5.12.2 Consider impacts of new open space to public facilities and services as part of development review.

Implementation for Policy 5.12.2:

- a. Mitigate impact to public facilities and services, including emergency services and infrastructure, by requiring contracts with a rural fire protection district when outside a service area.
- b. Limit tax deferral for open space or land trusts.

Scenic Views and Sites

5.13.1 Protect scenic views and areas identified in the 1983 Comprehensive Plan inventory.

Implementation for Policy 5.13.1:

- a. Evaluate impact of development on scenic resources during permitting processes.
- b. Work with public and private organizations, landowners, and the general public to identify, record, and protect valued scenic and open space resources.
- c. Newly identified scenic views and sites are required to go through an inventory and ESEE Analysis consistent with OAR 660-023.

References

Anders, E. M. Borman and W. Krueger (1998). *The Ecological Provinces of Oregon*. OSU.

Oregon Administrative Rules. 660-023.

Oregon Biodiversity Information Center. Register of Natural Heritage Resources.

Oregon Department of Energy and Energy Facility Siting Council. (1990). *State Agency Coordination Program*.

Oregon Department of Environmental Quality. (1990). *State Agency Coordination Program*.

Oregon Department of Fish and Wildlife. (1990). *State Agency Coordination*.

Oregon Department of Fish and Wildlife (2007) *White River Wildlife Area Management Plan*.

Oregon Department of Fish and Wildlife (2009). *Lower Deschutes Wildlife Area Management Plan*.

Oregon Department of Geology and Mineral Industries. (1992). *State Agency Coordination Program*.

Oregon Department of State Lands (2012). *Oregon Wetland Monitoring and Assessment Strategy*.

Oregon Department of State Lands (2017). *Oregon Wetland Program Plan*.

Oregon Department of State Lands. (2006). *State Agency Coordination Program for Coordinating DSL's Activities with Cities and Counties, Tribal Governments, Federal and State Agencies, and Special Districts*.

Oregon Department of Land Conservation and Development. *Goal 5: Open Spaces, Scenic and Historic Areas and Natural Resources. Oregon's Statewide Planning Goals and Guidelines*.

Oregon Parks and Recreation. *2015 Oregon Natural Areas Plan.*

Oregon Parks and Recreation. (2001). *The Oregon Scenic Waterways Program: A Landowner's Guide.*

Oregon Parks and Recreation. (1990). *State Agency Coordination Program.*

Oregon Water Resources Department. (1990). *Land Use Planning Procedures Guide: Water Resources Department State Agency Coordination Program.*

Oregon Water Resources Department. (2017) *Integrated Water Resources Strategy*

US Fish and Wildlife. *National Wild and Scenic Rivers System.*

US Fish and Wildlife Service. *National Wetlands Inventory.*

Findings and References

~~5.1.a~~ OAR 660-023-0090 (5) allows jurisdictions to apply safe harbor to riparian areas to address Goal 5 requirements. Wasco County has adopted these rules into the property development standards/setbacks.

~~5.2.a~~ ORS 215.418 outlines the noticing requirements for developments on wetlands.

~~5.4.a~~ The White River was designated a Federal Wild and Scenic River on October 28, 1988. Portions are classified as either scenic or recreational. According to the Wild and Scenic Rivers Act, each river in the National System, regardless of classification, is administered with the goal of protecting and enhancing the values that caused it to be designated.

~~5.5.a~~ Oregon Parks and Recreation Department (OPRD) publishes *A Landowners's Guide to The Oregon Scenic Waterways Program* which outlines the notification and other requirements. OPRD is statutorily mandated (ORS 390.805-390.940) to review development and determine if scenic and recreational values can be maintained within the one quarter mile boundary.

~~5.5.b~~ The Oregon Scenic Waterways Act was established in 1970. It designated the Deschutes and John Day Rivers as Oregon State Scenic Waterways.

~~5.5.c~~ EPD 7 was developed, in part, to protect the Wild and Scenic and Oregon Scenic Waterways.

~~5.6.a~~ Significant groundwater resources are defined in OAR 660-23-0140 (2)(a) and (b).

~~5.6.b~~ Water Resources Commission is designated by statute to control the use of ground water to achieve policy goals. The Legislature created the critical ground water area (CGWA) designation as a tool to mitigate or prevent excessive ground water level declines, overdraft, interference between users, and contamination. Statutory authorization for CGWA are in ORS 537.620, 537.730, 537.735 and 537.740. ORS 537.730 has the criteria necessary for a declarant of CWGA.

~~5.7.a~~ There are no currently no approved Oregon Recreation Trails in Wasco County.

~~5.8.a~~ 5.8.1 OAR 660-023-0160 requires new natural areas meet requirements of OAR 660-023-0040 through OAR 660-023-0050.

~~5.12.a~~ Open space is defined by Goal 5 as parks, forests, wildlife preserves, nature reservations or sanctuaries and public or private golf courses. The inventoried open spaces are included in the Appendix.

~~5.12.b~~ According to Goal 5, the main goal of protecting open space is to reduce impact as a result of converting open space lands to inconsistent uses.

~~5.13.a~~ OAR 660-023-0230 requires amendments or additions to scenic resources must meet requirements of OAR 660-023-0030 through OAR 660-023-0050.

References

Oregon Administrative Rules. 660-023.

Oregon Biodiversity Information Center. Register of Natural Heritage Resources.

Oregon Department of Energy and Energy Facility Siting Council. 1990. State Agency Coordination Program. <https://www.oregon.gov/led/About/Documents/ode-efsc-sac.pdf>

Oregon Department of Environmental Quality. 1990. State Agency Coordination Program.

https://www.oregon.gov/lcd/About/Documents/odeq_sac.pdf

Oregon Department of Fish and Wildlife. 1990. State Agency Coordination. https://www.oregon.gov/lcd/About/Documents/odfw_sac.pdf

Oregon Department of Geology and Mineral Industries. 1992. State Agency Coordination Program. https://www.oregon.gov/lcd/About/Documents/odogami_sac.pdf

Oregon Department of State Lands. 2006. State Agency Coordination Program for Coordinating DSL's Activities with Cities and Counties, Tribal Governments, Federal and State Agencies, and Special Districts. https://www.oregon.gov/lcd/About/Documents/odsl_sac.pdf

Oregon Department of Land Conservation and Development. *Goal 5: Open Spaces, Scenic and Historic Areas and Natural Resources*. Oregon's Statewide Planning Goals and Guidelines.

Oregon Parks and Recreation. 2015 Oregon Natural Areas Plan. https://inr.oregonstate.edu/sites/inr.oregonstate.edu/files/2015-or_natural_areas_plan.pdf

Oregon Parks and Recreation. 2001. The Oregon Scenic Waterways Program: A Landowner's Guide. https://www.oregon.gov/oprd/RULES/docs/ww_log.pdf

Oregon Parks and Recreation. 1990. State Agency Coordination Program. https://www.oregon.gov/lcd/About/Documents/osprd_saw.pdf

Oregon Water Resources Department. 1990. Land Use Planning Procedures Guide: Water Resources Department State Agency Coordination Program. https://www.oregon.gov/lcd/About/Documents/owrd_sac.pdf

US Fish and Wildlife. National Wild and Scenic Rivers System. <https://www.rivers.gov>

Goal 5

Open Spaces, Scenic

and Historic Areas

and Natural

Resources

Goal 5

Open Spaces, Scenic and Historic Areas and Natural Resources

Overview

Goal 5 offers a framework for Wasco County's role in protecting its natural resources, open spaces, groundwater resources, rivers, waterways, historic and mineral/aggregate resources.

Protection of these diverse resources requires a variety of approaches. The role of land use planning in this protection involves a threefold approach:

- Collecting and maintaining data and other inventories of assets;
- Coordinating with local, regional, state and federal programs; and
- Administering local and state regulations that protect the sustainability and quality of the resources.

Using this approach, this Chapter contains inventories, policies and implementation strategies for the following resources:

- Riparian Corridors
- Wetlands
- Wildlife Habitat
- Federal Wild and Scenic Rivers
- Oregon Scenic Waterways
- Groundwater Resources
- Approved Oregon Recreation Trails
- Natural Areas
- Mineral Resources
- Energy Resources
- Historic, Cultural, and Archeological Resources
- Open Space
- Scenic Views and Sites

Goal 5 Inventories:

Goal 5 requires inventories be developed for each resource to help protect and plan for development and conflicting uses. Inventoried resources are assessed to identify significant sites that warrant formal protection.

Six Goal 5 resources rely on state or federal inventories: wild and scenic rivers, state scenic waterways, ground water resources, Oregon recreation trails, Sage Grouse habitat, and wilderness areas.

Wasco County has maintained local inventories for several other Goal 5 resources since 1983 including: aggregate and mining resources, historic resources, scenic views, natural areas and open spaces. The National Wetland Inventory and State Wetland Inventory have traditionally been used to identify riparian and wetland resources.

Statewide Planning Goal 5:

“To protect natural resources and conserve scenic and historic areas and open spaces.”

Local governments shall adopt programs that will protect natural resources and conserve scenic, historic, and open space resources for present and future generations. These resources promote a healthy environment and natural landscape that contributes to Oregon’s livability.

Excerpt from
OAR 660-015-0000(5)

Cross Reference

Additional policies related to this goal: Goal 2, Goal 13,

Wasco County Goal

Open Spaces, Scenic and Historic Areas and Natural Resources

To conserve open space and protect scenic, historic and natural resources.



Policies

Riparian Corridors

5.1.1 Preserve riparian areas to provide for productive ecological function.

Implementation for Policy 5.1.1:

- a. Encourage land use and land management practices which contribute to the preservation and enhancement of fish and wildlife resources, with consideration for private agricultural practices.
- b. Maintain wildlife diversity and habitat so that it will support optimum numbers of wildlife for recreation and aesthetic opportunities.
- c. Consistent with the development standards of the land use ordinance, sensitive riparian areas of perennial and intermittent streams identified by the State Wetland Inventory, as well as to protect people and property from flood damage, the zoning ordinance shall prohibit development within 100 feet of the mean high water mark of perennial or intermittent stream or lake or river or riparian area in a resource zone, and 50 feet of the mean high water mark of a perennial or intermittent stream or lake or river or riparian area in residential zonesⁱ.
- d. Conserve important riparian areas with the implementation of the Reservoir Overlay Zone (EPD-6).

Wetlands

5.2.1 Preserve wetland areas to provide for productive ecological function.

Implementation for Policy 5.2.1:

- a. The county shall notify the Oregon Department of State Lands and the Oregon Department of Fish and Wildlife of any development application for land within a wetland identified on the State Wetland Inventoryⁱⁱ.
- b. Consistent with the development standards of the land use ordinance, wetlands identified in the State Wetland Inventory, the zoning ordinance shall prohibit development within 100 feet of the mean high water mark of perennial or intermittent stream or lake or river or wetland in a resource zone, and 50 feet of the mean high water mark of a perennial or intermittent stream or lake or river or wetland in residential zones.

Wildlife Habitat

5.3.1 Preserve wildlife habitat to provide for productive ecological functionⁱⁱⁱ.

Implementation for Policy 5.3.1:

- a. Identify and maintain all wildlife habitats by:
 1. Implementation of an Environmental Protection District (EPD) overlay zone for significant fish and wildlife habitats and for the big game winter range.
- b. The winter range identified on the Sensitive Wildlife Habitat Map included in the Resource Element of this plan shall be protected by an overlay zone, EPD-8.
- c. The Rural Service Centers identified in the Comprehensive Plan which lie within the EPD-8 shall be exempt from the provisions of EPD-8.
- d. Areas designated as Impacted Areas in the Transition Lands Study Area shall be exempt from provisions of EPD-8.
- e. Based on the ESEE Analysis, farm uses have been identified as non-conflicting with Sensitive Wildlife Habitat protections. Farm uses permitted outright or with ministerial review shall be exempt from the provisions and siting standards of EPD-8.
- f. Consistent with the development standards of the land use ordinance, sensitive riparian areas of perennial and intermittent streams identified in the Resource Element, as well as to protect people and property from flood damage, the zoning ordinance shall prohibit development within 100 feet of the mean high water mark of perennial or intermittent stream or lake in a resource zone, and 50 feet of the mean high water mark of a perennial or intermittent stream or lake in residential zones.
- g. Sensitive bird habitat sites are protected through provisions in the EPD-12 overlay zone. Sites are confidential and the map is only available for onsite review by the property owner at the time of application.
- h. Western Pond Turtles are protected through the EPD-13 overlay zone. Sites are confidential and the map is available for onsite review by the property owner at the time of application.
- i. When site specific information is available to the County on the location, quality and quantity of threatened and endangered fish and wildlife species listed by State or Federal wildlife agencies and the Oregon Department of Fish and Wildlife develops protection criteria for the species, the county shall proceed with a Goal 5 ESEE analysis in compliance with OAR 660 Div. 23.
- j. Sensitive wildlife maps shall be evaluated for update on a five year cycle or in

conjunction with major updates from Oregon Department of Fish and Wildlife or other State or Federal wildlife agencies.

Federal Wild and Scenic Rivers

5.4.1 The White River will be protected consistent with the White River Management Plan and OAR 660-023-0120.

Implementation for Policy 5.4.1:

- a. The White River was designated an Outstanding Scenic and Recreation Area by the 1983 Comprehensive Plan^{iv}.
- b. Rules and criteria pertaining to the Federal Wild and Scenic Rivers program are administered through the Comprehensive Plan Map designation Environmental Protection District (EPD) 7 and related overlay zone chapter in the Wasco County Land Use and Development Ordinance.
- c. In accordance with the Federal White River Management Plan, applicants for development along the White River shall be given educational materials to support mitigating development impacts such as erosion, run off, and scenic impacts.

Oregon Scenic Waterways^v

5.5.1 The Deschutes and John Day Scenic Waterways shall be maintained and protected consistent with respective management plans and OAR 660-023-0130.

Implementation for Policy 5.5.1:

- a. Coordinate all land use planning activities with the Bureau of Land Management, Oregon State Department of Transportation and the Warm Springs Indian Reservation. These three parties shall be notified of all proposed land actions within the Deschutes River and John Day River Scenic Waterways for their review and comment.
- b. Allow agricultural operations within the Deschutes and John Day Scenic Waterways.
- c. Allow only buildings customarily provided in conjunction with farm use within the visual corridors of the Deschutes and John Day Scenic Waterways.
- d. Encourage the preservation of landscape features of the Deschutes and John Day rivers.

- e. Consistent with the Scenic Waterways Act, Oregon Parks and Recreation Department (OPRD) must be notified of certain changes that landowners may want to make to their property, and those changes may be subject to review. The landowner is obligated to make this notification on OPRD forms and submit directly to OPRD^{vi}.
- f. Rules and criteria pertaining to the Oregon Scenic Waterways program are administered through the Comprehensive Plan Map designation Environmental Protection District (EPD) 7 and related overlay zone chapter in the Wasco County Land Use and Development Ordinance^{vii}.

Groundwater Resources

5.6.1 Maintain quantity and quality of water in compliance with state and federal standards^{viii}.

Implementation for Policy 5.6.1:

- a. The County Watermaster and Environmental Health Specialist shall continue to regulate appropriations, diversions and sewage waste disposals to ensure quality water resources.
- b. The adequacy and quality of ground water supplies shall be a major consideration of all development.
- c. Limit water dependent development in areas with known water deficiencies including areas adjacent to the watershed.
- d. Coordinate with local, state and federal agencies, including the Department of State Lands, the Army Corp of Engineers, and Oregon Water Resource Department, on projects and applications as appropriate.
- e. When significant ground water resources are identified in Wasco County, the Comprehensive Plan shall be updated to follow requirements of OAR 660-023-0040 for protection^{ix}.

Approved Oregon Recreation Trails

5.7.1 Recreation trails designated as an Oregon Recreation Trail shall follow rules set forth by OAR 660-023-0150^x.

Natural Areas

5.8.1 Protect identified natural areas from conflicting uses and activities^{xi}.

Implementation for Policy 5.8.1:

- a. Maintain identified natural area protections through administration of EPD-7.
- b. Amendments to the Oregon State Register of Natural Heritage Resources or the Wasco County Natural Areas trigger the requirement to amend the natural areas inventory and conduct an ESEE analysis.

Mineral Resources

5.9.1 Protect and utilize appropriately the mineral and aggregate resources of Wasco County, and minimize conflict between surface mining and surrounding land uses.

Implementation for Policy 5.9.1:

- a. The development of new rock and aggregate resource sites shall be consistent with the State Planning Goal 5 and Oregon Administrative Rules Chapter 660, Division 23 process to balance conflicts between mining operations and new and existing surrounding conflicting uses.
- b. Sites identified as significant aggregate resource sites shall not support interim or permanent uses which may jeopardize the future availability of the resource.
- c. Mining and processing of gravel and mineral materials may only be allowed at sites included on the Existing Sites inventory or Significant Sites inventory.
 - 1. Mining at sites on the Existing Sites(formerly “other sites”) inventory may be allowed by a conditional use permit.
 - 2. Mining at sites on the Significant Sites inventory may only be permitted in accordance with the Mineral Resources Overlay.
- d. For each site determined to be significant, the County shall complete the remainder of the County Goal 5 process identifying conflicting uses, analyzing the ESEE consequences of the conflicting use(s), and designating a level of protection from conflicting uses. If the final decision concerning the site is to preserve fully or partially protect the resource from conflicting uses, the County shall zone the site with the Mineral Resources Overlay.

5.9.2 The County shall maintain an inventory of mineral and aggregate resource sites. The comprehensive plan inventory shall consist of three parts:

- a. An inventory of Significant Sites identified through the Goal 5 process (OAR 660-023-0030) as important resources that will be protected from conflicting uses;
- b. An inventory of Potential Sites for which sufficient information concerning the location, quality, and quantity of a resource site is not adequate to allow the County to make a determination of significance that were established prior to 1996;
- c. An inventory of Existing Sites, previously identified as Other Sites, that were established prior to 1996 and for which available information demonstrates that the site is not a significant resource to be protected.
- d. The inventory is kept in the Comprehensive Plan and on the Comprehensive Plan Zoning Map as Environmental Protection District (EPD)-5. Rules related to permitting for these sites are listed in the Land Use and Development Ordinance under EPD-5, Mineral and Aggregate Resources.

Implementation for Policy 5.9.2:

- a. The significance of non-aggregate mineral resources shall be judged on a case by-case basis, taking into account information concerning the commercial or industrial use of the resource, as well as the relative quality and relative abundance of the resource within at least the County.
- b. The scope of an existing aggregate operation shall be established by:
 - 1. Authorization by a County land use approval; or
 - 2. The extent of the area disturbed by mining on the date that the mining operation became a non-conforming use.
- c. Sites on the Existing Sites inventory shall not be protected from conflicting uses.
- d. In order to approve surface mining at a site zoned for exclusive farm or forestry use, the County shall find, as part of the ESEE analysis, that the proposed activity will not: 1) force a significant change in, or significantly increase the cost of, accepted farming or forestry practices on surrounding lands, and 2) will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel.
- e. The County may establish and impose conditions on operation of a surface mine when deemed necessary as a result of a site-specific Goal 5 analysis. Where such conditions conflict with criteria and standards in the Mineral and Aggregate Resources Overlay, the conditions developed through the Goal 5 analysis shall control.
- f. No surface mining or processing activity, as defined by the zoning ordinance, shall commence without land use approval from the County, and approval of a reclamation

plan and issuance of an operating permit by DOGAMI.

- g. Aggregate sites shall be subordinate to the landscape setting as seen from travel corridors when such travel corridors have been determined to be significant by the ESEE analysis.
- h. To be removed from the inventory, property owners must apply to Wasco County for a Comprehensive Plan Amendment, demonstrating that the site has been certified by DOGAMI as reclaimed.

5.9.3 Applications for new aggregate mining sites shall be consistent with the process and rules in OAR 660-023-180.

Implementation for Policy 5.9.3:

- a. An application for a Post Acknowledgment Plan Amendment (PAPA) concerning a significant aggregate site shall be adequate, in accordance with OAR 660-023-0180, if it includes:
 - 1. Information regarding quantity, quality, and location sufficient to determine whether the standards and conditions in section (3) of this rule are satisfied;
 - 2. A conceptual site reclamation plan;
 - 3. A traffic impact assessment within one mile of the entrance to the mining area pursuant to section (5)(b)(B) of OAR 660-023-180;
 - 4. Proposals to minimize any conflicts with existing uses preliminarily identified by the applicant within a 1,500 foot impact area; and
 - 5. A site plan indicating the location, hours of operation, and other pertinent information for all proposed mining and associated uses.
- b. New mineral and aggregate sites shall not be allowed within the quarter mile boundary of either the John Day or Deschutes River.

Energy Sources

5.10.1 Promote energy conservation and limit conflicting uses of significant energy source sites.

Implementation for Policy 5.10.1:

- a. A current inventory of significant energy sources, including those applied for or approved through the Oregon Energy Facility Siting Council (EFSC) or the Federal

Energy Regulatory Commission (FERC), shall be maintained in the Comprehensive Plan (OAR 660-023-0190).

- b. New conflicting uses within the impact area of significant energy sources shall be limited (OAR 660-023-0190).
- c. For new energy facilities not under the jurisdiction of EFSC or FERC, Wasco County shall follow the standards and procedures of OAR 660-023-0030 through 660-023-0050 to inventory and protect energy resources (OAR 660-023-0190).
- d. Support incentives for homes and businesses to install alternative energy systems.
- e. Review and revise the Wasco County Land Use and Development Ordinance as needed to ensure up to date practices and standards for commercial and non-commercial energy facilities.

Historic, Cultural, and Archeological Resources

5.11.1 Preserve the historical, archaeological, and cultural resources of the County.

Implementation for Policy 5.11.1:

- a. Wasco County shall maintain an inventory of significant archaeological and cultural resources in the County. Require preservation of resources identified as significant historically, culturally, or archaeologically in keeping with state and national rules
- b. Location of archaeological sites shall not be disclosed, (this information is exempt from the Freedom of Information Act), unless development is proposed which would threaten these resources. When any development is proposed which may affect an identified archaeological site, the site will be protected by the Wasco County Land Use and Development Ordinance, Chapter 3, Historic Preservation Overlay zone.
- c. Resources listed as Wasco County Historic Landmarks will be protected by the Wasco County Land Use and Development Ordinance Chapter 3 Historic Preservation Overlay zone.
- d. When adequate information becomes available, Wasco County shall evaluate its Goal 5 1-B historic resources for inclusion on the inventory or designation as a significant (1-C) resource and, where appropriate, provide protection under the County's Historic Preservation Overlay Chapter of the Wasco County Land Use and Development Ordinance.
- e. Pursue private and public sources of funding for use by property owners in renovation

and maintenance of historic properties.

- f. Pursue options and incentives to allow productive, reasonable use, and adaptive reuse of historic properties.
- g. All resources listed on the National Register or determined eligible for the National Register of Historic Places shall be designated a Wasco County landmark subject to EPD-4. All designations or removals from the inventory are required to go through a Comprehensive Plan amendment.
- l. Maintain EPD-4 in accordance with state regulations.
- m. Encourage active participation and coordination with local, regional, state and federal partners.
- n. Provide outreach and information to maintain public awareness of state and federal laws protecting historic and prehistoric resources, including deposit of prehistoric artifacts and records with appropriate institutions.
- o. The Planning Director, or designee, shall have authority of review of applications related to historical, cultural and archaeological landmarks and sites including development review and demolition or modification.

Open Space

5.12.1 Protect existing open space as defined by OAR 660-023-0220 and ensure for the maintenance of new open spaces^{xii}.

Implementation for Policy 5.12.1:

- a. Continue to preserve A-1, F-1, F-2, FF zones for open space, in addition to primary permitted uses.
- b. Ensure ongoing maintenance of open space and road systems through deed restrictions and HOA requirements when approving new subdivisions.

5.12.2 Consider impacts of new open space to public facilities and services as part of development review^{xiii}.

Implementation for Policy 5.12.2:

- a. Mitigate impact to public facilities and services, including emergency services and infrastructure, by requiring contracts with a rural fire protection district when outside a

service area.

- b. Limit tax deferral for open space or land trusts.

Scenic Views and Sites

5.13.1 Protect scenic views and areas identified in the 1983 Comprehensive Plan inventory.

Implementation for Policy 5.13.1:

- a. Evaluate impact of development on scenic resources during permitting processes.
- b. Work with public and private organizations, landowners, and the general public to identify, record, and protect valued scenic and open space resources.
- c. Newly identified scenic views and sites are required to go through an inventory and ESEE Analysis consistent with OAR 660-023^{xiv}.

ⁱ OAR 660-023-0090 (5) allows jurisdictions to apply safe harbor to riparian areas to address Goal 5 requirements. Wasco County has adopted these rules into the property development standards as setbacks.

ⁱⁱ ORS 215.418 outlines the noticing requirements for developments on wetlands.

ⁱⁱⁱ Protections shall be consistent with ODFW's Mitigation Policy (OAR 635-415), which they use to review development and develop mitigation measures.

^{iv} The White River was designated a Federal Wild and Scenic River on October 28, 1988. Portions are classified as either scenic or recreational. According to the Wild and Scenic Rivers Act, each river in the National System, regardless of classification, is administered with the goal of protecting and enhancing the values that caused it to be designated.

^v The Oregon Scenic Waterways Act was established in 1970. It designated the Deschutes and John Day rivers as Oregon State Scenic Waterways.

^{vi} Oregon Parks and Recreation Department (OPRD) publishes *A Landowner's Guide to The Oregon Scenic Waterways Program* which outlines the notification and other requirements. OPRD is statutorily mandated (ORS 390.805-390.940) to review development and determine if scenic and recreational values can be maintained within the one quarter mile boundary.

^{vii} EPD-7 was developed, in part, to protect the Wild and Scenic and Oregon Scenic Waterways. This environmental protection district also includes protections for natural areas sites identified by the Oregon Heritage Program.

^{viii} Water Resources Commission is designated by statute to control the use of ground water to achieve policy goals. The Legislature created the critical ground water area (CGWA) designation as a tool to mitigate or prevent excessive groundwater level declines, overdraft, interference between users, and contamination. Statutory

authorization for CGWA are in ORS 537.620, 537.730, 537.735 and 537.740. ROS 537.730 has the criteria necessary for a declarant of CWGA.

^{ix} Significant groundwater resources are defined in OAR 660-23-0140 (2)(a) and (b).

^x There are currently no approved Oregon Recreation Trails in Wasco County.

^{xi} OAR 660-023-0160 requires new natural areas meet requirements of OAR 660-023-0040 through OAR 660-023-0050.

^{xii} Open space is defined by Goal 5 as parks, forests, wildlife preservers, nature reservations or sanctuaries and public or private golf courses. The inventoried open spaces are includes in the Appendix.

^{xiii} According to Goal 5, the main goal of protecting open space is to reduce impact as a result of converting open space lands to inconsistent uses.

^{xiv} OAR 660-023-0230 requires amendments or additions to scenic resources must meet requirements of OAR 660-023-0030 through OAR 660-023-0050.

References

Anders, E, M. Borman and W. Krueger (1998). [*The Ecological Provinces of Oregon*](#). OSU. Oregon Administrative Rules. 660-023.

Oregon Biodiversity Information Center. Register of Natural Heritage Resources.

Oregon Department of Energy and Energy Facility Siting Council. (1990). [*State Agency Coordination Program*](#).

Oregon Department of Environmental Quality. (1990). [*State Agency Coordination Program*](#).

Oregon Department of Fish and Wildlife. OAR 635-415, Fish and Wildlife Habitat Mitigation Policy.

Oregon Department of Fish and Wildlife. (1990). [*State Agency Coordination*](#).

Oregon Department of Fish and Wildlife (2007) [*White River Wildlife Area Management Plan*](#).

Oregon Department of Fish and Wildlife (2009). [*Lower Deschutes Wildlife Area Management Plan*](#).

Oregon Department of Geology and Mineral Industries. (1992). [*State Agency Coordination Program*](#).

Oregon Department of State Lands (2012). [*Oregon Wetland Monitoring and Assessment Strategy*](#).

Oregon Department of State Lands (2017). [*Oregon Wetland Program Plan*](#).

Oregon Department of State Lands. (2006). [*State Agency Coordination Program for Coordinating DSL's Activities with Cities and Counties, Tribal Governments, Federal and State Agencies, and Special Districts*](#).

Oregon Department of Land Conservation and Development. *Goal 5: Open Spaces, Scenic and Historic Areas and Natural Resources. Oregon's Statewide Planning Goals and Guidelines.*

Oregon Parks and Recreation. [2015 Oregon Natural Areas Plan.](#)

Oregon Parks and Recreation. (2001). [The Oregon Scenic Waterways Program: A Landowner's Guide.](#)

Oregon Parks and Recreation. (1990). [State Agency Coordination Program.](#)

Oregon Water Resources Department. (1990). [Land Use Planning Procedures Guide: Water Resources Department State Agency Coordination Program.](#)

Oregon Water Resources Department. (2017) *Integrated Water Resources Strategy*

US Fish and Wildlife. [National Wild and Scenic Rivers System.](#)

US Fish and Wildlife Service. [National Wetlands Inventory.](#)

Appendix 5-A

Riparian Areas Table 5.1 – Fish Species and Habitats in Wasco County

	Columbia River	Deschutes River	White River	Fifteenmile Creek	Eightmile Creek	Fivemile Creek	Dry Creek	Tygh Creek	Badger Creek	Jordan Creek	Little Badger Creek	Threemile Creek	Rock Creek	Clear Creek	Frog Creek	Crane Creek	Harlow Creek	Gate Creek	Wapinitia Creek	Nena Creek	Eagle Creek	Oak Brook Creek	Buckollow Creek	Deep Creek	Stag Canyon	Cove Creek	Brocher Creek	Trout Creek	Ward Creek	Antelope Creek	Bakeoven Creek	Columbia Backwater Ponds									
A = Abundant F = Few C = Common R = Rare																																									
Game Species																																									
Chinook Salmon	A	A	F																													R						R	C		
Steelhead	A	A	C	F	R														F	F	F	F	A	C	F	R	F	C	F	F	A							C			
Coho Salmon	A	A	C	C	F	R																																	C		
Chum Salmon	R																																								
Sockeye Salmon	A	C																																						F	
Rainbow Trout	C	A	A	A	A	C	F	A	A	A	F	C	C	A	C	C	C	C	F	F	F	F	A	A	F	F	F	F	C	F	F	A								F	
Cutthroat Trout	R			R	R	R										C																									
White Sturgeon	A																																								
Green Sturgeon	F																																								
Mountain Whitefish	A	A	C																																						
American Shad	A																																								
Channel Catfish	C																																								C
Brown Bullhead	A																																								A
Walleye	C																																								C
Yellow Perch	C																																								C
Largemouth Bass	A																																								A
Smallmouth Bass	A																																								A
Bluegill	C																																								C
Pumpkinseed	F																																								F
White Crappie	C																																								C
Black Crappie	A																																								A
Brook Trout									C					A	C	R	C																								
Dolly Varden Trout		F																																							
Non-Game Species																																									

Wildlife Habitat

Table 5.2 Animals in Wasco County											
A = Abundant F = Few C = Common R = Rare U = Unknown											
Darker Grey is from the 2007 White River Wildlife Management Plan (2007) ODFW											
C = Common, U = Uncommon, R = Rare, X = Extremely Rare											
Light Grey is from Lower Deschutes Wildlife Area Management Plan (2009) ODFW											
C = Common, U = Uncommon, R = Rare, X = Extremely Rare											
	Habitat Types							Use Period			
	Mixed Conifer	Mixed Conifer Oak	Pine-Oak	Oak-Grass	Grass-Shrub Juniper	Riparian	Agricultural	Spring	Summer	Fall	Winter
Bird Species											
Killdeer					C	C		X	X	X	X
Mallard Duck						C	C	X	X	X	X
Wood Duck						F			X	X	X
Turkey Vulture	C	C	C	C	C	C	C	X	X		
Bald Eagle	F	F	F	F	F	F		X			
Rough-legged Hawk	F	F	F	F	C	F	C			X	X
American Kestrel	C	C	C	C		C	C	X	X	X	X
Long-eared owl	C	C	F	C	F	F	F	X	X	X	X
Screech owl	F	C	F	C	F	F	F	X	X	X	X
Great-horned owl	C	C	C	C	C	C	C	X	X	X	X
Merriam's Turkey	C	C	C	C		C		X	X	X	X
California Quail	C	C	C	C	C	C	C	X	X	X	X
Ring-necked Pheasant		F	F	F	F	C	C	X	X	X	X
Mourning Dove		C	C	C	C	C	C	X	X	X	X
Rock Dove		C	C	C		C		X	X	X	X
Common Nighthawk	C	C	C	C	C	C	C	X	X		
Belted Kingfisher					F	C		X	X	X	X

Common Flicker	C	C	C	C	F	C	C	X	X	X	X
Lewis Woodpecker	C	C	C	C	F	C	C	X	X	X	X
Downy Woodpecker	C	C	C		F	C		X	X	X	X
Yellow Bellied Sapsucker	F	F	F			F		X	X	X	X
Western Kingbird	F	F	F		F	F	F	X	X		
Western Flycatcher	F	F	F		F	F	F	X	X		
Ash-throated Flycatcher	F		F		F	F	F	X	X		
Western Wood Pewee	F	F	F		F	F	F	X	X		
Horned Lark			C	C	C	C	C	X	X	X	X
House Wren	C	C	C		C	C	C	X	X		
Winter Wren	C	C	C			C	C			X	X
Bewick's Wren	F	F	F			F		X	X		
Rock Wren	F	C	F	C	C	F	F	X	X		
Hermit Thrush	C	C	F			F		X	X		
Fox Sparrow	F	C	C			C	C	X	X	X	X
Song Sparrow	F	C	C			C	C	X	X	X	X
Canada Goose						C	C	X	X	X	X
Pintail						F	F			X	X
American Widgeon						C	C			X	X
Blue Winged Teal						F	F			X	X
Cinnamon Teal						F	F	X	X	X	X
Green-winged Teal						F	F	X	X	X	X
Common Goldeneye	F					F		X	X	X	X
Bufflehead						F		X	X	X	X
Harlequin Duck						F		X	X	X	X
Common Merganser						C		X	X	X	X
Hooded Merganser						F		X	X	X	X
Goshawk	F	F				F		X	X	X	X
Coopers Hawk	C	F	C	F	F	C	C	X	X	X	X
Sharp-skinned Hawk	C	F			F	C	F	X	X	X	X

Osprey						F		X	X		
Ruffed Grouse	C	C	C			C		X	X	X	X
Blue Grouse	C	C	C			C		X	X	X	X
Spotted Owl	R							X	X	X	X
Great Blue Heron						C	C	X	X	X	X
American Coot						C		X	X	X	X
Common Snipe						F				X	X
Poor-will	F		F			F	F	X	X		
Hairy Woodpecker	F	F	F					X	X	X	X
Alder Flycatcher	F					F	F	X	X		
Bank Swallow			C	C		C	C	X	X		
Clark's Nutcracker	F	F	F			F				X	X
Townsend's Solitaire	C					C	C	X	X		
Loggerhead Shrike			F		F		F	X	X	X	X
House Finch		C	C	C	C	C	C	X	X	X	X
Western Grebe						C		X	X	X	X
Marsh Hawk					F	F	F	X	X	X	X
Hungarian Partridge					F	F	C	X	X	X	X
Ferruginous Hawk					R	R	R			X	X
Swainson's Hawk					F	F	F	X	X	X	X
Golden Eagle	F		F		F	F	F	X	X	X	X
Chukar Partridge					C	C	C	X	X	X	X
Prairie Falcon					F	F	F	X	X	X	X
Sparrow Hawk		F	C	C	C	C	C	X	X	X	X
Burrowing Owl					F	F	F	X	X		
Red-shafted Flicker	F	C	C	C	F	C	F	X	X	X	
Red-Tailed Hawk	C	C	C	C	C	C	C	X	X	X	X
Eastern Kingbird				F	F	F	F	X	X		
Say's Phoebe				F	F	F	F	X	X		
Sage Thrasher					F			X	X		

Yellow Warbler	C	C	F			F	F	X	X		
Common Yellowthroat	C	C				F		X	X		
MacGilvray's Warbler	C	C				F	F	X	X		
Wilson Warbler	C	C				F	F	X	X		
Nashville Warbler	F					F	F	X	X		
Yellow-rumped Warbler	F					F	F	X	X		
Black-throated Gray Warbler	F					F	F	X	X		
House Sparrow	C	C	C	C	C	C	C	X	X	X	X
Western Meadowlark		C	C	C	C	C	C	X	X	X	X
Red-winged Blackbird		C	F	F	C	C	C	X	X	X	X
Brewer's Blackbird	F	C	F	F	C	C	C	X	X	X	X
Brown-headed Cowbird		C	F	C	C	C	C	X	X	X	X
Northern Oriole		C	F			F	F	X	X	X	X
Western Tanager	F					F	F	X	X		
Evening Grosbeak	C	F				C	C	X	X	X	X
Lazuli Buntin	F	F	F		F	F		X	X		
Purple Finch	F	F	F	F		F	F	X	X		X
American Goldfinch	C	C	F	C	F	F	F	X	X		
Rufous-sided Towhee	C	C	C	C	C	C	C	X	X	X	X
Savannah Sparrow		C	F	C	C	F	F	X	X		
Vesper Sparrow		C	F	C	C	F	F	X	X	X	
Lark Sparrow		C	F	C	F	F	F	X	X	X	
Dark-eye Junco	C	C	C		F	C	C	X	X	X	X
Chipping Sparrow	F	C	F	C	F	F	F	X	X		
White-crowned Sparrow		C	C	C	C	C	C	X	X	X	X
Hummingbirds	C	C	C	F	F	C	C	X	X		
Pine Siskin	C	C				F		X	X		
Mountain Quail	C	F	F	F	R	C		X	X	X	
Barn Swallow		C	C	C	F	C	C	X	X		
Violet-green Swallow	C	C	C	C	C	C	C	X	X		

Tree Swallow	C	C	F		F	F	F	X	X		
Stellars Jay	C	C	C	C	F	C	C	X	X	X	X
Scrub Jay	C	F	F	F	F	C	F	X	X	X	X
Black-billed Magpie		C	F	C	C	C		X	X	X	X
Common Raven	C	C	C	C	C	C	C	X	X	X	X
Common Crow	C	C	C	C	C	C	C	X	X	X	X
Black-capped Chickadee	C	C	C		F	C	C	X	X	X	X
Common Bushtit	C	C	F		F	F		X	X	X	X
Dipper						C		X	X	X	X
White-breasted Nuthatch	C	C	F			C		X	X	X	X
Brown Creeper	C	C	F	F	F	C		X	X	X	X
Red-breasted Nuthatch	C	C				C		X	X	X	X
Grasshopper Sparrow				C				X	X		
American Robin	C	C	C	C	C	C	C	X	X	X	X
Varied Thrush	C	C				C	C	X	X	X	X
Swainsons Thrush	C	C				C		X	X	X	
Western Bluebird	C	C	C	C	F	C	C	X	X		
Mountain Bluebird	C	C		C	F	C		X	X	X	X
Golden-crowned Kinglet	C	C				C		X	X	X	X
Ruby-crowned Kinglet	C	C				C		X	X	X	
Bohemian Waxwing	C	C				F	F	X	X	X	X
Cedar Waxwing	C	C				F	F	X	X	X	
Starling	C	C	C	C	C	C	C	X	X	X	X
Vaux's Swift	F				F	F	F	X	X		
Solitary Vireo	C	C	F			F	F	X	X		
Orange-crowned Warbler	C	C	F			F	F	X	X		
Sage Sparrow	F	C	F	C	F	F	F	X	X	X	X
Short-eared Owl	F	C	F	C	F	F	F	X	X	X	X
Horned Grebe								R	R	R	R
Eared Grebe								R	R	R	R

American Bittern								R	R	R	R
Greater White-fronted Goose								R	R	R	R
Ross' Goose								R	R	R	R
Ruddy Duck								C	C	C	C
Northern Harrier								C	C	C	C
Northern Goshawk								R	R	R	R
French Red-legged Partridge								R	R	R	R
Wild Turkey								A	A	A	A
American Coot								C	C	C	C
Sandhill Crane								R	R	R	R
Spotted Sandpiper								R	R	R	R
Flammulated Owl								R	R	R	R
Snowy Owl								R	R	R	R
Northern Pygmy-owl								R	R	R	R
Great Gray Pwl								R	R	R	R
Black-chinned Hummingbird								U	C	C	C
Calliope Hummingbird								U	C	C	C
Rufous Hummingbird								U	C	C	C
Red-breasted Sapsucker								R	R	R	R
Willow Flyvatcher								C	C	C	C
Hammond's Flycatcher								U	C	C	C
Dusky Flycatcher								U	C	C	C
Pacific Slope Flycatcher								U	C	C	C
Blue Jay								R	R	R	R
American Crow								C	C	C	C
Moutain Chickadee								C	C	C	C
Plain Titmouse								C	C	C	C
Canyon Wren								U	C	U	U
Gray Catbird								R	R	R	R
European Starling								U	A	A	U

Warbling Vireo								U	C	C	C
Spotted Towhee								C	C	C	C
Pacific Loon										X	X
Common Loon								R		R	R
Pied-billed Grebe								U	R	U	R
Red-necked Grebe											X
Double-crested Cormorant								C	C	C	C
Great Egret								X			
Black-crowned Night-Heron								X			
Trumpeter Swan									X		
Northern Pintail										R	R
Gadwall										R	R
Eurasian Wigeon										X	
Northern Shoveler								R		R	R
Ring-necked Duck								U		U	C
Canvasback								R		R	R
Barrow's Goldeneye										R	U
Lesser Scaup								U		U	C
Ringed-bill Gull								C	C	C	C
California Gull								C	U	C	C
Herring Gull								R		R	
Thayer's Gull								R		R	
Rock Pigeon								C	C	C	C
White-throated Swift								R		R	
Northern Flicker								C	C	C	C
Northern Shrike										R	R
Northern Rough-winged								C	C	U	
Cliff Swallow								C	C	C	
Marsh Wren								R		R	
American Pipit								R		R	

Palm Warbler											X
Bullock's Oriole								C	C		
Amphibians Species											
Northern Long-Toed Salamander						U		X	X	X	X
Western Toad	F	F			F	F		X	X	X	X
Pacific Tree Frog	C					C	F	X	X	X	X
Rough-skinned Newt	C					C		X	X	X	X
Spotted Frog						F		X	X	X	X
Leopard Frog						F		X	X	X	X
Bullfrog											
Reptiles											
Painted Turtles						F		X	X	X	X
Northwestern Fence Lizard	C	C	C	C	F	C	C	X	X	X	X
Western Shink	F	F	F		F	F	F	X	X	X	X
Oregon Alligator Lizard		F	F			F	F	X	X	X	X
Rubber Boa						U		X	X	X	X
Sharp-tailed Snake		U	U			U		X	X	X	X
Stripped Whipsnake		U	U		F	U		X	X	X	X
Western Yellow-bellied Racer		U	U			U		X	X	X	X
Great Basin Gopher Snake	U	U	U	U		U		X	X	X	X
Pacific Gopher Snake		C	C	C		C	C	X	X	X	X
Valley Garter Snake		C	C	C		C	C	X	X	X	X
Wandering Garter Snake					U	U		X	X	X	X
Northern Pacific Rattlesnake	F	F	F	F	F	F	F	X	X	X	X
Western Ring-necked Snake	F	F	F	F	F	F	F	X	X	X	X
Great Basin Fence Lizard					F			X	X	X	X
Sagebrush Lizard	U	U	U	U	F	U	U	X	X	X	X
Side-blotched Lizard	U	U	U	U	F	U	U	X	X	X	X
Western Whiptail	U	U	U	U	U	U	U	X	X	X	X

Rocky Mt. Rubber Boa	U	U	U	U	U	U	U	X	X	X	X
Bullsnake			C	C	C	C	C	X	X	X	X
Night Snake	U	U	U	U	U	U	U	X	X	X	X
Western Pond Turtle											
Southern Alligator Lizard											
Western Fence Lizard											
Racer											
Western Terrestrial Garter Snake											
Common Garter Snake											
Mammals											
Mule Deer					C	C	C	X	X	X	X
Blacktail Deer	C	C	C			C	C	X	X	X	X
Coyote	C	C	C	C	C	C	C	X	X	X	X
Bobcat	F	F		F	F	F		X	X	X	X
Raccoon	C	C	C		F	C	C	X	X	X	X
Long-tailed Weasel	F	F			F	F	F	X	X	X	X
Badger		F		F	C			X	X	X	X
Striped Skunk	C	C	C	C	F	C	C	X	X	X	X
River Otter					F	F		X	X	X	X
Mink					F	C		X	X	X	X
Beaver						C		X	X	X	X
Muskrat			F			F		X	X	X	X
Merriam Shrew					U			X	X	X	X
Vagrant Shrew	U	U	U	U	U		U	X	X	X	X
Water Shrew					U			X	X	X	X
Pacific or Coast Mole	U	U			U	F	F	X	X	X	X
Little Brown Myotis	U	U	U		U	U	U	X	X	U	U
Fringed Myotis	U	U	U		U	U	U	X	X	U	U
California Myotis	U	U	U		U	U	U	X	X	U	U

Western Harvest Mouse					C			X	X	X	X
Canyon Mouse					C			X	X	X	X
Deer Mouse	F	C	C	C	C		C	X	X	X	X
Northern Grasshopper Mouse					C			X	X	X	X
Bushy-tailed Wood Rat		C	C		C	C	C	X	X	X	X
Sagebrush Mole					U			X	X	X	X
Montane Meadow House					U			X	X	X	X
Norway Rat					F	C	C	X	X	X	X
House Mouse			C	C	F	C	C	X	X	X	X
Western Jumping Mouse			F	F	F			X	X	X	X
Opossum		F				F	R	X	X	X	X
Dusky Shrew	U	U	U	U			U	X	X	X	X
Trowbridge Shrew	U	U	U			U	U	X	X	X	X
Pacific Mole	U	U				R	F	X	X	X	X
Yuma Myotis	U	U	U			U	U	X	X	U	U
Spotted Skunk	F	F	F	F	R	F	F	X	X	X	X
California Ground Squirrel	C	C	C	C	F	C	C	X	X	X	X
Yellow Pine Chipmunk	C	C	C			C		X	X	X	X
Townsend Chipmunk	C	C	C			C		X	X	X	X
Small-footed Myotis	U	U	U		U	U	U	X	X	U	U
Hairy-winged Myotis					U			X	X	X	X
Long-eared Myotis	U	U	U		U	U	U	X	X	U	U
Silvery-haired bat	U	U	U		U	U	U	X	X	U	U
Big Brown Bat	U	U	U		U	U	U	X	X	U	U
Western Pipistrelle	U	U	U		U	U	U	X	X	U	U
Pallid Bat	U	U	U		U	U	U	X	X	X	X
Lump-nosed Bat					U			X	X		
Blacktailed Hare					R			X	X	X	X
Whitetailed Hare					F		F	X	X	X	X
Mountain Cottontail	F	C	C	C	C	C	C	X	X	X	X

Sagebrush Vole											
North American Porcupine											
California Bighorn Sheep											
A = Abundant F = Few C = Common R = Rare U = Unknown											
Darker Grey is from the 2007 White River Wildlife Management Plan (2007) ODFW											
C = Common, U = Uncommon, R = Rare, X = Extremely Rare											
Lighter Grey is from Lower Deschutes Wildlife Area Management Plan (2009) ODFW											
C = Common, U = Uncommon, R = Rare, X = Extremely Rare											
Additional known animals without habitat information (from CAG members): Pronghorn Antelope, Diamond Back Rattlesnake, Timber Rattler, Sandhill Crane, Asian Dove											

ESEE Analysis for EPD – 8 Sensitive Wildlife Habitat

Executive Summary

The Oregon Department of Fish and Wildlife (ODFW) made amendments to their Big Game Winter Range maps in 2012 with the launch of their Centralized Oregon Mapping Products and Analysis Support System, Compass. Significant portions of Wasco County, that were previously excluded because of protections inherent in the underlying zone and minimum parcel size (A-1(160)) were added to the Compass tool to accurately reflect the actual habitat of deer and elk.

This created a discrepancy between Wasco County’s Environmental Protection District (EPD)-8 (Sensitive Wildlife Habitat) and the ODFW Big Game Winter Range.

Oregon Administrative Rules (OAR) 660-023, which relates to inventory, analysis and protection for Goal 5 resources provides insight into how jurisdictions should manage Wildlife Habitat. First, the “impact area” is defined by a map published by ODFW (OAR 660-023-0110). Second, an Economic, Social, Environmental and Energy (ESEE) Analysis must be conducted to determine conflicting uses within the impact area. Once the conflicting uses have been established, a program to protect big game habitat must be established.

Wasco County currently protects big game habitat through an overlay zone; EPD-8 currently requires all dwellings to locate within 300 feet of a road or easement unless it can be demonstrated protection values are greater elsewhere. EPD-8 also contains additional voluntary fencing standards. In addition, all conditional uses in Wasco County must demonstrate that the proposed use “will not significantly reduce or impair sensitive wildlife habitat” which requires comment from ODFW.

ODFW manages sensitive wildlife through management plans. Those species eligible for management include those that meet the criteria for OAR 635-100-0040. The Oregon Elk Management Plan (2003) is adopted by OAR 635-160-0000 as the plan to provide program direction, objectives and strategies for management, research and habitat needs. OAR 635-190-0000 adopts the Oregon Mule Deer Management Plan (2003) for similar purposes for the sensitive mule deer program.

The Oregon Elk Management Plan

The Oregon Elk Management Plan identifies several land use related threats to Elk habitat and species including:

- Factors affecting elk security are topographic relief, vegetation density, and proximity to human activity.
- Disturbance and development impact on available forage/food sources.
- Increased motorized and non-motorized access and use of public lands from recreation creates disturbance to habitat and food supply.

The Oregon Mule Deer Management Plan

The Oregon Mule Deer Management Plan identifies several land use related threats to Mule Deer habitat and species including:

- Drought conditions which reduce forage and cover.
- Development and activity which creates disturbance and reduces deer security for reproduction, forage, and habitat.

Conflicting Uses

OAR 660-023-0040 (2) requires an examination of all zones within the impact area of the resource to understand possible conflicting uses. These are typically land uses allowed outright or conditionally by the zone. The zones impacted by the proposed map amendment include: F-1, F-2, A-1, and FF.

All of these zones permit a variety of uses and activities according to different review criteria. F-1, F-2, and A-1 are resource zones. The primary function of these zones is for the protection and maintenance of resource uses, including agriculture and forestry. The primary function of the FF zone is “to permit low-density residential development in suitable locations while reducing potential conflicts with agricultural uses, forestry uses, and open space” (Wasco County Land Use and Development Ordinance). All relevant zones include a variety of other uses including residential, commercial, and industrial.

Conflicting uses are defined by OAR 660-023-0010 as a “land use, or other activity reasonably and customarily subject to land use regulations that could adversely affect a significant Goal 5 resources.” The definition states that local jurisdictions are “not required to regard agricultural practices as conflicting uses.” These means that all non-agricultural practices and uses permitted in these zones must be examined for adverse impacts.

What follows is an analysis of the main categories of uses: resource, residential, commercial and industrial. As proscribed by OAR 660-023, three protection alternatives are evaluated

against these conflicting uses to determine what might be the most efficient, effective and equitable approach to protecting sensitive wildlife.

Based on current practice and models, staff is recommended the following three alternative scenarios for protection:

Allowed use:

This possible scenario would permit uses and activities, as allowed by the Wasco County Land Use and Development Ordinance, without additional criteria or regulations.

Environmental Protection District protections:

Current protections for sensitive wildlife are implemented through EPD-8 and the proposal is to amend that EPD map. Regulations tied to that map include some voluntary siting standards and that all new dwellings are required to locate with 300 feet of a road or access easement. Subject to standards (Type II) approvals are eligible for appeals by ODFW and all conditional use permits must demonstrate the development does not “significantly reduce or impair sensitive wildlife habitat” (Wasco County Land Use and Development Ordinance).

This possible scenario would maintain subject to standards and conditional use review requirements and possibly maintain additional standards with EPD-8 ordinance language, including siting of dwellings within 300 feet of roadways for the purposes of clustering.

Not allowed

Prohibiting uses which demonstrate significant impact and consequences is a possible option for protecting sensitive wildlife.

Conflicting Uses

The next section analyzes four categories of development activity, resource, residential, commercial, and industrial, and defines potential conflicts. Each use is evaluated according to the ESEE consequences and finally, a recommendation for protection is made.

Resource Uses: (F-1, F-2, A-1)

The majority of land being proposed to be added to EPD-8 is resource land, either forest or agricultural zoned. The resource uses in these zones include farm and forest practices as defined by state law, restoration activities, and limited transportation activity and

development. The policies that govern resource land uses are consistent with many of the strategies identified by ODFW for protection of sensitive wildlife habitat including:

- The preservation of a maximum amount of the limited supply of agricultural land (ORS 215.243).
- To conserve forest lands...consistent with sound management of soil, air, water, and fish and wildlife resources (OAR 660-015-0000(4)).

Based on these goals, the state defines a list of uses permitted in both exclusive farm use and forest zones and which uses and activities require a higher standard of review including additional criteria.

Historically, ODFW in Wasco County did not require inclusion of a large area of A-1 (160) properties, because it was determined the 160 acres typically provides inherent protections for sensitive wildlife. However, recent conversions of rangeland and farmland to commercial energy facilities created a need to better clarify which lands serve as winter range for deer and elk. ODFW continues to support that farm and forest uses consistent with farm and forest practices pose little conflict to sensitive wildlife habitat.

During a review of proposed map amendments, Wasco County staff presented to the public the opportunity to identify conflicting uses and ESEE consequences of limiting or prohibiting certain uses. This was done through a series of public meetings in February 2020, and surveys available online. During work sessions in February 2020, the public was also asked to identify their perceived conflicts and/or uses that don't conflict with the resources. The majority of participants identified, based on their experience with their own properties, that farm use does not present a conflict with protection of sensitive wildlife habitat.

A review of the literature suggests that livestock grazing (Vavra, 2005) and other agricultural activities can increase the nutritive quality of forage, the diversity of the habitat, and generally enhance wildlife habitat.

OAR 660-034-0010 on Goal 5 also states that "(l)ocal governments are not required to regard agricultural practices as conflicting uses." This clearly aligns with the feedback provided by ODFW and the public.

Based on feedback from ODFW, Wasco County citizens, and staff interpretation of Goal 5 and state law on Goal 5, staff finds that resource uses included in resource zones as permitted outright or with a Type 1 review are non-conflicting.

The recommendation will be to make these uses exempt from application of EPD-8 as they are not conflicting uses.

Residential Uses: (F-1, F-2, A-1, FF-10)

Residential development in conjunction with resource uses are allowed in A-1 and F-2 zones. Farm dwellings, lot of record dwellings and replacement dwellings are permitted in A-1 (160) subject to standards. In F-2, residential development is permitted, subject to standards, for lot of record or large tract dwellings. They are also permitted, subject to standards, in FF-10. Certain qualifying properties are also eligible, in A-1, for a non-farm related dwelling. In all relevant zones, temporary medical hardship dwellings are permitted subject to a conditional use review. These temporary dwellings are required to be serviced by the primary dwelling's water and septic.

In addition to the construction of homes, residential development may include the construction of other accessory structures, access drives, parking, landscaped areas, utility connections, and other related development. This type of development activity may include removal of vegetation or other natural features that make up sensitive wildlife habitat. It also has been demonstrated to be disruptive to wildlife resulting in changing patterns or mortality.

Once dwellings are in place, human occupancy creates household lights, noises, landscaping, and other human activities that may disturb wildlife and threaten their security. Research has found that noise can be a source of habitat degradation (Keyels, 2017). Light, according to the report, can also have a significant detrimental impact on ecosystem health (Longcore, 2016).

Traditionally, ODFW has identified that site location for residential development can be one of the most adverse impacts to sensitive wildlife. Elk and deer security and habitat can be disturbed by human activity such that it results in early mortality or impacts to reproduction. This is not only because of destruction of forage or food supply but also habitat for bedding, reproduction, and hiding from predators.

Clustering of activity has been found by ODFW and research to reduce negative impacts on wildlife habitat (Theobald, 1997). Deer and elk generally have been found to avoid roads in all instances except in highly developed migratory routes (Lendrum, 2012). The combination of clustering development and activity and doing so in relation to roads or similar infrastructure is understood to be a good mitigation strategy for conflicts between development and wildlife habitat. In Wasco County, this has been achieved by requiring residential development, with

some exceptions, to locate within 300 feet of a road or access easement. This keeps development clustered near an existing disturbance (roadway) and clustered together.

Clustering is especially invaluable when higher densities of development occur (Lendrum, 2012). When there is more dispersed development, like with farm dwellings and associated outbuildings on large acres, wildlife generally is able to make adjustments.

Residential development, because of the scale and density, are the least impactful non-resource use to occur on these lands. However, for the reasons explained above there are some potential impacts on the protected resource. Therefore, staff finds that residential uses are a conflicting use.

Residential ESEE Analysis

Economic consequences:

Allowed use (no protection):

No economic consequences have been identified for no protection of sensitive wildlife from residential development.

Environmental Protection District protections:

Current practice is to protect sensitive wildlife from residential development through the 300 feet requirement. This requires additional findings and a moderately complex review, which made add time or money on to a permitting process

Not allowed:

Eliminating the ability to build a residence in EPD-8 has tax revenue implications for Wasco County and leaves the County open to potential litigation risk over takings issues.

Social consequences:

Allowed use (no protection):

Limited social consequences of no protection would be diminished scenic opportunities for wildlife viewing.

Environmental Protection District protections:

There are no known social consequences with mitigation via EPD 8.

Not allowed

Prohibiting residential activity may increase opportunities for scenic viewing, but will further compound housing needs throughout the county and contribute to further limit supply.

Environmental consequences:

Allowed use (no protection):

Allowing residential uses has potential environmental consequences including disturbance of wildlife habitat, the introduction of pollutants to the resource, and potential diminishment of food supply. Construction and development waste and disturbance and human occupancy related disturbance have been demonstrated to have significant impact on the natural resource.

Environmental Protection District protections:

Current practice is to protect sensitive wildlife habitat through additional setbacks for residential development, namely the 300 feet within a road standard. This requires a subject to standards review for residential development. Mitigation for impacts to habitat can be managed through the setback.

Not allowed:

Eliminating the ability to build a residence in EPD 8 has no known environmental consequences.

Energy consequences:

Allowed use (no protection):

Any type of development has energy requirements, including those related to transportation to and from during construction and after completion of the dwelling.

Environmental Protection District protections:

Any type of development has energy requirements, including those related to transportation to and from during construction and after completion of the dwelling.

Not allowed:

There are no known energy consequences of not allowing residential uses.

Conclusions/Recommendations:

Allowing residential uses without additional criteria or restriction does not ensure for protection of the resource in keeping with the ODFW management plans and general best practices for reducing impacts to big game. Because residential development carries with it potential for adverse impacts to sensitive wildlife habitat, a review requiring consideration of impacts and mitigation would be most consistent with the management plans.

Furthermore, current practice of requiring all new developments, with limited exceptions, locate within 300 feet of roadways clusters development in such a way that has been demonstrated to reduce or eliminate adverse impacts to sensitive wildlife habitat. Staff is recommending this provision remain in effect for all new dwellings, except farm dwellings and accessory farm dwellings.

As a farm use, farm dwellings are not required to be considered as a conflicting use and, due to the larger parcel sizes, are dispersed enough to show limited adverse impacts. Staff recommends the ordinance language be written to exempt farm dwellings but make clear that as subject to standards review permits, will still be required to adhere to ODFW notice and comment.

Commercial Uses: (F-1, F-2, A-1, FF)

Commercial uses in conjunction with resource uses are permitted in both resource zones. In addition, there are some additional non-resource commercial uses that may be permitted in the zones.

Table 1: Commercial Uses and Activities by Zone
(SR (Subject to Review), CU (Conditional Use, NP (Not Permitted))

Commercial Use	F-1 (80)	F-2 (80)	A-1 (160)	FF-10
Winery	NP	NP	SR	NP
Farm Processing	NP	NP	CU	NP
Forest Processing	NP	SR	NP	NP
Farm Ranch Recreation	NP	NP	CU	NP
Major Home Occupation	CU	CU	CU	CU
Bed and Breakfast	NP	NP	CU	NP
Dog Kennels	NP	NP	CU	CU
Private Park, Campground, Playground	NP	CU	CU	CU
Golf Course	NP	NP	CU	NP
Fee Hunting/fishing Accommodations	NP	CU	NP	NP
Youth Camps	NP	CU	NP	NP

Public Park	NP	CU	CU	CU
Cemetery	NP	CU	SR	NP
Firearms Training Facility	NP	CU	NP	NP
Mobile Home Park	NP	NP	NP	NP
Retirement Center/nursing Home	NP	NP	NP	NP

Wineries in A-1 consist of growing grapes, processing, and manufacturing. Some agro-tourism activities also can be permitted with wineries. The commercial aspect involves a structure often with associated parking, outbuildings, landscaping and access road. Building placement and developing these assets typically involves clearing the existing vegetation. The loss of vegetation can lead to habitat loss and forage loss.

Once the buildings are in place, occupancy from workers and visitors can contribute light and noise pollution, pollution from vehicles and other human activity, and other disruptions to the natural environment.

Farm and Forest Processing have similar impacts, although the frequency or volume of visitors is significantly reduced.

Farm Ranch Recreation, and Bed and Breakfast lodging, which consists of visitors staying and recreating on farms, has similar impacts to wineries, with the primary difference being in production and overnight occupancy. Visitors engaging with the wildlife, or infrastructure built for recreation, may create erosion, pollution, or general disturbances to wildlife habitat. In the forest zone, fee hunting and fishing accommodations share impacts to farm accommodations.

Home Occupations carry with them the same impacts as residences plus any additional disturbances caused by the business related activity. Impacts are similar but amplified.

Dog Kennels carry impacts of residences with increased impact of animal and customer activity. The noise from animals can be disruptive to natural values as habitat and reduce big game security.

Golf Courses typically have limited structures but intensely landscaped property which could result in significant problems with erosion, invasive species, and destruction of habitat. Pollutants as a result of landscape may also get introduced to the resource from runoff or leeching. As indicated in the residential section, a high level of infrastructure or development is detrimental to population's security and foraging abilities.

Private and Public Parks or Campgrounds may include landscaping, infrastructure for recreation, or other modifications to the landscape that may introduce noise and other human impacts to the natural environment. Both deer and elk management plans cite recreation trips as a common disturbance adversely impacted both species.

Youth Camps typically involve overnight lodging, facilities for gathering and eating, and recreation resources. The density of people, required infrastructure, and activity associated with a youth camp could have impacts to wildlife and habitat through noise, pollution, and generally human activity.

Cemeteries, as a result of organic and inorganic decomposition, can introduce pollution to soil, ground water, and the resource. They typically carry with them minimal structures or infrastructures, but consistent digging for plots may contribute to soil erosion and impacts to the natural landscape that provides forage. Similarly, depending on landscaping practices, maintenance of the site may create disturbance of food sources.

Firearms Training Facility would contribute significant noise impacts unless mitigated through noise reducing building materials. Other impacts would be similar to other structures.

A Mobile Home or RV park involves dense siting of temporary or semi-permanent homes. The level of density increases potential noise and environmental pollution from human activity. Development also potentially disturbs food supply and habitat. The dense scale of development may also impact view corridors or scenic aspects of the resource.

A Retirement Center or Nursing Home is also a source of dense, shared housing with additional facilities often requiring a sizeable footprint. The scale of the building could introduce impacts associated with built environment as covered above.

Commercial Uses often require extensive site clearing and grading. As a result, the removal of vegetation and habitat are common. This can create a variety of issues including the elimination of shelter for security and plant life for forage. Similar to impacts discussed with residential use, commercial impact can be more significant due to the scale of structures and development.

Commercial uses also often carry with them dense human activity that can create noise, smells, and other impacts to the natural habitat as well as scenic and recreation values of the place. These impacts are discussed more thoroughly in the residential use section.

Commercial ESEE Analysis

Economic consequences:

Allowed use (no protection):

If commercial development is allowed to occur in such a way that it creates the adverse impacts, the economic consequences may include: cost of future restoration of habitat.

Environmental Protection District protections:

Current practice is to protect sensitive wildlife habitat through EPD 8 and through review by ODFW for conditional uses, which most commercial uses are in the underlying zones. This requires additional findings and a moderately complex review, which made add time or money on to a permitting process.

The public identified the following possible consequences of limiting commercial uses:

Not allowed:

Eliminating the ability for commercial development in sensitive wildlife habitat land has tax revenue implications for Wasco County and leaves the County open to potential litigation risk over takings issues. Commercial uses offer employment opportunities, economic growth, and support for existing businesses.

The public identified the following possible economic consequences of prohibiting commercial uses: loss of jobs, reduced value of property and increased time and money for permitting.

Social consequences:

Allowed use (no protection):

The primary social consequence of allowing commercial uses without restriction would be diminished wildlife for viewing and hunting.

Environmental Protection District protections:

Current practice is to protect sensitive wildlife habitat through the application of EPD-8 and conditional use permit review. Because commercial uses are typically conditional use permits, ODFW is able to work on a project by project basis to recommend mitigation strategies, including different siting of development to reduce or eliminate adverse impacts to habitat and species.

The social consequences of limiting commercial uses, defined by the public include limitations on private property rights. The public also cited concerns about increases to traffic from clustered developments.

Not allowed

Commercial uses offer employment opportunities, economic growth, and support for existing businesses and residents. In some cases, these commercial enterprises may offer housing opportunities, recreation activities, and energy production which represent Statewide Land Use Planning Goals 10, 8 and 13.

The public identified concerns over limitations on private property rights.

Environmental consequences:

Allowed use (no protection):

Allowing commercial uses with no protections has potential environmental consequences including disturbance of wildlife habitat in terms of migration paths, foraging, security and reproduction sites. Big Game grazing can help reduce fire fuels and invasive species, according to the elk and deer management reports. Both plans stress primitive development, dispersed recreational activities, and limited access as beneficial environments for the stability and security of both animal populations. This habitat, according to ODFW, is also critical for a variety of other species including trees, plants, and animals. One example is the Oregon White Oak, which is habitat for species like the grey squirrel.

As the main mitigation strategy between development and protection of sensitive wildlife is relocation, fundamentally the lack of protections may be disastrous for multiple species and plants. The overall impacts of endangerment or extinction are manifold.

The public expressed concern that unmitigated commercial development poses the environmental threat of increased noise and fire risk.

Environmental Protection District protections:

Current practice is to protect sensitive wildlife habitat through the application of EPD-8 and conditional use permit review. Because commercial uses are typically conditional use permits, ODFW is able to work on a project by project basis to recommend mitigation strategies, including different siting of development to reduce or eliminate adverse impacts to habitat and species.

These steps are able to preserve wildlife habitat while protection environmental resources, suggesting limited consequences for this strategy.

Not allowed:

Eliminating the ability to build commercial use structures in sensitive wildlife habitat has no known environmental consequences.

Energy consequences:

Allowed use (no protection):

Any type of development has energy requirements, including those related to transportation to and from during construction and after completion of the commercial building.

Environmental Protection District protections:

Any type of development has energy requirements, including those related to transportation to and from during construction and after completion of the commercial building.

Not allowed:

Not allowing commercial uses may help preserve existing energy sources for other uses. No other consequences are known.

Conclusions/Recommendations:

Allowing commercial uses without additional criteria does not ensure for protection of the resource in keeping with the ODFW management plans. Because any commercial development carries with it potential for adverse impacts to sensitive wildlife habitat, a review requiring consideration of impacts and mitigation should be required.

Economic impacts, such as lack of employment opportunities or business growth, coupled with affiliated social consequences suggest prohibiting commercial uses in big game winter range may be detrimental to Wasco County residents.

Most commercial uses in the underlying zones are conditional and subject to additional review by ODFW. Conditional uses according to the Wasco County Land Use and Development Ordinance require the review of proposed uses and activities with findings for adverse impacts. Evidence must demonstrate that the proposed use will not significantly reduce or impair sensitive wildlife habitat and generally safeguard the air, water and land quality. Possible

conditions may include siting requirements like clustering or limiting removal of critical habitat like tree clusters.

Implementation of EPD-8 with commercial subject to standards uses provides an opportunity to solicit feedback from ODFW for mitigation strategies that may be employed, like clustering, in a similar fashion to the conditional use permit review.

Staff is recommending all permitted commercial uses be subject to EPD-8 and, for conditional uses, to conditional use analysis and ODFW review.

Industrial Uses: (F-1, F-2, A-1, FF-10)

Table 2: Industrial Uses and Activities by Zone
(SR (Subject to Review), CU (Conditional Use, NP (Not Permitted))

Industrial Use	F-1 (80)	F-2 (80)	A-1 (160)	FF-10
Utility Facility	CU	CU	SR	CU
Aggregate Mining	NP	NP	CU	CU
Asphalt Batching	CU	CU	CU	NP
Mineral Processing	CU	CU	CU	NP
Water Bottling	NP	NP	CU	NP
Manufacturing	NP	NP	NP	NP

Utility facilities are permitted, following review, in all zones within sensitive wildlife habitat overlay. The installation of utility facilities typically involves construction activities that disturb wildlife habitat. Once construction has been completed, utility facilities may have, depending on the type, continued impacts to the natural area from noise, development in migratory paths, and the reduction of foraging.

Mining, mineral processing, asphalt batching and other related uses and activities can create a variety of disturbances and pollution that can be detrimental to the resource. Noise, dust, odors, ground disturbance and blasting which can cause ground shaking or seismicity are commonly cited impacts from mining. Mining also typically involves a large footprint of disturbance over an entire property limiting connections between adjacent parcels for migration, food supply, and security.

Water bottling and extraction, which involves components of industrial production, would have significant impacts on the resource including erosion, pollution, scenic impacts, noise, and development disruption of habitat.

Manufacturing and other industrial uses are not permitted in the underlying zones.

Generally, the scale of development and disturbance can adversely impact sensitive wildlife by disrupting migration paths, reducing forage and habitat for security and reproduction, and introducing a high level of human activity to the natural environment.

Industrial ESEE Analysis

Economic consequences:

Allowed use (no protection):

If industrial development is allowed to occur in such a way that it creates the adverse impacts, the economic consequences may include: cost of future clean up and restoration.

Environmental Protection District protections:

Current practice is to protect sensitive wildlife habitat through EPD-8 and conditional use review and conditions. This requires additional findings and a moderately complex review, which made add time or money on to a permitting process.

Not allowed:

Eliminating the ability for industrial development along the White River has tax revenue implications for Wasco County and leaves the County open to potential litigation risk over takings issues. Industrial uses offer employment opportunities, economic growth, and support for existing businesses.

Social consequences:

Allowed use (no protection beyond EPD-1 and setbacks):

Allowing industrial uses without protections could have significant social consequences. Industrial activity, by its nature, is typically done at a scale and in the type of structures that doesn't blend with the natural environment. Industrial uses and activities also typically create noise, smells, and other emissions that may be undesirable to visitors and residents as well as wildlife.

Environmental Protection District protections:

There are limited social consequences to allowing industrial activity with a conditional use review and application of EPD-8, and these protections offer mitigation to some of the impacts that have a connection to social values including aesthetics and recreation. The primary concern expressed from the public was “red tape”, or the increased time of added process.

Not allowed

The public expressed concern that people will give up when faced with “red tape” and that will limit use of private property.

Environmental consequences:

Allowed use (no protection):

Allowing industrial uses with limited protections has potential environmental consequences including impacts to ground water quality, disturbance of wildlife habitat, and the introduction of pollutants to the resource. Industrial activities typically occur at a scale and with materials that can be especially detrimental to the natural environment.

Noise is one of the most obvious adverse impacts of industrial uses that could threaten wildlife habitat. Machinery noise from manufacturing, storage yards, auto repair, or other activities can be disruptive to security, migration and reproduction. It also can impact the perceived human experience of the scenic and recreation resource. Additional traffic, particularly that of heavy machinery or trucks, can create noise, have leaks, or create ground disturbance. This can introduce a variety of pollutants to ground, which can, in turn, reduce the quality of food supply. This can also disrupt the scenic values by introducing noise that is at a higher volume than ambient.

Waste, by product, drainage, leeching, and spills can contaminate soil and groundwater through a variety of accidental or intentional activities. Industrial activity tends to generate pollutants by its very nature, lending to exposure to the resource.

Some permitted industrial uses involve application of chemicals or other practices which may release noxious odors. Smells generated from certain types of industrial activities may impact wildlife or human visitors.

Industrial uses also often require complete site clearing and grading, with the retention of few if any natural resources on a site. They therefore can have more severe environmental effects than other uses. Industrial uses also often draw substantial amounts of water from wells or

public water sources, drawing down the water table which can, in turn, reduce food and water supply for wildlife.

There are significant potential environmental consequences for allowing industrial uses without additional protections.

Environmental Protection District protections:

Current practice is to protect sensitive wildlife habitat through EPD-8 and conditional use review and conditions with the goal of mitigation. There are no known environmental consequences of this strategy.

Not allowed:

Eliminating industrial uses within sensitive wildlife habitat has no known environmental consequences.

Energy consequences:

Allowed use (no protection):

Industrial uses may require large amounts of power for operation requiring additional infrastructure or development to support the demand.

Environmental Protection District protections:

Industrial uses may require large amounts of power for operation requiring additional infrastructure or development to support the demand. This would typically be outside the purview of the Wasco County Planning Department review.

Large scale commercial energy projects are subject to conditional reviews which allow for input from ODFW on adverse impacts and mitigation strategies. This allows for continued access or development of alternative energy sources while reducing or eliminating adverse impacts to sensitive wildlife and habitat.

Not allowed:

Removing opportunities for the development of alternative energy could reduce the resiliency of Wasco County and its residence. Comments from the public indicated a concern in increased costs in the lack of availability of energy sources.

Conclusions/Recommendations:

Industrial uses pose significant potential environmental, social and energy consequences. These include adverse impacts like noise, erosion, pollution, ground disturbance, waste, and scenic disruption. Allowing without or minimal restrictions create a scenario where the uses are likely to adversely impact sensitive wildlife habitat.

To balance environmental impacts and social consequences with potential economic and energy consequences, industrial uses should, at a minimum, be required to meet conditional use criteria demonstrating no adverse impact to wildlife or, mitigation strategies that meet with approval of ODFW. Because many of the uses and activities are diverse, the ability to apply rules with discretion towards individual conditions provide for an equitable solution.

Conditional uses according to the Wasco County Land Use and Development Ordinance require the review of proposed uses and activities with findings made regarding adverse impacts. Evidence must demonstrate that the proposed use will have minimal impact from dust, noise, and odor during construction, will not significantly reduce or impair sensitive wildlife habitat and generally safeguard the air, water and land quality. Findings would also need to demonstrate how the proposed development does not impact the scenic aspect of wildlife and wildlife habitat.

Staff is recommending the continued application of conditional use criteria for industrial uses that allows for ODFW comment and mitigation in conjunction with the additional review required by EPD-8.

To strengthen and clarify EPD-8, staff is recommending the language within the LUDO be re-written to clearly indicate which resource uses are exempt and that other uses are subject to ODFW review.

Environmental Protection Agency. (2013). *Our Built and Natural Environments: A Technical Review of the Interactions Among Land Use, Transportation, and Environmental Quality*. <https://www.epa.gov/sites/production/files/2014-03/documents/our-built-and-natural-environments.pdf>

Keyel, A., et al (2017). *Evaluating anthropogenic noise impacts on animals in natural areas*. <https://pdfs.semanticscholar.org/daa1/bfefd87455d8e923496b188c2f6600b76306.pdf>

Lendrum, P. et al. (2012). Habitat selection by mule deer during migration: effects of landscape structure and natural-gas development. *Ecosphere*; 3(9), p. 1-19.

Longcore, T. et al (2016). *Artificial night lighting and protected lands: ecological effects and management approaches*. Natural Resource Report.

Pejchar, L., et al (2015). *Consequences of residential development for biodiversity and human well-being*. *Front Ecol Environ*; 13(3), p. 146-153.

Natural Resources Conservation Service. (2008). *Urban Soil Erosion and Sediment Control: Conservation Practices for Protecting and Enhancing Soil and Water Resources in Growing and Changing Communities*.

https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs141p2_034363.pdf

Theobald, D. et al. (1997.) Estimating the cumulative effects of development on wildlife habitat. *Landscape and Urban Planning*; 39(1), p. 25-36.

Vavra, M. (2005). *Livestock Grazing and Wildlife: Developing Compatibilities*. *Rangeland Ecology and Management*; 58(2), p. 128-134.

ESEE Analysis for EPD – 12 Sensitive Birds

Executive Summary

Wasco County entered Periodic Review in 2004 to make specific Goal 5 updates including adopting EPD-12 map and ordinance language for the protection of sensitive bird species. This data has not been updated since.

Numerous commercial energy facility applications in Wasco County over the last decade have resulted in significant additional data and changes to existing data that prompted ODFW to identify the need for an updated EPD-12. This is, in part, due to the perceived and real risk to raptor and other avian species from wind turbines. There was also an ongoing statewide nesting study for Golden Eagle that has increased the available data for sites.

Oregon Administrative Rules (OAR) 660-023, which relates to inventory, analysis and protection for Goal 5 resources provides insight into how jurisdictions should manage Wildlife Habitat. First, the “impact area” is defined by a map published by ODFW (OAR 660-023-0110). Second, an Economic, Social, Environmental and Energy (ESEE) Analysis must be conducted to determine conflicting uses within the impact area. Once the conflicting uses have been established, a program to protect sensitive bird sites must be established.

Wasco County currently protects sensitive bird habitat through an overlay zone; EPD-12 currently requires all development within the buffers to submit a sensitive resource plan in conjunction with a development application. The sensitive resource plan includes the proposed location of development, a map of existing development and supporting infrastructure, an outline of operating characteristics, timing of construction and a description of existing vegetation and vegetation proposed to be removed. This is then evaluated by ODFW who can provide mitigation strategies, including timing construction outside of nesting window for identified species.

There are several components of this protection plan. The first, foundational component are the buffers. The buffers are dictated by the species and individual site characteristics which influence the sensitivity to disturbance (Blumstein, 2003 and Harness, 2015). These buffers have been dictated by best practices in wildlife management and recommended by the biologists of Oregon Department of Fish and Wildlife. According to local ODFW biologists, the buffers are the minimum distance required between humans and nesting sites to reduce or eliminate disturbances.

Buffers have been found to be one of the most effective management strategies, but need to be specialized by species (Harness, 2015). For instance, research has shown that big raptors that nest in trees have greater sensitivity to disturbance than raptors nesting in cliffs. Spatial and temporal buffer zones have been successful in reducing raptor disturbance (Richardson, 1997). Overall, the abundance of nesting sites correlates to the health of the species (USFW, 2002).

Human disturbance is a greater factor in nest abandonment than habitat destruction in many cases (USFW, 2002). Human disturbance can include walking, driving or other movement near nest sites (Holmes, 1993). The scale, intensity and timing of all uses and activities will have varying impacts on species, which is why it's also critical to examine on a case by case basis (Harness, 2015). Quality habitat is most important during breeding season when birds nest in trees, cliffs, and other spaces. According to US Fish and Wildlife: "If that habitat is destroyed or disturbed during the breeding season, nests may be lost or abandoned or productivity may be reduced" which has a chain effect across populations nationally (<https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds/habitat-impacts.php>). US Fish and Wildlife identifies that the best method for avoiding habitat impacts are "to avoid placing development and energy projects in or near important bird habitat" (<https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds/habitat-impacts.php>). In

addition to nest abandonment, human disturbance at nesting sites can result in nestling mortality (USFW, 2002).

A scientific literature review shows the most two successful approaches to protecting raptors are first, to prevent human access to nesting sites and second, putting in place temporal activity and use management based on nesting cycles (Knight, 1988). The first strategy is most often used with threatened and endangered species, as prohibiting all use and activity can be difficult to require, monitor and enforce (Knight, 1988). The Bald and Golden Eagle Protection Act (16 U.S.C. 668-668c) identifies criminal penalties for the disturbance of eagles and nest sites. This includes nest abandonment which results from disturbance. Typically, this method is only a recommended strategy for sensitive birds in Wasco County.

The second strategy is most successful for mitigating impacts when development and activity is unavoidable (Knight, 1988). This includes identifying a buffer zone for disturbance, and then limiting activity and uses from occurring within the nesting and reproductive cycles of the species. Because many of the nest site features and species characteristics are unique, this level of mitigation needs to be applied on a case by case basis.

The Utah Field Office US Fish and Wildlife guidelines recommend the following strategies to reduce nest abandonment and disturbance driven mortality of species:

- Avoid disturbance
- Retain or increase snags
- Place new construction and human activities within already disturbed areas and/or within areas that reduce loss of nesting/roosting habitat.
- Limit the project footprint to the smallest area necessary,
- Reclaim disturbed areas (including roads) following construction and completion of project activities.
- Reduce or close road use within high use raptor areas. Reduce maximum allowable speeds. Reduce access to minimize recreational activity and human-raptor interactions.
- Increase prey habitat through vegetation planting or thinning.
- Install and maintain powerlines and other tall utilities in a way that will reduce raptor collision, electrocution, etc.

Based on their extensive analysis, the Utah Field Office USFW recommended some additional land use planning specific guidelines for mitigating impacts to raptors:

- Create buffer zones to restrict human activity within the spatial boundaries.
- For activity within the buffer zones, they should be timed to coincide with when most raptors leave their roost.
- Activities should not occur within buffers during courtship/nest selection season.
- Long-term land use activities and human activities should be restricted near nesting sites up to seven years.

These findings and recommendations represent the current strategies for mitigating impacts to sensitive bird species and detail the human disturbances that result in nest abandonment and mortality. The USFW paper clearly indicates that all land use and human activities represent conflict with sensitive birds, and that they are often unique to individual landscapes, which supports Wasco County's current strategy of requiring a sensitive resource plan for all use and activity within the buffer site, excepting some forest and farm uses.

The following analysis identifies conflicting uses in the underlying zones for proposed new sites and then goes through the ESEE consequences for three alternatives to Goal 5 protection: no protection, EPD-12, and prohibiting uses.

Conflicting Uses

OAR 660-023-0040 (2) requires an examination of all zones within the impact area of the resource to understand possible conflicting uses. These are typically land uses allowed outright or conditionally by the zone. The zones impacted by the proposed map amendment include: F-1, F-2, A-1, FF, and TV-R.

OAR 660-023-0060 requires opportunities for citizen involvement during the inventory and ESEE process. In addition to providing notice, Wasco County staff presented to the public the opportunity to identify conflicting uses and ESEE consequences of limiting or prohibiting certain uses. This was done through a series of public meetings in February 2020 and surveys available online. During work sessions in February 2020, the public was also asked to identify their perceived conflicts and/or uses that don't conflict with the resources. The input received during these sessions has become part of the analysis for conflicting uses and ESEE impacts.

All of these zones permit a variety of uses and activities according to different review criteria. F-1, F-2, and A-1 are resource zones. The primary function of these zones is for the protection and maintenance of resource uses, including agriculture and forestry. The primary function of

the FF zone is “to permit low-density residential development in suitable locations while reducing potential conflicts with agricultural uses, forestry uses, and open space” (Wasco County Land Use and Development Ordinance). TV-R is a rural service center residential zone which primary function is for residential development. All relevant zones include a variety of other uses including residential, commercial, and industrial.

Conflicting uses are defined by OAR 660-023-0010 as a “land use, or other activity reasonably and customarily subject to land use regulations that could adversely affect a significant Goal 5 resources.” The definition states that local jurisdictions are “not required to regard agricultural practices as conflicting uses.” Similarly, Wasco County and ODFW have identified that forest practices subject to ORSS 527.610 to 527.770 are not subject to additional sensitive bird overlay regulations; Oregon forest practice laws require specific mitigation strategies for forestry uses and harvest which do not fall into the authority of the planning department but instead are implement by the Oregon Department of Forestry. This means that all non-agricultural and non-forest practices and uses permitted in these zones must be examined for adverse impacts.

What follows is an analysis of the main categories of uses: residential, commercial and industrial. As proscribed by OAR 660-023, three protection alternatives are evaluated against these conflicting uses to determine what might be the most efficient, effective and equitable approach to protecting sensitive wildlife.

Based on current practice and models, staff is recommended the following three alternative scenarios for protection:

Allowed use:

This possible scenario would permit uses and activities, as allowed by the Wasco County Land Use and Development Ordinance, without additional criteria or regulations.

Environmental Protection District protections:

Current protections for sensitive birds are implemented through EPD-12 and the proposal is to amend that EPD map. The current protections associated with the map require that all non-farm and non-forest development applications or land divisions submit a sensitive resource plan for evaluation by ODFW with possible mitigation recommendation including moving the project site, limiting construction times, and changing lights and other disturbance features from the design.

Not allowed

Prohibiting uses which demonstrate significant impact and consequences is a possible option for protecting sensitive birds.

Conflicting Uses

The next section analyzes four categories of development activity residential, commercial, industrial, and energy facilities and defines potential conflicts. Each use is evaluated according to the ESEE consequences and finally, a recommendation for protection is made. Staff has elected to segregate energy uses from the commercial/industrial heading due to height and other characteristics of commercial energy projects that make them unique.

Residential Uses: (F-1, F-2, A-1, FF-10, TV-R)

Residential development in conjunction with resource uses are allowed in A-1 and F-2 zones. Farm dwellings, lot of record dwellings and replacement dwellings are permitted in A-1 (160) subject to standards. In F-2, residential development is permitted, subject to standards, for lot of record or large tract dwellings. They are also permitted, subject to standards, in FF-10. The TV-R zone's main purpose is to provide for single family residences, but also permits conditionally multi-family dwellings. Certain qualifying properties are also eligible, in A-1, for a non-farm related dwelling. In all relevant zones, temporary medical hardship dwellings are permitted subject to a conditional use review. These temporary dwellings are required to be serviced by the primary dwelling's water and septic.

In addition to the construction of homes, residential development may include the construction of other accessory structures, access drives, parking, landscaped areas, utility connections, and other related development. This type of development activity may include removal of vegetation or other natural features that make up sensitive wildlife habitat. It also has been demonstrated to be disruptive to wildlife resulting in changing patterns or mortality.

Once dwellings are in place, human occupancy creates household lights, noises, landscaping, and other human activities that may disturb wildlife and threaten their security. Research has found that noise can be a source of habitat degradation (Keyels, 2017). Light, according to the report, can also have a significant detrimental impact on ecosystem health (Longcore, 2016) and disturb nesting (ODFW, 2006).

Residential development, because of the scale and density, are the least impactful non-resource use to occur on these lands. However, for the reasons explained above there are

some potential impacts on the protected resource. Therefore, staff finds that residential uses are a conflicting use.

Residential ESEE Analysis

Economic consequences:

Allowed use (no protection):

There are potential economic costs to the lack of protection including restoration efforts, moving nesting sites, and

Environmental Protection District protections:

Current practice is to protect sensitive birds from residential development by mitigating site specific conditions and construction timing. This typically adds more cost to a development application due to more criteria.

Not allowed:

Eliminating the ability to build a residence in EPD-12 has tax revenue implications for Wasco County and leaves the County open to potential litigation risk over takings issues.

Social consequences:

Allowed use (no protection):

Limited social consequences of no protection would be diminished scenic opportunities for bird viewing.

Environmental Protection District protections:

Social consequences may include additional time associated with more criteria and review by ODFW for development applications, inconvenience for buildings schedules or redesigns of structures, and limitations for things like outdoor lights.

The public also cited concerns about restrictions on private property.

Not allowed

Prohibiting residential activity may increase opportunities for scenic viewing, but will further compound housing needs throughout the county and contribute to further limit supply.

Members of the public expressed concern that prohibition would deprive land owners the use of their land.

Environmental consequences:

Allowed use (no protection):

Allowing residential uses has potential environmental consequences including disturbance of nesting sites and the introduction of pollutants to food sources or habitat. Construction and development waste and disturbance and human occupancy related disturbance have been demonstrated to have significant impact on the natural resource.

The reduction in some species that serve as predators for other species could create significant ecological impacts.

Environmental Protection District protections:

Mitigation strategies on a site by site basis demonstrate no known environmental consequences.

Not allowed:

Eliminating the ability to build a residence in EPD 12 has no known environmental consequences.

Energy consequences:

Allowed use (no protection):

Any type of development has energy requirements, including those related to transportation to and from during construction and after completion of the dwelling.

Environmental Protection District protections:

Any type of development has energy requirements, including those related to transportation to and from during construction and after completion of the dwelling.

Not allowed:

There are no known energy consequences of not allowing residential uses.

Conclusions/Recommendations:

Allowing residential uses without additional criteria or restriction does not ensure for protection of the resource in keeping with the ODFW conservation strategies, federal law and general best practices for reducing impacts to sensitive birds. Because residential development carries with it potential for adverse impacts to sensitive birds, a review requiring consideration of impacts and mitigation would be most consistent with the best practices.

Staff is recommending maintaining the current EPD-12 standards for all new dwelling development within the overlay zone. This includes any development in the newly identified buffers.

Commercial Uses: (F-1, F-2, A-1, FF, TV-R)

Table 1: Commercial Uses and Activities by Zone
(SR (Subject to Review), CU (Conditional Use, NP (Not Permitted))

Commercial Use	F-1 (80)	F-2 (80)	A-1 (160)	FF-10	TV-R
Winery	NP	NP	SR	NP	NP
Farm Processing	NP	NP	CU	NP	NP
Forest Processing	NP	SR	NP	NP	NP
Farm Ranch Recreation	NP	NP	CU	NP	NP
Major Home Occupation	CU	CU	CU	CU	CU
Bed and Breakfast	NP	NP	CU	NP	CU
Dog Kennels	NP	NP	CU	CU	NP
Private Park, Campground, Playground	NP	CU	CU	CU	CU
Golf Course	NP	NP	CU	NP	CU
Fee Hunting/fishing Accommodations	NP	CU	NP	NP	NP
Youth Camps	NP	CU	NP	NP	NP
Public Park	NP	CU	CU	CU	CU
Cemetery	NP	CU	SR	NP	NP
Firearms Training Facility	NP	CU	NP	NP	NP
Mobile Home Park	NP	NP	NP	NP	CU
Retirement Center/nursing Home	NP	NP	NP	NP	CU

Wineries in A-1 consist of growing grapes, processing, and manufacturing. Some agro-tourism activities also can be permitted with wineries. The commercial aspect involves a structure often with associated parking, outbuildings, landscaping and access road. Building placement and developing these assets typically involves clearing the existing vegetation. The loss of vegetation can lead to habitat loss and forage loss.

Once the buildings are in place, occupancy from workers and visitors can contribute light and noise pollution, pollution from vehicles and other human activity, and other disruptions to the natural environment. This level of human activity is likely to create disturbance, particularly for highly sensitive species. Disturbance can lead to nest abandonment.

Farm and Forest Processing have similar impacts, although the frequency or volume of visitors is significantly reduced.

Farm Ranch Recreation, and Bed and Breakfast lodging, which consists of visitors staying and recreating on farms, has similar impacts to wineries, with the primary difference being in production and overnight occupancy. Visitors engaging with the wildlife, or infrastructure built for recreation, may create erosion, pollution, or general disturbances to habitat. In the forest zone, fee hunting and fishing accommodations share impacts to farm accommodations. Generally, this scale of development within the buffer is likely to create disturbance, particularly for sensitive species.

Home Occupations carry with them the same impacts as residences plus any additional disturbances caused by the business related activity. Impacts are similar but amplified.

Dog Kennels carry impacts of residences with increased impact of animal and customer activity. The noise from animals can be disruptive to natural values as habitat and cause disturbance to nesting.

Golf Courses typically have limited structures but intensely landscaped property which could result in significant problems with erosion, invasive species, and destruction of habitat. Pollutants as a result of landscape may also get introduced to the resource from runoff or leeching. The noise from activity and the airborne golf balls may also introduce disturbance to habitat.

Private and Public Parks or Campgrounds may include landscaping, infrastructure for recreation, or other modifications to the landscape that may introduce noise and other human impacts to the natural environment. They also typically involve some kind of development that may contribute to disturbance through light, dust, and activity during nesting season.

Youth Camps typically involve overnight lodging, facilities for gathering and eating, and recreation resources. The density of people, required infrastructure, and activity associated with a youth camp could have impacts to wildlife and habitat through noise, pollution, and generally human activity.

Cemeteries, depending on landscaping practices, maintenance of the site may create disturbance of food sources.

Firearms Training Facility would contribute significant noise impacts unless mitigated through noise reducing building materials. Other impacts would be similar to other structures.

A Mobile Home or RV park involves dense siting of temporary or semi-permanent homes. The level of density increases potential noise and environmental pollution from human activity. Development also potentially disturbs food supply and habitat. The dense scale of development may also impact view corridors or scenic aspects of the resource.

A Retirement Center or Nursing Home is also a source of dense, shared housing with additional facilities often requiring a sizeable footprint. The scale of the building could introduce impacts associated with built environment as covered above.

Commercial uses also often carry with them dense human activity that can create noise, smells, and other impacts to the natural habitat as well as scenic and recreation values of the place. These impacts are discussed more thoroughly in the residential use section. This can be particularly problematic if activity is occurring during nesting seasons.

Commercial ESEE Analysis

Economic consequences:

Allowed use (no protection):

If commercial development is allowed to occur in such a way that it creates the adverse impacts, the economic consequences may include: cost of future restoration of habitat.

Environmental Protection District protections:

Current practice is to protect sensitive wildlife habitat through EPD 12 and require a sensitive resource plan which is reviewed by ODFW for mitigation strategies based on location and site characteristics. This requires additional findings and a moderately complex review, which made add time or money on to a permitting process.

The public identified the following possible consequences of limiting commercial uses: loss of jobs.

Not allowed:

Eliminating the ability for commercial development in sensitive wildlife habitat land has tax revenue implications for Wasco County and leaves the County open to potential litigation risk over takings issues. Commercial uses offer employment opportunities, economic growth, and support for existing businesses.

Social consequences:

Allowed use (no protection):

The primary social consequence of allowing commercial uses without restriction would be diminished wildlife for viewing.

Environmental Protection District protections:

The public cited “red tape” as a social consequence of limitations

Not allowed

Commercial uses offer employment opportunities, economic growth, and support for existing businesses and residents. In some cases, these commercial enterprises may offer housing opportunities, recreation activities, and energy production which represent Statewide Land Use Planning Goals 10, 8 and 13.

The public identified concerns over limitations on private property rights.

Environmental consequences:

Allowed use (no protection):

Allowing commercial uses with no protections has potential environmental consequences including disturbance of nesting and reproduction, impacts to food supply, and the overall impacts to the ecology.

As the main mitigation strategy between development and protection of sensitive birds is relocation, fundamentally the lack of protections may be disastrous for most species. The overall impacts of endangerment or extinction are manifold.

Environmental Protection District protections:

The mitigation steps are able to preserve wildlife habitat while protection environmental resources, suggesting limited consequences for this strategy.

Not allowed:

Eliminating the ability to build commercial use structures in sensitive birds has no known environmental consequences.

Energy consequences:

Allowed use (no protection):

Any type of development has energy requirements, including those related to transportation to and from during construction and after completion of the commercial building.

Environmental Protection District protections:

Any type of development has energy requirements, including those related to transportation to and from during construction and after completion of the commercial building.

Not allowed:

Not allowing commercial uses may help preserve existing energy sources for other uses. No other consequences are known.

Conclusions/Recommendations:

Allowing commercial uses without additional criteria does not ensure for protection of the resource in keeping with the ODFW and USFW guidelines. Because any commercial development carries with it potential for adverse impacts to sensitive birds and nesting sites, a review requiring consideration of impacts and mitigation should be required.

Economic impacts, such as lack of employment opportunities or business growth, coupled with affiliated social consequences suggest prohibiting commercial uses within the sensitive bird buffers may be detrimental to Wasco County residents.

Most commercial uses in the underlying zones are conditional and subject to additional review by ODFW. Conditional uses according to the Wasco County Land Use and Development Ordinance require the review of proposed uses and activities with findings for adverse impacts. Evidence must demonstrate that the proposed use will not significantly reduce or impair sensitive wildlife habitat and generally safeguard the air, water and land quality. Coupled with the requirement for a sensitive resource plan and case by case analysis, staff feels the Goal 5 resource can be protected consistent with guidelines.

Staff is recommending all permitted commercial uses be subject to EPD-12 and mitigation strategies suggested by ODFW on a case by case basis.

Industrial Uses: (F-1, F-2, A-1, FF-10, TV-R)

Table 2: Industrial Uses and Activities by Zone

(SR (Subject to Review), CU (Conditional Use, NP (Not Permitted))

Industrial Use	F-1 (80)	F-2 (80)	A-1 (160)	FF-10	TV-R
Utility Facility (non-energy)	CU	CU	SR	CU	CU
Aggregate Mining	NP	NP	CU	CU	NP
Asphalt Batching	CU	CU	CU	NP	NP
Mineral Processing	CU	CU	CU	NP	NP
Water Bottling	NP	NP	CU	NP	NP
Manufacturing	NP	NP	NP	NP	NP

Utility facilities are permitted, following review, in all zones within sensitive bird overlay. The installation of utility facilities typically involves construction activities that can disturb nesting. Once construction has been completed, utility facilities may have, depending on the type, continued impacts to the natural area from noise, development in migratory paths, and the reduction of food sources.

Mining, mineral processing, asphalt batching and other related uses and activities can create a variety of disturbances and pollution that can be detrimental to the resource. Noise, dust, odors, ground disturbance and blasting which can cause ground shaking or seismicity are commonly cited impacts from mining.

Water bottling and extraction, which involves components of industrial production, would have significant impacts on the resource including erosion, pollution, scenic impacts, noise, and development disruption of habitat.

Manufacturing and other industrial uses are not permitted in the underlying zones.

Generally, the scale of development and disturbance can adversely impact sensitive birds by disrupting migration paths, disturbing nesting resulting in nest abandonment, and potentially impact food sources.

Industrial ESEE Analysis

Economic consequences:

Allowed use (no protection):

If industrial development is allowed to occur in such a way that it creates the adverse impacts, the economic consequences may include: cost of future restoration.

Environmental Protection District protections:

Application of EPD 12 review procedures requires additional findings and a moderately complex review, which made add time or money on to a permitting process.

Not allowed:

Eliminating the ability for industrial development within the sensitive bird overlay zone has tax revenue implications for Wasco County. Industrial uses offer employment opportunities, economic growth, and support for existing businesses.

Social consequences:

Allowed use (no protection beyond EPD-1 and setbacks):

Allowing industrial uses without protections could have significant social consequences. Industrial activity, by its nature, is typically done at a scale and in the type of structures that doesn't blend with the natural environment. Industrial uses and activities also typically create noise, smells, and other emissions that may be undesirable to visitors and residents as well as wildlife.

Environmental Protection District protections:

There are limited social consequences to allowing industrial activity with a conditional use review and application of EPD-12, and these protections offer mitigation to some of the impacts that have a connection to social values including aesthetics and ecology.

Not allowed

The public cited social concerns of limiting industrial uses within the sensitive bird overlay zone but did not specify what particular concerns they had. It is likely the primary concerns were related to the restriction of property rights.

Environmental consequences:

Allowed use (no protection):

Allowing industrial uses with no protections has potential environmental consequences including disturbance of nesting and pollution of natural environment impacting food supply. Industrial activities typically occur at a scale and with materials that can be especially detrimental to the natural environment.

Noise is one of the most obvious adverse impacts of industrial uses that could threaten wildlife habitat. Machinery noise from manufacturing, storage yards, auto repair, or other activities can be disruptive to nesting as evidenced by research. Additional traffic, particularly that of heavy machinery or trucks, can create noise, have leaks, or create ground disturbance. This can introduce a variety of pollutants to ground, which can, in turn, reduce the quality of food supply. This can also disrupt the scenic values by introducing noise that is at a higher volume than ambient.

Waste, by product, drainage, leaching, and spills can contaminate soil and groundwater through a variety of accidental or intentional activities. Industrial activity tends to generate pollutants by its very nature, leading to exposure to the resource.

Some permitted industrial uses involve application of chemicals or other practices which may release noxious odors. Smells generated from certain types of industrial activities may impact wildlife or human visitors.

Industrial uses also often require complete site clearing and grading, with the retention of few if any natural resources on a site. They therefore can have more severe environmental effects than other uses. Industrial uses also often draw substantial amounts of water from wells or public water sources, drawing down the water table which can, in turn, reduce food and water supply for wildlife.

There are significant potential environmental consequences for allowing industrial uses without additional protections.

Environmental Protection District protections:

There are no known environmental consequences of this strategy.

Not allowed:

Eliminating industrial uses within sensitive wildlife habitat has no known environmental consequences.

Energy consequences:

Allowed use (no protection):

Industrial uses may require large amounts of power for operation requiring additional infrastructure or development to support the demand.

Environmental Protection District protections:

A case by case analysis of industrial uses within specific sites should produce no known consequences.

Not allowed:

There are no known energy consequences of prohibition of industrial uses.

Conclusions/Recommendations:

Industrial uses pose significant potential environmental, social and energy consequences. These include adverse impacts like noise, erosion, pollution, nesting disturbance, and scenic disruption. Allowing without or minimal restrictions create a scenario where the uses are likely to adversely impact sensitive birds.

To balance environmental impacts and social consequences with potential economic and energy consequences, industrial uses should be required to meet conditional use criteria demonstrating no adverse impact to wildlife or, mitigation strategies that meet with approval of ODFW based on the EPD-12 required submission of a sensitive resource plan. Because many of the uses and activities are diverse, the ability to apply rules with discretion towards individual conditions provide for an equitable solution.

Conditional uses according to the Wasco County Land Use and Development Ordinance require the review of proposed uses and activities with findings made regarding adverse impacts. Evidence must demonstrate that the proposed use will have minimal impact from dust, noise, and odor during construction, will not significantly reduce or impair sensitive wildlife habitat and generally safeguard the air, water and land quality. Findings would also need to demonstrate how the proposed development does not impact the scenic aspect of wildlife and wildlife habitat.

Staff is recommending the continued application of conditional use criteria for industrial uses that allows for ODFW comment and mitigation in conjunction with the additional review of the site specific features required by EPD-12.

Commercial Energy Facilities:

(F-1, F-2, A-1, FF-10, TV-R)

Table 2: Industrial Uses and Activities by Zone

(SR (Subject to Review), CU (Conditional Use, NP (Not Permitted))

Industrial Use	F-1 (80)	F-2 (80)	A-1 (160)	FF-10	TV-R
Commercial Energy Facilities	CU	CU	CU	CU	CU

Disturbance and mortality to raptor and other avian species related to wind turbine facilities has been broadly studied since the 1980s. Recent research (Erickson, 2002) found that raptor mortality has been absent to very low at all newer generation wind plants studied in the U.S. This is in part due to the slower speeds of new generation facilities (Erickson, 2002). The main concerns with commercial energy projects are primarily with fatalities when birds come in to contact with wind turbine blades, but towers or solar panels near nesting sites may also serve as a disturbance.

Research suggests that a case-by-case approach is the most appropriate for limiting negative impacts and determining overall impact predictions (Erickson, 2002).

The public generally found commercial energy facilities to be in conflict with sensitive birds. ODFW has also been concerned about the impacts to sensitive birds which resulted in the development of new studies and buffers for species.

Commercial Energy Facilities ESEE Analysis

Economic consequences:

Allowed use (no protection):

If industrial development is allowed to occur in such a way that it creates the adverse impacts, the economic consequences may include: cost of future restoration or moving nesting sites to reestablish species.

Environmental Protection District protections:

The requirements of EPD 12 include additional findings and a moderately complex review, which made add time or money on to a permitting process.

Not allowed:

Eliminating the ability for energy development within sensitive bird habitat has tax revenue implications for Wasco County as well as limitations on employment opportunities, economic growth, and support for existing businesses. However, in most cases these can be mitigated by moving towers and other facilities outside of the buffer.

Social consequences:

Allowed use (no protection):

Allowing commercial energy facilities without protections could have significant social consequences. The facilities are typically developed at a scale and in the type of structures that doesn't blend with the natural environment.

Environmental Protection District protections:

There are limited social consequences to allowing commercial energy facilities with some restriction.

Not allowed

No social consequences have been indicated by prohibiting commercial energy facilities within sensitive bird buffers.

Environmental consequences:

Allowed use (no protection):

Allowing commercial energy facilities with limited protections has potential environmental consequences including disturbance of nesting, impacts to food, and impacts to habitat. Commercial energy projects and required construction typically occur at a scale and with materials that can be especially detrimental to the natural environment.

Noise is one of the most obvious adverse impacts of industrial uses that could threaten wildlife habitat. Machinery noise from manufacturing, storage yards, auto repair, or other activities can be disruptive to security, migration and reproduction. It also can impact the perceived human experience of the scenic and recreation resource. Additional traffic, particularly that of heavy machinery or trucks, can create noise, have leaks, or create ground disturbance. This can introduce a variety of pollutants to ground, which can, in turn, reduce the quality of food supply. This can also disrupt the scenic values by introducing noise that is at a higher volume than ambient.

Commercial energy facilities also often require site clearing and grading, with the retention of few if any natural resources on a site. They therefore can have more severe environmental effects than other uses.

There are significant potential environmental consequences for allowing industrial uses without additional protections.

Environmental Protection District protections:

There are no known environmental consequences of this strategy.

Not allowed:

Eliminating industrial uses within sensitive bird has no known environmental consequences.

Energy consequences:

Allowed use (no protection):

Any type of development has energy requirements, including those related to transportation to and from during construction and after completion of the energy facility.

Environmental Protection District protections:

Large scale commercial energy projects are subject to conditional reviews which allow for input from ODFW on adverse impacts and mitigation strategies. This allows for continued access or development of alternative energy sources while reducing or eliminating adverse impacts to sensitive wildlife and habitat. Some impacts, as a result of transportation to and from the site during development, still exist.

Not allowed:

Removing opportunities for the development of alternative energy could reduce the resiliency of Wasco County and its residence. Comments from the public indicated a concern in increased costs in the lack of availability of energy sources.

Conclusions/Recommendations:

Commercial energy facilities pose significant potential environmental, social and energy consequences. These include adverse impacts like noise, erosion, pollution, and scenic disruption as well disturbance to nesting sites. Allowing without or minimal restrictions create a scenario where the uses are likely to adversely impact sensitive birds.

To balance environmental impacts and social consequences with potential economic and energy consequences, commercial energy facilities uses should, at a minimum, be required to meet conditional use criteria demonstrating no adverse impact to wildlife or, mitigation strategies that meet with approval of ODFW. The added requirement of a sensitive wildlife plan will ensure there is clarity of the site, construction and development conditions to provide ODFW enough information to develop a site specific mitigation strategy.

Conditional uses according to the Wasco County Land Use and Development Ordinance require the review of proposed uses and activities with findings made regarding adverse impacts. Evidence must demonstrate that the proposed use will have minimal impact from dust, noise, and odor during construction, will not significantly reduce or impair sensitive birds and generally safeguard the air, water and land quality. Findings would also need to demonstrate how the proposed development does not impact the scenic aspect of wildlife and wildlife habitat.

Staff is recommending the continued application of conditional use criteria for commercial energy facilities that allows for ODFW comment and mitigation in conjunction with the additional review required by EPD-12.

Avian Power Line Interaction Committee (APLIC). 1996. *Suggested practices for raptor protection on power lines: the state of the art in 1996*. Edison Electric Institute/Raptor Res. Found., Washington, D.C. 125pp.

Blumstein, D. et al. (2003). *Testing a key assumption of wildlife buffer zones: is flight initiation distance a species-specific trait?* Biological Conservation; 110 (1), p. 97-100.

Brown, B.T. and L.E. Stevens. 1997. *Winter bald eagle distribution is inversely correlated with human activity along the Colorado River, Arizona*. J. Raptor Res. 31(1):7-10.

Environmental Protection Agency. (2013). *Our Built and Natural Environments: A Technical Review of the Interactions Among Land Use, Transportation, and Environmental Quality*. <https://www.epa.gov/sites/production/files/2014-03/documents/our-built-and-natural-environments.pdf>

Erickson, W. et al. (2002). *Synthesis and Comparison of Baseline avian and Bat Use, Raptor Nesting and mortality Information from Proposed and Existing Wind Developments*.

http://www.altamontsrcarchive.org/alt_doc/west_synthesis_and_comparison_etc_study_dec_2002_for_bpa.pdf

[Harness, R. \(2015\). Mitigation. Pp. 365-382 in D.M. Bird and K.L. Bildstein \(eds.\), Raptor research and management techniques, Hancock House, Surrey, British Columbia, Canada.](#)

Holmes, T.L., R.L. Knight, L. Stegall, and G.R. Craig. 1993. *Responses of wintering grassland raptors to human disturbance*. Wildl. Soc. Bull. 21:461-468.

Kennedy, P. (1980). *Raptor Baseline Studies in Energy Development*. Wildlife Society Bulletin; 8(20), p. 129-135.

Keyel, A., et al (2017). *Evaluating anthropogenic noise impacts on animals in natural areas*. <https://pdfs.semanticscholar.org/daa1/bfef87455d8e923496b188c2f6600b76306.pdf>

Knight, R.L. and S.K. Skagen. 1987. *Effects of recreational disturbance on birds of prey: a review*. Pages 355-359 in B.G. Pendleton, ed. Proc. of the western raptor management 36 symposium and workshop. Nat. Wildl. Fed., Washington, D.C.

Longcore, T. et al (2016). *Artificial night lighting and protected lands: ecological effects and management approaches*. Natural Resource Report.

Lucas, M. et al. (2008). *Collision fatality of raptors in wind farms does not depend on raptor abundance*. Journal of Applied Ecology; 45(6), p. 1695-1703.

Martinez-Abraín, A. et al. (2010). *A systematic review of the effects of recreational activities on nesting birds of prey*. Basic and Applied Ecology; 11 (4), p. 312-319.

Oregon Department of Fish and Wildlife. (2006). *The Oregon Conservation Strategy*. <https://www.oregonconservationstrategy.org/overview/>

Pejchar, L., et al (2015). *Consequences of residential development for biodiversity and human well-being*. Front Ecol Environ; 13(3), p. 146-153.

Natural Resources Conservation Service. (2008). *Urban Soil Erosion and Sediment Control: Conservation Practices for Protecting and Enhancing Soil and Water Resources in Growing and Changing Communities*. https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs141p2_034363.pdf

Richardson, C. et al. (1997). *Recommendations for Protecting Raptors from Human Disturbance: A Review*. Wildlife Society Bulletin; 25(3), p. 634-638.

Thompson, S.P., R.S. Johnstone, and C.D. Littlefield. 1982. *Nesting history of golden eagles in Malheur-Harney Lakes Basin, southeastern Oregon*. J. Raptor Res. 16(4):116-122.

US Fish and Wildlife (Utah Field Office) (2002). *Utah Field Office Guidelines for Raptor Protection from Human and Land Use Disturbances*.

Widén, P. (1994). Habitat Quality for Raptors: A Field Experiment. *Journal of Avian Biology*, 25(3), 219-223. doi:10.2307/3677078

Sensitive Turtle Habitat Location Quality and Quantity of the Resource

Biologists from the non-game division of ODFW and the USFS National Scenic Area Office have identified a series of ponds that provide critical Western Pond Turtle habitat. Wasco County reviewed the location information provided by ODFW and USFS for the sites along with the ownership patterns, parcel sizes and surrounding zoning and worked with ODFW to identify significant sites outside the Columbia River Gorge National Scenic Area that require Goal 5 protection. These sites are included in the inventory list and a mapped inventory is also included in the County's Comprehensive plan inventory section. The Western Pond Turtle is listed as a Critical Sensitive Species in Oregon. Habitat areas are mapped by ODFW as habitat for a wildlife species of concern or as a habitat of concern. All listed and mapped sites are deemed significant under OAR 660-023-0110 (4).

Significant Habitat areas extend into the Columbia River Gorge National Scenic Area (NSA) – General Management Area (GMA). A local ordinance has been adopted by Wasco County to implement the applicable GMA policies and guidelines in the NSA Management Plan. Further Goal 5 protection is not deemed necessary inside the NSA at this time. The only sites inventoried as significant are those sites located outside the NSA.

Significant sensitive habitat areas also provide distinct habitat values and are designated in accordance with their distinct functions to support the species. The core habitat area is inventoried and identified on the Western Pond Turtle Inventory Map. Upland management areas have also been identified and are also shown on the Western Pond Turtle Inventory Map. The function of each area, uses potentially in conflict with the function, and a program to protect the resource are discussed in the ESEE analysis.

Conflicting Uses

The significant core habitat and upland management areas for Western Pond Turtles are located on land zoned for resource use and non resource use. Two lots impacted by the upland management area are zoned for agricultural use. All remaining habitat areas are located on Forest Farm land with a 10 acre minimum lot size or Rural Residential land with a 10 acre minimum lot size. Conflicting uses generally consist of residential, driveway, or roadway construction, land divisions that may result in the need to locate improvements in identified upland management or core habitat areas. A majority of the parcels are developed with residential uses. Redevelopment or expansion on parcels in this area is a concern and must be

reviewed to limit potential impacts on sensitive resources. Specific conflicting uses are evaluated in the site specific ESEE analyses.

Economic, Social, Environmental and energy Consequences of Conserving Sensitive Western Pond Turtle Habitat

1. Economic consequences:
2. Social Consequences:
3. Environmental Consequences:
4. Energy Consequences:
5. Conclusions:

An ESEE analysis has been prepared that considers both the core habitat and the upland management area. The ESEE analysis once adopted becomes a part of the County's comprehensive plan inventory and provides the frame work for program adoption. As new sites are deemed significant due to the availability of additional information about the location or status of the site an ESEE analysis will be performed to provide the necessary framework for the protection of newly inventoried sites.

A Program to Conserve Sensitive Pond Turtle Habitat

The ESEE analysis done for both the core habitat and upland management areas helps the County to determine whether: the resource warrants protection to the point of prohibiting surrounding conflicting uses per OAR 660-023-0040 (5) (a), whether the conflicting uses should be allowed in a limited way that can protect the significant site to the desired extent per OAR 660-023-0040 (5) (b), or whether the conflicting use(s) warrant protection to the point of suspending resource protection measures without regard for the possible impacts to the resource site OAR 660-023-0040 (5) (c). A determination of whether to allow, limit, or prohibit identified conflicting uses has been made for each of the significant resource sites on the County's inventory. New sites deemed significant in the future will be subject to the same site specific determinations regarding the type or level of protection that should be afforded newly inventoried resource sites or areas before a program for protection is developed and adopted. The County shall amend its comprehensive plan so that the determinations will be included with the ESEE analyses for additional significant sites or areas in the same manner as those currently inventoried.

ESEE ANALYSIS – Western Pond Turtle Sensitive Habitat Area Inventory

The western pond turtle is listed as a critical sensitive species in Oregon. The Oregon Department of Fish and Wildlife (ODFW) in cooperation with the U.S. Forest Service has identified a population of western pond turtles along Morganson Road within Township 2N, Range 12E, Sections 7,8,9,17 and 16B. The population of western pond turtles along Morganson Road inhabits lands that are primarily zoned for rural residential uses. Most of the parcels are developed with residential uses. At the time this ESEE was developed three undeveloped parcels of land are considered to be impacted by inventoried significant sensitive habitat area. The sensitive habitat area is made up of:

1. Core habitat, consisting of the ponds, known or likely nesting habitats, and corridors between and to other nearby ponds that interconnect these ponds; and
2. Upland management area, an area in which nesting may take place and in which land uses may be limited to protect the core habitat values.

The core habitat and upland management areas are designated on the Western Pond Turtle Map in the County's Comprehensive Plan inventory section.

Sensitive Habitat Area Characteristics

A. Core Habitat

The biology of the turtle indicates that there are four critical habitat components which must be protected to ensure a viable turtle population:

1. Ponds such as the Six large primary ponds A, B, C, D, I, and J at the Morgansen Road area. Both the primary ponds and related secondary ponds E, F,G, and H are critical to this habitat area though the secondary ponds are considered less important due to size, location or existing developments and land uses;
2. Known or likely nesting habitats surrounding the ponds;
3. Corridors between and to other nearby ponds; and
4. Water quality and quantity

The core habitats (ponds and corridors) are considered together due to their close proximity and because their protection measures are the same and overlay each other spatially. The ponds are the primary water habitats for adult turtles and where they obtain most of their food. Ponds where turtles are known to occur and where existing land uses are minimal were considered critical. This includes ponds A, B, C, D, I and J. Some ponds already have human dwellings and other developments immediately adjacent to them and were not considered critical, such as ponds G and H. Ponds E and F are not known to have turtles.

Primary ponds (A, B, C, D, I, J) and their potential adjacent nesting habitats require a 600 ft. no disturbance buffer to protect the resource. The inventoried 600 ft. core habitat area is decreased if the habitat is altered or determined to be of decreased value due to topographic aspect or because of impacts related to existing development. All buffer zones are measured horizontally from the edge of a pond or wetland and from the ordinary high watermark on each

side of a stream. Although ponds E and F are not known to be used by the western pond turtles, protection of these ponds is important in supporting the core habitat. A 150' foot buffer around each secondary pond and a connectivity corridor with a 150 ft. buffer was considered minimal. No core habitat was identified around Ponds G and H because of the existing adjacent land uses and the impacts they already pose. The existing buffers that apply to ponds G and H are per the Wasco County ordinance which requires a 100 ft. setback.

A 150 "no disturbance" buffer around the stream connectivity corridors is considered minimal. These corridors ensure that the turtles have an undisturbed route by which they can move from one pond to another. Movement along the corridors to other ponds may be critical in helping the turtles disperse to other areas and to encourage genetic out-breeding. It is common for food sources to dry up in some areas while not in others; if the individuals cannot move to more plentiful food sources, then the population becomes threatened.. Although the 150 ft. corridor buffers were diminished in some instances due to previous developments or land uses, the full buffer width was applied to most of the stream corridors.

Pond I is the only pond located outside the National Scenic Area. This pond and a narrow strip of core habitat area providing connectivity along a length of drainage way that follows the NSA boundary just west of pond I are the only core habitat areas located beyond the NSA boundary and subject to protection through the County's goal 5 process.

The core habitat is considered a no disturbance buffer in the Management Plan for the Western Pond turtle population on Morganson Road, Oregon prepared by the Forest Service and ODFW. "No disturbance" is defined to mean:

1. No new building construction
2. No new agricultural cultivation
3. No motor vehicle use, except for those required to maintain existing utilities and road; use of existing roads; and use for enhancement projects.
4. No livestock use.
5. No new ground disturbance
6. No livestock grazing

The no disturbance limitations have been applied inside the National Scenic area through implementation of the National Scenic Area Ordinances. Application of a compatible set of sensitive area protection measures will be accomplished outside the National Scenic Area through adoption and implementation of a Goal 5 program.

Upland Management Area

The upland management area consists of upland nesting/hibernation areas and can be up to ¼ mile (1320 feet) from the ponds. In the spring (May-June) gravid females leave their water habitat and search for a nesting site which can be up to ¼ mile away from ponds or streams.

The eggs are laid in nests excavated in the soil, in a sunny and warm location. The females then return to their water habitat. There is some evidence that the females return to the same nesting site year after year. The loss or disturbance of nesting sites could have significant implications to these relatively small populations.

The eggs hatch within about 75 days but do not emerge from the nest until the following spring. The young turtles then attempt to reach the water. Whenever the turtles are away from the water, they are vulnerable to being crushed by heavy livestock or vehicles. Overgrazing will diminish suitable vegetation cover for hibernation.

The following table lists the parcels entirely or partially within the sensitive habitat area (core habitat and upland management areas) outside the NSA and subject to Wasco County's Land Use Ordinance and Comprehensive Plan. A majority of the sensitive habitat area is within the National Scenic Area. These areas are adequately protected by the Management Plan and National Scenic Area Ordinance criteria.

Western Pond Turtle Sensitive Habitat Area – Impacted Parcels					
Map and Lot #	Zone	Size	Ownership	Developed Undeveloped	Core Habitat (CH) Upland Management (UM)
2N 12 7:2700	A-1(40)/GMA	23.08	Private	Dev	UM
2N 12 7:2800	A-1(40)/GMA	20	Private	Dev	UM
2N 12 8:1900	F-F(10)/GMA	10.03	Private	Undeveloped	CH/UM
2N 12 8:2100	F-F(10)/GMA	9.56	Private	Undeveloped	CH/UM
2N 12 8:2200	F-F(10)	10.02	Private	Dev	UM
2N 12 8:2300	F-F(10)	9.81	Private	Dev	CH/UM
2N 12 17:400	R-R(10)	10	Private	Dev	UM
2N 12 17:100	R-R(10)	9.5	Private	Dev	CH/UM
2N 12 17:200	R-R(10)	10.05	Private	Dev	CH/UM
2N 12 17:300	R-R(10)	10.06	Private	Dev	UM
2N 12 17:1200	R-R(10)	10.07	Private	Undeveloped	UM
2N 12 17:1300	R-R(10)	10.07	Private	Dev	UM
2N 12 17: 1400	R-R(10)	10.10	Private	Dev	UM
2N 12 17:1600	R-R(10)	10	Private	Dev	UM
2N 12 17:1700	R-R(10)	10	Private	Dev	UM
2N 12 16B:1000	R-R(10)	1.17	Private	Dev	UM

Conflicts Identification

Potentially Conflicting Uses within the Sensitive Habitat area are discussed below following the list of uses permitted outright or conditionally in affected zones.

A. A-1(40) - Exclusive Farm Use Zone – Section 3.210

Uses Permitted Outright:

1. Farm use defined by ORS 215.203
2. Buildings customarily provided in conjunction with farm use.
3. Dwelling provided in conjunction with farm use subject to section 3.210
4. Dwelling for farm use occupied by a relative on the same parcel as farm operator's dwelling
5. Lot of Record dwelling which does not otherwise qualify for a dwelling on less than 80 acres which meets the standards of this section
6. Propagation and harvesting of a forest product.
7. Public or private schools
8. Churches except within three miles of an urban growth boundary.
9. Utility facilities

Uses Permitted Conditionally: In a A-1 Zone, the following may be permitted when authorized in accordance with the requirements of this Ordinance::

1. A dwelling not in conjunction with farm use subject to 3.210(F).
2. Operation conducted for mining.
3. A site for disposal of solid waster under ORS 459.245.
4. Home occupation carried on by the resident as an accessory use within their dwelling or other building customarily provided in conjunction with farm use.
5. Dog Kennels
6. Personal use airports
7. Golf courses
8. Commercial utility facilities
9. Private parks, playgrounds, and campgrounds except that such uses are prohibited on high value farmland.

B. F-F (10) – Farm Forest Zone- Section 3.220

Uses Permitted Outright:

1. Farm use
2. A single family dwelling and other buildings and accessory uses in conjunction with forest or farm use

3. Propagation or harvesting of a forest product
4. Subdivisions
5. Planned Unit Developments
5. Breeding, boarding and training horses for profit

Uses Permitted Conditionally: In a F-F Zone, the following may be permitted when authorized in accordance with the requirements of this Ordinance::

1. Additional single family dwellings in conjunction with a commercial farm or forest use subject to income requirements
2. A single family dwelling not in conjunction with a farm or forest use
3. Commercial activities in conjunction with farm use
3. Exploration ,mining, and processing of aggregate resources
4. Private parks, playgrounds, hunting and fishing preserves and campgrounds.
5. Parks, playgrounds, or community center owned and operated by a governmental agency or non-profit organization
6. Home occupations
7. Personal use airports
8. Public or private schools
9. Churches
10. Sanitary landfill
11. Kennels

C. R-R Rural Residential Zone – Section 3.250

Uses Permitted Outright

1. A single family dwelling subject to standards
2. A single family dwelling and other buildings and accessory uses in conjunction with forest or farm use
3. Propagation or harvesting of a forest product
4. Subdivisions
5. Planned Unit Developments
6. Breeding, boarding and training horses for profit

Uses Permitted Conditionally in the RR zone - In the R-R Zone, the following may be permitted when authorized in accordance with the requirements of this Ordinance:

1. Commercial activities in conjunction with farm use
3. Commercial activities in conjunction with farm use
7. Exploration ,mining, and processing of aggregate resources
8. Private parks, playgrounds, hunting and fishing preserves and campgrounds.
9. Parks, playgrounds, or community center owned and operated by a governmental agency or non-profit organization

10. Home occupations
11. Personal use airports
12. Public or private schools
13. Churches
14. Sanitary landfill
15. Kennels

The significant conflicting uses in the above zones would be farm uses including cultivation of land and grazing. Cultivation would destroy and/or disturb nesting sites which could have significant implications to these relatively small populations. Grazing is a conflict because whenever the turtles are away from the water they are vulnerable to being crushed by livestock. Overgrazing will also often diminish suitable vegetation cover for hibernation with resulting loss due to exposure or predation.

Another important conflict to the turtles arises from the existing and future roads and driveways within the buffer area because whenever the turtles are away from the water they are vulnerable to being crushed by vehicles.

Residential building construction within the buffer area would also destroy and/or disturb nesting sites located most frequently on sunny south facing slopes. Continued habitation and landscaping around a dwelling will also diminish suitable vegetative cover for hibernation and nesting.

Water quantity can be altered by use of existing or future water rights to the waters of the ponds. The only presently known water right is on pond A. In the long term, present water rights should be discontinued when appropriate alternatives are found. Future water rights should not be given for any of the water bodies or streams in the sensitive area.

Water quality will most likely be influenced by influx of pesticides from adjacent land uses, from sedimentation due to soil erosion, and from spillage of toxic compounds. All of these are unlikely to occur or directly influence the core water habitat if the upland management area is used in a manner consistent with the goal 5 program.

Economic, Social, Environmental and Energy Consequences Analysis.

A. Economic Consequences

1. *Core Habitat Area*

The limited land area designated core habitat area limits the economic consequences that would result from regulatory steps taken to protect the resource. Vehicular access to portions of the parcel separated from public or private roads by core habitat area will need

to be provided for in some instances to ensure a loss of use of the property does not result. Existing drives will be used when ever possible. Agricultural practices will not be limited in the EFU (A-1 Zone). Limitations on grazing and new cultivation in core habitat areas in non resource zones may result in inconvenience but will not result in serious economic impacts. Typical parcel sizes outside the EFU zone are 10 acres or less. These parcels will not support commercial cattle or other uses reliant on the feeding and care of numerous large cloven hoofed animals. Location of buildings, other structures, and ground disturbing activities outside the core habitat area will not result in serious economic impact due to the large amount of ground available outside the core habitat area. Most parcels impacted by the overlay are developed with residential uses and limitations on development, redevelopment, or expansion of existing uses will be balanced against the need to accommodate reasonable uses on the rural residential parcels while limiting conflicting uses in a manner that will adequately protect resources. The limited extent of the core habitat area will help ensure that necessary protection measures are not applied over large areas of many parcels. The greatest concern regarding the need to balance required access to developable portions of a property against the need to avoid impacts in the core habitat area would be expected to be on parcel 2100.

2. Upland Management Area

Reviewing and potentially limiting new agricultural cultivation and grazing for FF and RR zoned parcels would not have significant economic impact on the County but could prove inconvenient and Costly to the individual land owner. Though the parcels are not generally managed for commercial agricultural production and the lot sizes are not consistent with accepted commercial scale farm management, it is not uncommon for residents in this rural area to have a horse, small orchard, or other small scale agricultural activity. It is important that all agricultural disturbance not be completely excluded in the upland management area. A Site Plan review process will identify allowable ground disturbances and allow limited agricultural activities in most instances. Likewise, however, such ground disturbances must be subject to review, in order to ensure that impacts to significant sensitive habitat are avoided wherever possible.

There are two parcels in the A-1 zone which total 48 acres. No restrictions on accepted agricultural practices are to be imposed upon Exclusive Farm Use or A-1 zones. Though the economic impact on commercial farming related to proposed limitations is limited by the limited number of parcels containing upland management area, the state law precluding state, city or county agencies from limiting agricultural use in the A-1 zone prevents any economic impact on these areas.

Limiting the location of residential development would not reduce the value of the property. No prohibition of development is being considered. A dwelling is anticipated to be sited on each legal parcel even where an entire parcel is located within the Upland management area. Site Plan Review will enable the site to be selected to avoid impact to valuable areas within the Upland management area and to minimize impacts if impacts cannot be avoided. Parcel sizes provide some flexibility with regard to siting of dwellings

and driveways or private easement roads. Parcel sizes within the sensitive habitat area are not large enough to support further subdivision so no value related to prospective additional home sites will be lost. Two of the three parcels within the sensitive habitat area that were vacant at the time this ESEE was performed, are predominantly covered by upland management area. A single family home site will be able to be provided on each vacant parcel through the site plan review process to preclude any economic loss to the current or future owner related to the program to protect the resource.

Limiting new water rights could prevent some irrigated farm uses in the FF and RR zones. The review of water rights is outside of the purview of the zoning ordinance and Wasco County and is within the jurisdiction of the State Water master.

B. Social Consequences

1. Core Habitat Area

The social consequence of allowing unregulated conflicting uses in the core habitat area would be degradation or elimination of critical habitat and a potential loss of a visible species that inspires public interest.

A prohibition on all ground disturbance in the core habitat area, however could potentially deprive a land owner of basic use of their property, particularly where access through a core habitat area to a less sensitive upland area is needed. The limited extent of the core habitat area should minimize the need for flexibility to allow disturbance where it cannot otherwise be avoided without depriving a land owner of the basic use of their property.

Strict limitations on disturbance within the core habitat area is needed to preserve a very visible and interesting species, however, a degree of balancing may be necessary in very specific instances to ensure an entire parcel is not rendered inaccessible or undevelopable due to limitations on ground disturbances in the core habitat .

2. Upland Management Area

Prohibiting residential development (driveways and roads included) within the upland habitat area would have a social impact as property owners would be unable to develop their property in a manner consistent with the rural surroundings.

Limiting the location, and in some instances the timing, of development and ground disturbing activities would have less impact because homes could still be constructed on each parcel and land use practices typically employed in a rural area could be continued to some permissible extent on areas determined to be less sensitive to disturbance.

C. Environmental Consequences

1. Core Habitat Area

The environmental consequence of allowing unregulated development in the core habitat area would be direct impacts on the core habitat area that could be expected to result in the loss of nesting sites and the continued loss of population leading to the potential for the extinction of the species.

The prohibition of conflicting uses within the core habitat area would have only positive environmental consequences.

2. Upland Management Area

Unregulated development in the upland management area might include the establishment of residences, roads, and other ground disturbing activities which would require removal of native vegetation which could provide cover for hibernation and predation or allow chemicals or pollutants to be transferred into the core habitat area. Though less direct, these secondary impacts, left unchecked would be expected to be detrimental to the habitat area and the species as a whole.

The prohibition of conflicting uses within the upland management area, though not reasonable based on the social or economic consequences, would likely be preferable from a strictly environmental perspective. A balancing of these issues should allow for development and redevelopment to occur in a reasonable fashion within the upland habitat area without directly or indirectly adversely impacting the core habitat area or the overall health of the species and its habitat.

D. Energy Consequences

Core Habitat Area and Upland Management Area

The energy consequence of allowing residential development and other potentially conflicting uses are the increased use of fuels for transportation of materials to support continued development and redevelopment, consumption of fuels for transportation to and from home if rural residents can be expected to inhabit population centers if rural housing options are lost, and the increased cost of other services such as law enforcement and fire protection outside existing cities and communities.

The potential negative energy consequences for prohibiting development in the sensitive habitat area would be to encourage growth to continue further out from the population centers of Mosier and The Dalles. The area at Morganson Road is a relatively high demand area and the lack of rural dwelling opportunities in this area could be expected to transfer the demand for rural living further out increasing the energy costs to commute from and serve the areas further removed.

5. Program to Meet Goal 5.

Based on the ESEE consequences the County finds that both the sensitive resource area and some of the conflicting uses (residential and agricultural development in the A-1 Zone and access to some portions of parcels) are important relative to each other and should be balanced to allow the conflicting uses in a limited way (OAR 660-23-040(5)(b). and ; in some instances the resource site is more important than the conflicting uses (building and new public road construction and cultivation and grazing in RR-FF zones and) and should be prohibited (OAR 660-23-040(5)(a).

Core Habitat Area

1. In order to protect the core water habitat uses permitted outright and conditional uses except accepted farm practices on Exclusive Farm Use Land are not allowed within the core habitat area. The core habitat will be considered a no disturbance area and new disturbances will be allowed only in extremely limited situations where the use must be allowed to protect a substantive property right of the land owner and the use cannot be accommodated outside the core habitat area. This circumstance is not anticipated to arise. New ground disturbances are expected to be permitted in the core habitat area only in the most extreme circumstance and mitigation measures including monitoring for success of the mitigation effort will be required if a disturbance is allowed.
2. Wasco County will notify Oregon State Division of State Lands (DSL) of this habitat based limitation on disturbance by sending them maps and text describing the limitation. This coordination will be done to help decrease confusion should an independent party contact DSL regarding removal fill permit requirements in a wetland or riparian area. The County will request that DSL inform anyone making inquiry about ground disturbing activities in the wetland or riparian areas that activities in the core habitat area are limited and local sensitive habitat review may be required by the County prior to any new ground disturbance.

Upland Management Area

3. The upland management area will be managed for protection of critical nesting habitat primarily consisting of those areas having a south or west aspect and suitable vegetation and the area between these areas and the core habitat. New ground disturbance

including construction activities for expansion, maintenance, replacement of existing structures or construction of new structures, utilities replacement or maintenance, and new utilities requiring a building permit from the Wasco County Planning Department or septic installation requiring a permit for the Health Department shall be subject to a site plan review by the County and by the Oregon Department of Fish and Wildlife as part of the County's review to determine how the proposed development is or can be made to be compatible with the protection of the habitat.

Sensitive Habitat Area	Start of Peak Sensitivity	End of Peak Sensitivity
Core Habitat Area	Year round	None
Upland Management Area	May	September

4. Maintenance and repair of existing structures not requiring a construction permit, permitted work conducted within an enclosed structure creating no new ground disturbance, or repair of a failing septic system are exempt from this requirement.

Wild and Scenic River

The White River was designated a Federal Wild and Scenic River on October 28, 1988. Historically, Wasco County has protected the White River through EPD-7, which includes protections for natural areas and the Oregon Scenic Waterways. Oregon Administrative Rules 660-023-0120 requires at periodic review for Wasco County to ensure the Wild and Scenic River is clearly addressed as a Goal 5 resource. Because the 1983 plan was written anticipating the designation but prior to the federal management plan, the requirement that the resource be protected consistent with the White River Management Plan has never been formally evaluated.

To fulfill this requirement during the Wasco County 2040 update, staff conducted an ESEE analysis of the White River and impacted areas to determine protections.

ESEE Analysis for the White River

Executive Summary

The White River originates from the eastern slope of Mt. Hood at the White River glacier, and flows 47 miles through two wilderness areas before converging with the Deschutes River.

The White River was designated a National Wild and Scenic River on October 26, 1988. The Wild and Scenic Rivers Act required the Bureau of Land Management (BLM) and the US Forest Service (USFS) to develop a management plan for the river. A Management Plan for the White River was adopted in 1990 and amended in 2015.

During the Management Plan development process an environmental assessment was conducted. The Environmental Assessment for the White River provides a summary of White River values and issues. The outstandingly remarkable values include geology, hydrology, botany, fish habitat and populations, wildlife habitat and populations, historic resources, recreation and scenic resources. The issues listed are commodity production, recreation management, water quality, vegetation management, public/private lands conflicts, and final corridor and viewshed boundaries.

For the segment within Wasco County, the following particular assets are called out in the narrative: hydrology, botany, fish habitat (particularly White River redband rainbow trout and the introduction of Chinook salmon), and historic resources.

Portions of the upper White River are surrounded by public lands that are managed through Federal efforts. The majority of the segment through Wasco County is privately owned and as a result, the BLM has no direct administration of land uses. However, it is expressly stated in the Environmental Assessment that mandated intergovernmental coordination and plan consistency are critical foundations of the Wild and Scenic Rivers Act.

The Environmental Assessment also states that the “Wild and Scenic Rivers Act envisioned high reliance of local comprehensive plans to achieve the Act’s objectives”. During the BLM environmental assessment, they reviewed the Wasco County Comprehensive Plan and Land Use and Development Ordinance (LUDO) and found that, coupled with topographical constraints, Environmental Protection District 7 (EPD-7) adequately protects the resource. The assessment goes on to state that it’s recommended “Wasco County incorporate the river plan’s recommendations as appropriate.”

Oregon Administrative Rules (OAR) 660-023, which relates to inventory, analysis and protection for Goal 5 resources provides insight into how jurisdictions should manage Federal Wild and Scenic Rivers. First, the “impact area” is defined by the Wild and Scenic River corridor already established by the federal government. Second, an Economic, Social, Environmental and Energy (ESEE) Analysis must be conducted to determine conflicting uses within the impact area. Once the conflicting uses have been established, a program to protect the Federal Wild and Scenic River must be adopted.

Wasco County currently protects the White River through an overlay zone; EPD-7 requires all permitted uses within the overlay zone be treated as conditional uses. This allows the decision maker to apply additional criteria to more accurately determine potential adverse impacts and mitigate impacts through conditions or deny the application based on impact.

An interpretation from the Wasco County Board of Commissioners has resulted in conditional uses in the underlying zones within EPD-7 to be considered prohibited. The required ESEE analysis will help determine whether that is a necessary protective measure for the resource.

The White River Management Plan

The White River is surrounded by forest, agricultural and residential lands. These lands present a variety of opportunities for land use and activities which conflict with the federal program for protection. The BLM White River Management Plan provides the following general resource management goals:

- *Protect the river's free-flowing character and protect and enhance its outstandingly remarkable values.*
- *Provide opportunities for a wide range of recreation opportunities along the river corridor managed to prevent degradation of the outstandingly remarkable values.*
- *Protect and enhance the quality and quantity of river water. Maintain acceptable levels of water temperature, suspended sediment, and chemicals.*
- *Identify, provide, and protect instream flows which are necessary to maintain and/or enhance the outstandingly remarkable values of White River.*
- *Protect and enhance habitat for fish and wildlife species.*
- *Protect threatened, endangered, and sensitive species of plants, fish and wildlife found in the corridor.*
- *Protect culturally significant features and resources.*
- *Maintain and/or enhance the integrated ecological functions of rivers, streams, floodplains, wetlands, and associated riparian areas.*
- *Protect, and where necessary, seek to restore the natural ecological and hydrologic functioning along the river.*
- *Provide for plant and plant community diversity and maintain and/or enhance healthy functioning ecosystems to sustain long-term productivity.*
- *Help reduce conflicts between recreation users and private property owners and reduce trespass on private property.*
- *Strive for a balance of resource use and permit other activities to the extent that they protect and enhance the quality of the river's outstandingly remarkable values.*
- *Develop a partnership among landowners; county, State, and tribal governments; and federal agencies in deciding the future of White River and share in management responsibilities for the river.*
- *Strive to develop effective, compatible, and consistent land use management through coordination with local land use planning authorities.*
- *Emphasize user education and information. Establish as few regulations as possible and ensure that any regulations established are enforceable and enforced.*
- *Foster cooperative interpretation and environmental education efforts.*
- *Consider the needs of local communities regarding economic development. Recognize that the public with its varied needs as partners and participants in managing the river corridor through awareness, interaction, and communication.*
- *Require all developments to harmonize with the natural environment.*
- *Have a management plan that is reasonable, cost-effective, and viable and that achieves protection of the river's outstandingly remarkable values.*

The White River in Wasco County

The Environmental Assessment offers some additional insights on County zoning, including the statement: "Wasco County and The Nature Conservancy designated White River Canyon as a Natural Area and placed the area in the Environmental Protection District zone." It also details

some of the uses that occurred in the 1990s in Wasco County along the White River corridor, including agriculture.

OAR 660-023-0040 (2) requires an examination of all zones within the impact area of the resource to understand possible conflicting uses. These are typically land uses allowed outright or conditionally by the zone. As indicated by Figure 1, the majority of land surrounding the White River in Wasco County is zoned F-2 (80) (Forest) or A-1 (160) (Exclusive Farm Use). These resource zones are intended to preserve forest and farm operations and activities while restricting more urban uses, like residential and commercial. Properties tend to be large in size.

The river also runs through the Tygh Valley rural service area, which includes a variety of zones and uses including residential, commercial and industrial. The White River Management Plan describes Tygh Valley as “an agrarian community complimented by a free-flowing, natural-appearing river” (BLM, 20). The industrial sites were formerly part of a mill that has been closed for several decades and is available for redevelopment. Tygh Valley’s dense scale development is impeded by sanitary waste and water limitations.

All of these zones permit a variety of uses and activities according to different review criteria. Within the EPD-7 overlay zone, the additional restriction of treating all permitted uses like conditional uses is applied. However, no analysis has been done to date to determine which specific uses or activities conflict with the resource.

Conflicting uses are defined by OAR 660-023-0010 as a “land use, or other activity reasonably and customarily subject to land use regulations that could adversely affect a significant Goal 5 resources.” The definition states that local jurisdictions are “not required to regard agricultural practices as conflicting uses.” These means that all non-agricultural practices and uses permitted in these zones must be examined for adverse impacts.

Based on the Federal White River Management Plan, protection measures are focused on the quality and quantity of the river as well as preserving the conditions, like temperature and sediment. Emphasis is on maintaining health, functioning ecosystems for ecological and hydrological function as well as serving as habitat to wildlife and endangered and sensitive species of plants, fish and animals. Outstanding values are also the scenic and recreation opportunities. While some of the recreation and scenic viewpoints or access points are limited in the Wasco County portion of the White River, there is still value in acknowledging these points in determining conflicting uses and impacts.

The Federal White River Management Plan also emphasizes education and outreach in favor of more regulation and that all developments should “harmonize with the natural environment”.

What follows is an analysis of the main categories of uses: residential, commercial and industrial. As proscribed by OAR 660-023, three protection alternatives are evaluated against these conflicting uses to determine what might be the most efficient, effective and equitable approach to protecting the White River.

Based on current practice and models, staff is recommended the following three alternative scenarios for protection:

Allowed use:

This possible scenario would permit uses and activities, as allowed by the Wasco County Land Use and Development Ordinance, without additional criteria or regulations. Currently, the White River is protected under riparian setbacks and floodplain regulations that create a buffer around the waterway. This would not prohibit permitted uses and activities in the underlying zones that occur outside of riparian setbacks or the floodplain buffer.

Environmental Protection District protections:

Currently, the White River is protected by the Environmental Protection District – 7, a natural areas overlay that requires all permitted uses be treated as a conditional use. A current Board of County Commissioner interpretation of the language prohibits conditional uses in the underlying zone to be permitted.

This possible scenario would permit uses and activities with additional standards and analysis as required by conditional use permits. Clarification over which uses can be permitted (all uses allowed in the zone or only those permitted subject to standards or outright) should be incorporated into any revisions of this protection.

Not allowed

Prohibiting uses which demonstrate significant impact and consequences is a possible option for protecting the White River.

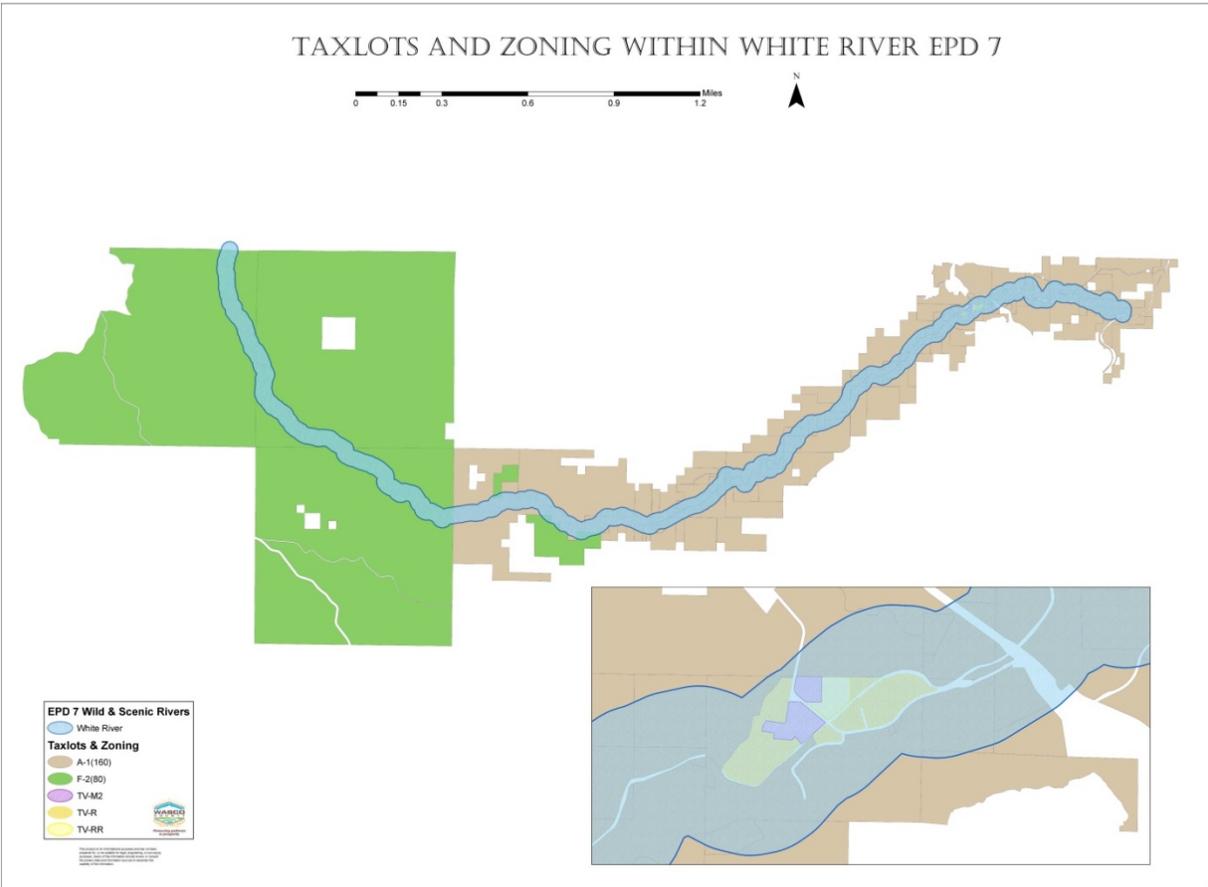


Figure 5.4- Zoning surrounding the White River in Wasco County

Conflicting Uses

The next section analyzes the three categories of development activity, residential, commercial, and industrial, and defines potential conflicts. Each use is evaluated according to the ESEE consequences and finally, a recommendation for protection is made.

Residential ESEE Analysis

Economic consequences:

Allowed use (no protection beyond EPD-1 and setbacks):
 If residential development is allowed to occur, the economic consequences may include: cost of future clean up and restoration of protected resources, infrastructure costs for diminishing water capacity, and fines as a result of not meeting Clean Water Act standards.

Environmental Protection District protections:

Current practice is to protect the White River from residential development through additional setbacks in the EPD-7 Natural Areas Overlay. This requires additional findings and a moderately complex review, which made add time or money on to a permitting process. If residential development is not appropriately mitigated through design or conditions, this option may carry with it similar consequences to allowed use without additional protection.

Not allowed:

Eliminating the ability to build a residence along the White River has tax revenue implications for Wasco County and leaves the County open to potential litigation risk over takings issues.

Social consequences:

Allowed use (no protection beyond EPD-1 and setbacks):

With the exception of impacts as described, allowing residential uses without additional protections has limited social consequences.

Environmental Protection District protections:

Current practice is to protect the White River through additional setbacks in the EPD-7 Natural Areas Overlay. There are no known social consequences, and these protections offer mitigation to some of the impacts that have a connection to social values including aesthetics and recreation.

Not allowed

Prohibiting residential activity may increase opportunities for recreation or scenic viewing, but will further compound housing needs throughout the county and contribute to further limit supply. Limited housing opportunities can have the impact of making the rural service area, Tygh Valley, increasingly unviable.

Environmental consequences:

Allowed use (no protection beyond EPD-1 and setbacks):

Allowing residential uses has potential environmental consequences including impacts to ground water quality, disturbance of wildlife and fish habitat, and the introduction of pollutants to the resource. Construction and development waste and disturbance and human occupancy related disturbance have been demonstrated to have significant impact on the natural resource.

Environmental Protection District protections:

Current practice is to protect the White River through additional setbacks in the EPD-7 Natural Areas Overlay. This requires a conditional use review for all permitted uses and the development of findings which demonstrate the natural value will not be damaged by the use or activity. Mitigation for impacts to ground water, habitat, and river quality can be managed through permit conditions.

Not allowed:

Eliminating the ability to build a residence along the White River has no known environmental consequences.

Energy consequences:

Allowed use (no protection beyond EPD-1 and setbacks):

There are no known energy consequences of allowing residential uses.

Environmental Protection District protections:

There are no known energy consequences of allowing residential uses with some limitations.

Not allowed:

There are no known energy consequences of not allowing residential uses.

Conclusions/Recommendations:

Allowing residential uses without additional criteria or restriction does not ensure for protection of the resource in keeping with the federal management plan. Because all residential development carries with it potential for adverse impacts to the White River, a review requiring consideration of impacts and mitigation would be most consistent with the management plan. This, in turn, is consistent with a conditional use permit review process.

Conditional uses according to the Wasco County Land Use and Development Ordinance require the review of proposed uses and activities with findings on adverse impacts. Findings, based on evidence in the record, must demonstrate that the proposed use will have minimal impact from dust, noise, and odor during construction, will not significantly reduce or impair sensitive wildlife habitat, subject the ground to excessive soil erosion, and generally safeguard the air, water and land quality. The majority of impacts from residential uses are potential erosion, noise, and pollution. Through the application of conditions, these impacts can be reduced or eliminated.

The economic and social consequences of prohibiting residential uses to Wasco County and Wasco County residents suggests more long term, sustained adversity than a mitigation strategy through conditional use. Risk of litigation, loss of tax revenue, and compounding limited housing supply have the potential to have serious negative impacts on Wasco County.

Staff is recommending all permitted residential uses be allowed as conditional uses to help mitigate impacts to the resource while preventing identified economic and social consequences.

Commercial Uses: (A-1, F-2, TV-R, TV-RR)

Commercial uses in conjunction with resource uses are permitted in both resource zones. In addition, there are some additional non-resource commercial uses that may be permitted in A-1 and F-2.

Table 1: Commercial Uses and Activities by Zone
(SR (Subject to Review), CU (Conditional Use, NP (Not Permitted))

Commercial Use	A-1 (160)	F-2 (80)	TV-R	TV-RR
Winery	SR	NP	NP	NP
Farm Processing	CU	NP	NP	NP
Forest Processing	NP	SR	NP	NP
Farm Ranch Recreation	CU	NP	NP	NP
Home Occupation	CU	CU	CU	NP
Bed and Breakfast	CU	NP	CU	NP
Dog Kennels	CU	NP	NP	NP
Private Park, Campground, Playground	CU	CU	CU	NP
Golf Course	CU	NP	CU	NP
Fee Hunting/fishing Accommodations	NP	CU	NP	NP
Youth Camps	NP	CU	NP	NP
Public Park	CU	CU	CU	CU
Cemetery	SR	CU	NP	CU
Firearms Training Facility	NP	CU	NP	NP
Mobile Home Park	NP	NP	CU	NP
Retirement Center/nursing Home	NP	NP	CU	NP

Wineries in A-1 consist of growing grapes, processing, and manufacturing. Some agro-tourism activities also can be permitted with wineries. The commercial aspect involves a structure often with associated parking, outbuildings, landscaping and access road. Building placement and developing these assets typically involves clearing the existing vegetation. The loss of vegetation can lead to habitat loss, soil erosion, and pollution of the resource.

Once the buildings are in place, occupancy from workers and visitors can contribute light and noise pollution, pollution from vehicles and other human activity, and other disruptions to the natural environment. The structures and activity also impact the natural scenic beauty of the area through introduction of the built environment.

Farm and Forest Processing have similar impacts, although the frequency or volume of visitors is significantly reduced.

Farm Ranch Recreation, and Bed and Breakfast lodging, which consists of visitors staying and recreating on farms, has similar impacts to wineries, with the primary difference being in production and overnight occupancy. Visitors engaging with the wildlife, or infrastructure built for recreation, may create erosion, pollution, or general disturbances to wildlife habitat. In the forest zone, fee hunting and fishing accommodations share impacts to farm accommodations.

Home Occupations carry with them the same impacts as residences plus any additional disturbances caused by the business related activity. Impacts are similar but amplified.

Dog Kennels carry impacts of residences with increased impact of animal and customer activity. The noise from animals can be disruptive to recreational values as well as natural values as habitat. Animal waste, depending on disposal, can also potentially become a pollutant to the river.

Golf Courses typically have limited structures but intensely landscaped property which could result in significant problems with erosion, invasive species, and destruction of habitat. Pollutants as a result of landscape may also get introduced to the resource from runoff or leeching.

Private and Public Parks or Campgrounds may include landscaping, infrastructure for recreation, or other modifications to the landscape that may contribute to river pollutants, alter the scenic resource, or introduce noise and other human impacts to the natural environment.

Youth Camps typically involve overnight lodging, facilities for gathering and eating, and recreation resources. The density of people, required infrastructure, and activity associated with a youth camp could have impacts to wildlife, habitat, and introduce a variety of pollution sources to the resource site.

Cemeteries, as a result of organic and inorganic decomposition, can introduce pollution to soil, ground water, and the resource. They typically carry with them minimal structures or

infrastructures, but consistent digging for plots may contribute to soil erosion. Similarly, depending on landscaping practices, maintenance of the site may create pollution from run off or leeching.

Firearms Training Facility would contribute significant noise impacts unless mitigated through noise reducing building materials. Other impacts would be similar to other structures.

A Mobile Home or RV park involves dense siting of temporary or semi-permanent homes. The level of density increases potential noise and environmental pollution from human activity. Development also potentially disturbs soil, contributing to erosion, and habitat. The dense scale of development may also impact view corridors or scenic aspects of the resource.

A Retirement Center or Nursing Home is also a source of dense, shared housing with additional facilities often requiring a sizeable footprint. The scale of the building could impact scenic resources as well as introduce additional impacts associated with built environment as covered above.

Commercial Uses often require extensive site clearing and grading. As a result, the removal of vegetation and habitat are common. This can create a variety of issues including erosion, reduced permeability and therefore increased runoff, and the introduction of pollutants to the White River. Similar to impacts discussed with residential use, commercial impact can be more significant due to the scale of structures and development.

Commercial development often results in more impervious surfaces which can exacerbate these issues.

Commercial uses also often carry with them dense human activity that can create noise, smells, and other impacts to the natural habitat as well as scenic and recreation values of the place. These impacts are discussed more thoroughly in the residential use section.

Commercial ESEE Analysis

Economic consequences:

Allowed use (no protection beyond EPD-1 and setbacks):

If commercial development is allowed to occur in such a way that it creates the adverse impacts, the economic consequences may include: cost of future clean up and restoration, infrastructure costs for diminishing water capacity, and fines as a result of not meeting Clean Water Act standards.

Environmental Protection District protections:

Current practice is to protect the White River through additional setbacks in the EPD-7 Natural Areas Overlay. This requires additional findings and a moderately complex review, which made add time or money on to a permitting process.

Not allowed:

Eliminating the ability for commercial development along the White River has tax revenue implications for Wasco County and leaves the County open to potential litigation risk over takings issues. Commercial uses offer employment opportunities, economic growth, and support for existing businesses.

Social consequences:

Allowed use (no protection beyond EPD-1 and setbacks):

With the exception of impacts as described, allowing commercial uses without additional protections has limited social consequences.

Environmental Protection District protections:

Current practice is to protect the White River through additional setbacks in the EPD-7 Natural Areas Overlay. There are no known social consequences to allowing for commercial activities beyond described impacts, and these protections offer mitigation to some of the impacts that have a connection to social values including aesthetics and recreation.

Not allowed

Commercial uses offer employment opportunities, economic growth, and support for existing businesses and residents. In some cases, these commercial enterprises may offer housing opportunities, recreation activities, and energy production which represent Statewide Land Use Planning Goals 10, 8 and 13.

Environmental consequences:

Allowed use (no protection beyond EPD-1 and setbacks):

Allowing commercial uses with limited protections has potential environmental consequences including impacts to ground water quality, disturbance of wildlife and fish habitat, and the introduction of pollutants to the resource. The White River Management Plan stresses primitive development, dispersed recreational activities, and limited access. The lack of additional restrictions may limit Wasco County's ability to ensure for development consistent with the White River Management Plan.

Environmental Protection District protections:

Current practice is to protect the White River through additional setbacks in the EPD-7 Natural Areas Overlay. This requires a conditional use review for all permitted uses and the development of findings which demonstrate the natural value will not be damaged by the use or activity. Mitigation for impacts to ground water, habitat, and river quality can be managed through permit conditions.

Not allowed:

Eliminating the ability to build commercial use structures along the White River has no known environmental consequences.

Energy consequences:

Allowed use (no protection beyond EPD-1 and setbacks):

There are no known energy consequences of allowing commercial uses.

Environmental Protection District protections:

There are no known energy consequences of allowing commercial uses with some limitations.

Not allowed:

Not allowing commercial uses may help preserve existing energy sources for other uses. No other consequences are known.

Conclusions/Recommendations:

Allowing commercial uses without additional criteria does not ensure for protection of the resource in keeping with the federal management plan. Because any commercial development carries with it potential for adverse impacts to the White River, a review requiring consideration of impacts and mitigation should be required, and would be most consistent with a conditional use permit.

Conditional uses according to the Wasco County Land Use and Development Ordinance require the review of proposed uses and activities with findings for adverse impacts. Evidence must demonstrate that the proposed use will have minimal impact from dust, noise, and odor during construction, will not significantly reduce or impair sensitive wildlife habitat, subject the ground to excessive soil erosion, and generally safeguard the air, water and land quality. The majority

of impacts from residential uses were related to potential erosion, noise, and pollution. Through the application of conditions, these impacts can be reduced or eliminated.

Economic impacts, such as lack of employment opportunities or business growth, coupled with affiliated social consequences suggest prohibiting commercial uses near the White River may be detrimental to Wasco County residents. Adverse impacts by commercial development can be mitigated through the additional conditional use criteria and process.

Staff is recommending all permitted commercial uses be allowed as conditional uses to help mitigate impacts to the resource while preventing identified economic and social consequences.

Industrial Uses: (A-1, F-2, TV-R, TV-RR, TV-M2)

Table 2: Industrial Uses and Activities by Zone
(SR (Subject to Review), CU (Conditional Use, NP (Not Permitted))

Industrial Use	A-1 (160)	F-2 (80)	TV-R	TV-RR	TV-M2
Utility Facility	SR	CU	CU	CU	CU
Aggregate Mining	CU	NP	NP	NP	NP
Asphalt Batching	CU	CU	NP	NP	CU
Mineral Processing	CU	CU	NP	NP	NP
Water Bottling	CU	NP	NP	NP	NP
Manufacturing	NP	NP	NP	NP	SR
Auto Repair/assembly	NP	NP	NP	NP	SR
Storage or Retail Yard	NP	NP	NP	NP	SR
Welding Shop	NP	NP	NP	NP	SR
Laundry/cleaning	NP	NP	NP	NP	SR
Circus, Rodeo, etc.	NP	NP	NP	NP	SR
Junk or Wrecking Yard	NP	NP	NP	NP	CU

Utility facilities are permitted, following review, in all zones adjacent to the White River. The installation of utility facilities typically involves construction activities that disturb soils, landscape, and wildlife habitat. Once construction has been completed, utility facilities may have, depending on the type, continued impacts to the natural area and scenic values of the resource.

Mining, mineral processing, asphalt batching and other related uses and activities can create a variety of disturbances and pollution that can be detrimental to the resource. Noise, dust, odors, ground disturbance and blasting which can cause ground shaking or seismicity are commonly cited impacts from mining. In addition, spill/tailing, erosion, and drainage can add pollutants to the river as well as the groundwater.

Water bottling and extraction, which involves components of industrial production, would have significant impacts on the resource including erosion, pollution, scenic impacts, noise, and impact to aquifers.

Manufacturing, which typically occurs in a structure, can create potential sources of environmental pollution, disturb wildlife habitat through the building footprint and associated infrastructure, and potentially disrupt scenic views. Similarly, auto repair or assembly, laundry and cleaning facilities, and welding shops can involve chemicals or other materials that through spill or improper storage pose contamination to ground, ground water, and the adjacent resource.

Circus, rodeo, or other large entertainment facilities as permitted can create significant impacts through waste, recycling, infrastructure, human traffic, and noise.

Junk or wrecking yard typically involves the collection, processing, and storage of non-functioning automobiles in open air on untreated ground. This could result in direct pollution to the habitat and resource, create a real visual impact from the river, and also have ongoing impacts of noise. This use is permitted only in Tygh Valley Industrial, contained within the rural service area.

Storage or retail yard for a variety of products including lumber, building materials and heavy machinery.

Industrial ESEE Analysis

Economic consequences:

Allowed use (no protection beyond EPD-1 and setbacks):

If industrial development is allowed to occur in such a way that it creates the adverse impacts, the economic consequences may include: cost of future clean up and restoration, infrastructure costs for diminishing water capacity, and fines as a result of not meeting Clean Water Act standards.

Environmental Protection District protections:

Current practice is to protect the White River through additional setbacks in the Natural Areas Overlay. This requires additional findings and a moderately complex review, which made add time or money on to a permitting process.

Not allowed:

Eliminating the ability for industrial development along the White River has tax revenue implications for Wasco County and leaves the County open to potential litigation risk over takings issues. Industrial uses offer employment opportunities, economic growth, and support for existing businesses.

Social consequences:

Allowed use (no protection beyond EPD-1 and setbacks):

Allowing industrial uses without protections could have significant social consequences related to scenic and recreational value of the White River. Industrial activity, by its nature, is typically done at a scale and in the type of structures that don't blend with the natural environment. Industrial uses and activities also typically create noise, smells, and other emissions that may be undesirable to recreators or other visitors.

Environmental Protection District protections:

Current practice is to protect the White River through additional setbacks in the Natural Areas Overlay. There are no known social consequences to allowing industrial activity with these additional rules, and these protections offer mitigation to some of the impacts that have a connection to social values including aesthetics and recreation.

Not allowed

There are no known social consequences for prohibiting industrial activities and uses.

Environmental consequences:

Allowed use (no protection beyond EPD-1 and setbacks):

Allowing industrial uses with limited protections has potential environmental consequences including impacts to ground water quality, disturbance of wildlife and fish habitat, and the introduction of pollutants to the resource. Industrial activities typically occur at a scale and with materials that can be especially detrimental to the natural environment.

Noise is one of the most obvious adverse impacts of industrial uses that could threaten wildlife habitat. Machinery noise from manufacturing, storage yards, auto repair, or other activities can be disruptive to nesting or other related wildlife activity. It also can impact the perceived human experience of the scenic and recreation resource. Additional traffic, particularly that of heavy machinery or trucks, can create noise, have leaks, or create ground disturbance. This can

introduce a variety of pollutants to ground, groundwater or the River. This can also disrupt the scenic or recreational values by introducing noise that is at a higher volume than ambient.

Waste, by product, drainage, leeching, and spills can contaminate soil, groundwater or the River directly through a variety of accidental or intentional activities. Industrial activity tends to generate pollutants by its very nature, lending to exposure to the resource.

Some permitted industrial uses involve application of chemicals or other practices which may release noxious odors. Smells generated from certain types of industrial activities may impact wildlife or human visitors.

Structures or the open yard nature of industrial uses impact the scenic or recreational values by introducing large scale built environment to a Wild and Scenic River. One of the action items from the federal White River management plan requires development to harmonize with the natural environment.

Industrial uses also often require complete site clearing and grading, with the retention of few if any natural resources on a site. They therefore can have more severe environmental effects than other uses. Industrial uses also often draw substantial amounts of water from wells or public water sources, drawing down the water table which can, in turn, reduce surface water flows in the streams and river.

There are significant potential environmental consequences for allowing industrial uses without additional protections.

Environmental Protection District protections:

Current practice is to protect the White River through additional setbacks in the Natural Areas Overlay. This requires a conditional use review for all permitted uses and the development of findings which demonstrate the natural value will not be damaged by the use or activity.

Mitigation for impacts to ground water, habitat, and river quality can be managed through permit conditions. Conditions can also limit hours of operation, structure size, and impose other limitations through site plan review.

For mining activities there is typically the requirement for reclamation or rehabilitation of lands once resource is exhausted. However, this implies finite operations. Many of the permitted industrial uses require structures and infrastructure which increase the permanency of development.

There may be limitations to how EPD-7 protects the White River from industrial use environmental consequences.

Not allowed:

Eliminating industrial uses along the White River has no known environmental consequences.

Energy consequences:

Allowed use (no protection beyond EPD-1 and setbacks):

Industrial uses may require large amounts of power for operation requiring additional infrastructure or development to support the demand.

Environmental Protection District protections:

Industrial uses may require large amounts of power for operation requiring additional infrastructure or development to support the demand. This would typically be outside the purview of the Wasco County Planning Department review.

Not allowed:

There are no known energy consequences of not allowing industrial uses.

Conclusions/Recommendations:

Industrial uses pose significant potential environmental, social and energy consequences. These include adverse impacts like noise, erosion, pollution, ground disturbance, waste, and scenic disruption. Allowing without or minimal restrictions create a scenario where the uses are likely to adversely impact the White River.

To balance environmental impacts and social consequences with potential economic consequences, industrial uses should, at a minimum, be restricted through additional criteria and regulations consistent with EPD-7. EPD-7 requires all uses be evaluated through conditional use standards which require analysis of potential adverse impacts and the application of conditions to mitigate impacts.

Because many of the uses and activities are diverse, the ability to apply rules with discretion towards individual conditions provide for an equitable solution.

Conditional uses according to the Wasco County Land Use and Development Ordinance require the review of proposed uses and activities with findings made regarding adverse impacts.

Evidence must demonstrate that the proposed use will have minimal impact from dust, noise, and odor during construction, will not significantly reduce or impair sensitive wildlife habitat, subject the ground to excessive soil erosion, and generally safeguard the air, water and land quality. Findings would also need to demonstrate how the proposed development does not impact the scenic or recreation values of the White River.

Staff is recommending all permitted industrial uses be allowed as conditional uses to help mitigate impacts to the resource while preventing identified economic and social consequences. If evidence suggests that the industrial use may have adverse impact on the resource and cannot be mitigated, a denial should be issued for the development permit application.

To strengthen and clarify EPD-7, staff is recommending the language within the LUDO be rewritten to clearly indicate all uses within this overlay zone should be treated as conditional uses. Furthermore, the language should expressly state the impacts identified in the Federal Management Plan which need to be mitigated for.

Environmental Protection Agency. (2013). [*Our Built and Natural Environments: A Technical Review of the Interactions Among Land Use, Transportation, and Environmental Quality*](#).

Keyel, A., et al (2017). [*Evaluating anthropogenic noise impacts on animals in natural areas*](#).

Longcore, T. et al (2016). *Artificial night lighting and protected lands: ecological effects and management approaches*. Natural Resource Report.

Pejchar, L., et al (2015). *Consequences of residential development for biodiversity and human well-being*. *Front Ecol Environ*; 13(3), p. 146-153.

Natural Resources Conservation Service. (2008). [*Urban Soil Erosion and Sediment Control: Conservation Practices for Protecting and Enhancing Soil and Water Resources in Growing and Changing Communities*](#).

Natural Areas

Areas in Wasco County which appear to have ecological and scientific value have been identified by the Nature Conservancy for the Oregon Natural Heritage Program. Personal interviews, extensive literature review, field investigations, and aerial photography in the 1978 were the basis of this inventory list of natural areas. The list does include some areas which have not been verified by research or field study, but are considered potentially significant. Table 5.8a lists the natural areas in Wasco County as identified by the Nature Conservancy in 1978.

A “site” as it appears in Table 5.8 is the geographic location of one or more noteworthy element occurrences. An element is any one natural feature of the landscape; for example, a bald eagle nest or an age-old forest, and the site is where it occurs. A site may have only one feature, such as a nest, or it may include several features, such as a stretch of river surrounded by an old growth forest with a rare plant species and nesting areas for endangered bird species. Descriptions accompanying the site on the inventory list have been written to point out features at the site.

Not all lands identified by the Nature Conservancy are being considered as natural areas. Many of the elements have not been verified. Many of the ones that have been verified have not been located specifically. The attempt has been made to locate the most significant natural areas and identify them with specific boundaries. Ownerships, conflicts of use, location, surrounding uses, size of the area and citizen input were taken into account when designating natural areas: Additional sites not listed by the Nature Conservancy have been included as natural areas. Table 5.8b lists these sites.

All natural areas have been identified on the zoning map by placement of an environmental protection district overlay zone (EPD-7). The zone is described in the Wasco County Land Use and Development Ordinance.

Table 5.8a- Natural Areas as Identified by the Nature Conservancy (4/78)

REF NO.	*SR	**REFERENCE NAME	LOCATION Township, Range & Section	***P S	ELEMENT NO.	****V O	ELEMENT NAME
WC-4	+	Oak Springs (B)	-4S, 14E, SE1/4 17	3	1.18.986 2.02.402 2.02.402 4.11.110	V V V V	Wetland shrubland Rough-skinned newt Pacific giant salamander Cold spring

WC-6	+	Confluence of White River & Tygh Creek to Deschutes River (B)	-4S, 13E, 1, 2, 11, 12 -4S, 14E, 5 - 8	3	1.08.912 4.04.120 4.04.450 4.04.460 5.14.596	V V V V V	Wetland forest Low stream segment, low gradient reach River island Waterfalls Great blue heron rookery
WC-8	+	Lawrence Memorial Grassland Preserve (The Nature Conservancy) (B)	-7S, 16E, 15, 22	2	1.18.931 1.28.910 1.28.911 1.28.920 3.01.049 6.01.000	V V V V V V	Stiff sage/Sandberg's bluegrass Bluebunch wheatgrass-Idaho fescue Bluebunch wheatgrass-Sandberg's bluegrass Sandberg's bluegrass communities <i>Lomatium minus</i> Geologic feature
WC-11		Tygh Ridge Summit (C)	-3S, 14E, 16, 17, 20	3	1.28.910	V	Bluebunch wheatgrass-Idaho fescue
WC-13		Hollow Creek Area (A)	-7S, 18E, NW1/4 1 -8S, 17E, NE1/4 1	3	2.02.642	V	Golden eagle (2 nests)
WC-14		Mission Hollow (A)	-2S, 15E, 6	3	2.02.642	NV	Golden eagle
WC-15		Butler Canyon (B)	-3S, 13E, 14, 23	3	1.18.931 1.28.910 1.28.911	V V V	Stiff sage/Sandberg's bluegrass Bluebunch wheatgrass-Idaho fescue Bluebunch wheatgrass-Sandberg's bluegrass
WC-20		Buck Hollow Creek (C)	-6S, 17E, W1/2 16	3	1.18.931 1.28.910 1.28.911	V V V	Stiff sage/Sandberg's bluegrass Bluebunch wheatgrass-Idaho fescue Bluebunch wheatgrass-Sandberg's bluegrass
WC-28		Black Rock/Rotten Lake Basin (B)	-7S, 18E, 1-3, 10-15 -7S, 19E, 5-8, 18	3	2.02.642 4.07.110 4.10.100 6.01.000 6.02.000	NV NV NV NV NV	Golden eagle Low lake, permanent Lowland pond Geologic feature Paleontologic feature
WC-30		White River Canyon (B)	-4S, 5S, 11-13E	3	3.04.800	V	Isolated population, Douglas fir
WC-34		Camas Prairie (C)	-5S, 10E, 16, 17	3	1.25.118 3.04.000	V V	Marshland Wildflower area
WC-37		Mill Creek Falls (C)	-1S, 12E, NW1/4 5, NE1/4 6	3	1.05.620 4.04.460	NV V	Douglas fir forest Waterfalls
WC-38		Mill Creek Drainage (C)	-1S, 11E, NW1/4 3	3	3.01.037 3.02.000	V V	<i>Hydrophyllum capitatum var. thompsonii</i> <i>Lomatium columbianum</i>
WC-40		Nena Ranch (B)	-6S, 13E, 1, 12	3	1.05.913	NV	Wetland forest

WC-44		Oak Canyon (C)	-2S, 14E, 35, 36	3	1.05.621 1.05.911 1.25.114	V V V	Douglas fir-ponderosa pine Oregon white oak/grassland Bluebunch wheatgrass-Idaho fescue
WC-47		Boulder Creek Drainage (C)	-8S, 9S, 9-11E	3	1.05.600	V	Old growth Douglas fir forests
WC-50	+	Rowena Dell (The Nature Conservancy Preserve, part) (B)	-2N, 12E, 3, 4	2, 3	2.02.636 3.01.037 3.02.000 3.04.700 4.10.110 4.10.120 6.01.000 6.04.000	NV NV V V V V V V	Osprey <i>Hydrophyllum capitatum</i> var. <i>thompsonii</i> <i>Lomatium Columbianum</i> Wildflower area Lowland pond/wetland, permanent Lowland pond/wetland, intermittent Geologic feature Historic feature
WC-51		Mosier Area (C)	-2N, 11E, 2	3	1.05.912 3.04.700	NV V	East Col. Gorge rockfall with forest complex Wildflower area
WC-52		Seven Mile Hill Area (A)	-2N, 12E, 11	3	1.05.912 1.25.110	V V	East Col. Gorge rockfall with forest complex East slopes Cascade grassland
WC-56		Memaloose Island (B)	-3N, 12E, 32	3	2.02.636	V	American osprey
WC-61		Mill Creek Research Natural Area (B)	-1S, 11E, 4, 8, 9, 16, 17	2	1.05.621 1.05.911 1.25.114	V V V	Ponderosa pine-Douglas fir Oregon white oak/grassland Bluebunch wheatgrass-Idaho fescue
WC-62		Persia M. Robinson Research Natural Area (C)	-6S, 10E, 10, 11	2	1.05.621 1.05.630 4.04.120	V V V	Ponderosa pine-Douglas fir Mixed conifers Lowland stream segment, low gradient reach
WC-65		Wapanitia Warm Springs (C)	-6S, 12E, 2, 11	3	4.11.120	V	Hot spring
WC-67		Deschutes Island (C)	-2S, 16E, 5	3	5.14.596	V	Great blue heron rookery
WC-69		Antelope Creek (A)	-8S, 15E, 25, NW1/4 35 -8S, 16E, NE1/4 4	3	2.02.642	V	Golden eagle (7 nests)
WC-70		Antelope Valley (C)	-S1/2 7S, 17E -N1/2 8S, 17E	3	2.02.640	V	Swainson's hawk (8 nests)
WC-71		Tygh Creek (C)	-3S, 12E, 26	3	2.02.643	V	Northern bald eagle
WC-72		White River Wildlife Management Area (B)	-4S, 5S, 11E, 12E	2	2.02.643 2.02.510 2.02.513	V V V	Northern bald eagle Ring-necked duck Bufflehead

					2.02.641 2.02.642 2.02.654 2.02.752 2.02.881 2.02.902 5.14.621 5.17.806	V V V V V V V V	Ferruginous hawk Golden eagle Western burrowing owl Gray-crowned rosy finch White-tailed jackrabbit Sagebrush vole Band-tailed pigeon mineral springs Elk critical winter range
WC-74		Sunflower Flat (C)	-6S, 11E, SW1/4 2, S1/2 3, NW1/4 11	3	1.05.710 1.05.810 1.05.911	NV NV NV	Ponderosa pine Western juniper woodland Oregon white oak/grassland
WC-75		Abbot Pass (proposed Research Natural Area (C)	-5S, 9E, 17	3	1.05.310	NV	Mountain hemlock
WC-76		Four Hills Grassland (C)	-8S, 17E, 2, 3, 10, 11	3	1.28.910 3.04.700	V NV	Blubunch wheatgrass-Idaho fescue Wildflower area
WC-77		Antelope Watershed (C)	-7S, 17E, 30	3	1.08.814	V	Western juniper/big sage/bitterbrush
WC-80		Unnamed (C)	-7S, 17E, 18	3	3.01.049	V	<i>Lomatium minus</i>
WC-81		Unnamed (C)	-7S, 16E, 5	3	3.01.049 3.02.000 3.02.000 3.02.000	V V V V	<i>Lomatium minus</i> <i>Allium macrum</i> <i>Allium tolmiei</i> var. <i>tolmiei</i> <i>Claytonia minus</i>
WC-82		Unnamed (B)	-4S, 14E, 20, SW1/4 29	3	3.02.000	V	<i>Mimulus jungermannioides</i>
WC-83		Dinger/Clear Lake proposed Research Natural Area (A)	-5S, 81/2E, W1/2 1	3	1.05.310	V	Western hemlock zone
WC-84		Wasco Lookout (C)	-2N, 12E, SE1/4 32	3	3.01.037	V	<i>Hydrophyllum capitatum</i> var. <i>thompsonii</i>

*SR = Site Report

**Areas Marked with:

- (A) have been designated as natural areas using locational description given.
- (B) have been designated as natural areas, although the area descriptions have been altered.
- (C) have been removed from the list because they are not considered unique or significant natural areas.

***PS = Protection Status

- 1 = Preserved
- 2 = Legally Protected
- 3 = Unprotected

****VO = Verification of Occurrence

- V = Verified
- NV = Not Verified

Table 5.8b – Natural Areas

#	Site Name	Location	VO	Element Name
1	Cedar Island	T3S, R15E, Sec. 4	UV	River Island with a distinct population of incense cedars. (B.L.M.)
2	Sharps Island	T1S, R16E, Sec. 5	UV	Great Blue Heron rookery and riparian habitat.
3	Fall Creek Island	T1N, R16E, Sec. 31	UV	Great Blue Heron Rookery
4	Underhill Site	T2S, R11E, Sec. 15	UU	Environmental education site for children. Natural vegetation and habitats, trails, and historic sites are preserved (U.S. Forest Service)
5	Postage Stamp Lookout	T3S, R13E, Sec. 18, 19, & 20	UV	Laboratory research site. (State of Oregon)

VO = Verification of Occurrence:

-UV = Unsurveyed, verified.

-UU = Unsurveyed, unverified.

Application of Statewide Planning Goal # 5 To Inventoried Natural Areas in Forest Lands

In the May 20, 1982, Land Conservation and Development Commission's "in order to comply statement", Wasco County was directed to analyze the economic, social, environmental and energy (ESEE) consequences of the conflicts between forest operations and inventoried natural areas and develop a program to achieve the goal (3). Wasco County has identified three natural areas that are within forested areas. These areas include: the western end of the White River Canyon, site "WC-30"; the Mill Creek Research Natural Area, site "WC-61"; and the Dinger/Clear Lake Proposed Natural Research Area, site "WC-83".

Sites "WC-30" and "WC-83" are within the "F-2 (80)" zone and are also within the Environmental Protection District, EPD-7, overlay zone which permits the following uses which are identified as conflicting ESEE uses:

Permitted:

- Management, production and harvesting of forest products, including primary wood processing and operations.
- Utility facility necessary for public service.

Conditional:

- Single family residences and mobile homes in conjunction with a farm or forest use.

- Public facilities
- Personal-use airports
- Public and private parks
- Mining
- Sanitary Landfill

The prime factor in analyzing the ESEE consequences on these sites is ownership. There are no private holdings involved within these sites. Site "WC-30" is owned by the Oregon State Game Commission and is being managed for Big Game Winter Range and other wildlife habitat. The conflicting uses identified above, except for timber harvesting, will not occur on state lands. Any timber harvesting will be controlled by the Oregon Department of Fish and Wildlife under their program for wildlife habitat. The conflicting uses are, therefore, controlled and limited by the Department of Fish and Wildlife's program for habitat improvement.

Site "WC-83" is owned by the United States Forest Service and is part of the Mt. Hood National Forest. Again, timber harvesting would be the only conflicting use and that activity is controlled by the Forest Service. Compliance with local plans is not mandatory of federal agencies, although their co-operation is encouraged by Wasco County.

Site "WC-61" is within the "F-1 (80)" zone. This zone includes only those lands within The Dalles Watershed. The EPD-7 over-lay zone permits only conditionally the following uses which are identified as conflicting ESEE uses:

- Management, production and harvesting of forest products, including primary wood processing and operations.
- Mining
- Utility facilities necessary for public service.

Site "WO-61" is totally owned by the United States Forest Service and is within The Dalles Watershed. The watershed is managed through an agreement between The Dalles and the Forest Service called. "Comprehensive Management Plan for The Dalles Municipal Watershed". 1972. Forest harvesting activities as well as other uses is strictly controlled by both federal programs and regulations and by the cooperative agreement with The Dalles. The conflicting uses are, therefore, controlled and limited and no other measures need to be taken to protect the natural area.

Mineral and Aggregate Resources

- 1) **General Information:** Wasco County has few economically important mineral deposits. Some limited mining activity has occurred in the past. There are no active mineral mines in Wasco County. Most of the county is underlain with recent basalt flows, which precludes the possibility of extensive mineral resources. The highest potential for minerals would be in the older geologic formations, found in other parts of Oregon or bordering counties. The primary minerals found in Wasco County are as follows:
 - A. **Bauxite:** Evidence suggests there may be some potential low grade bauxite found in the Columbia River basalt group but no investigations have been undertaken in Wasco County to confirm this.
 - B. **Copper and Lead:** These minerals have been mined in the Ashwood-Oregon King Mine located in Jefferson County to the south. Some deposits may occur in the County.
 - C. **Mercury and Molybdenum:** No economically important deposits are located within Wasco County.
 - D. **Semi-precious Gems:** These are more of interest to rock collectors rather than having intrinsic mineral value.
 - E. **Perlite:** Between 1945 and 1950, mining was conducted in an area south of Maupin near the Deschutes River. High quality acoustic and insulating tile was produced for a number of years from this perlite. It became unprofitable to mine at this location and the operation was discontinued. A large deposit still exists in this area.
 - F. **Volcanic Tuffs:** The Rainbow Rock Quarry, about five miles south of Pine Grove, has produced brightly colored and banded tuff since 1949. Rock of similar appearance has been uncovered but not developed on a nearby flat east of the quarry. Tuffs are utilized for decorative building stone and ceramic art.
 - G. **Peat:** According to the U.S. Geological Survey, Mineral and Water Resources of Oregon, 1969, there are widely scattered minor deposits of peat in the Cascade region of the County and coal in the southeastern region. They have never been mined commercially.
 - H. **The Ka-Nee-Ta Stone Quarry:** On the Warm Springs Reservation, this quarry produced rough pieces of rhyolite. The stone is multi-colored and valuable for decoration. Other stone quarries include Indian Candy and Sorenson Quarry.
 - I. **Quarry Rock:** Quarry rock increases in importance as the more desirable deposits become depleted. Transportation costs are high so that quarries must be located within ample reserves of good quality crushing rock. The best rock for crushing is generally Columbia River basalt.
- 2) **Inventory:** Wasco County's cumulative demand projection for all aggregate material by the year 1995 was between four and six million tons (Wasco County Aggregate Site and Aggregate Demand Analysis (1976) Montagne and Associates). Total resources as inventoried in that document are 6.3 million tons. The demand project was based on a per capita average.

Available information was sufficient to identify 135 resource sites in Wasco County during the original 1983 Comprehensive Plan Process. A study done in 1976 by Montagne and Associates, Wasco County Aggregate Sites and Aggregate Demand Analysis (1976), provided the basis for this process. During 1990-1991 additional information, as a supplement to the 1976 data, was gathered from individual owner/operators and from the DOGAMI Mined Information Layer database to provide the County a more thorough and accurate record of sites in the County.

All Wasco County sites listed in the County Inventory (Table 5.9) but without significant research are Potential Sites. Significant Sites have been identified in accordance with OAR 660-016 or OAR 660-023 rules.

3) Application of the Goal 5 Process for Mineral Resources

A. Potential Conflicting Use in Zone Categories Applicable to Mineral resource Sites: All except one currently inventoried resource site fall into three resource zones employed by the County: A-1, Agriculture; F-1, Forest; F-2, Forest. One site is in an Industrial zone (Sun Pit). Conflicting uses are generally those which, if allowed to locate within the specific site identified, would render the resource unrecoverable and those activities on surrounding lands which affects or is affected by aggregate operation. Most of the conflicting uses are structural improvements which commit the site to another use. Other less intensive uses such as recreation facilities, public parks and playgrounds, and golf courses which are conditional uses in some zones may conflict because, once established, they tend to diminish the value of the resource. Some competing uses, such as water impoundments or power generation facilities, may be determined to be of sufficient importance as to preempt the mineral resource value.

Specific potentially conflicting uses contained within the A-1, FF, and F-2 zones are;

Zone	Permitted Uses	Conditional uses
A-1	Farm dwelling	Additional Farm Dwelling
	Utility facility (public)	Nonfarm dwelling
		Commercial activities in conjunction
		Private recreation facilities
		Churches
		Schools
		Public parks and playgrounds
		Golf courses
		Utility facilities (commercial)
		Personal use airport
		Home occupations
F-F	Same as A-1 Zone except boarding of horses for profit.	Same as A-1 zone except for kennels
F-2	Utility Facilities (public)	Forest Farm Dwelling

a. Economic, Social, Environmental and Energy Consequences of Conserving Mineral Resources

(1) Economic Consequences: Aggregate is a crucial resource for nearly all types of structural development. As a basic building material, its relative abundance can exert either a positive or negative influence on the development of a local economy. It provides the building blocks for development, and the removal, transport and use provides jobs upon which a substantial part of the economy depends.

To protect mineral resource sites through the resolution of conflicts between mineral extraction and other competing uses (as identified) will help ensure a strong economic future. The economic consequences of not protecting mineral sites could be costly to the local economy through increased costs for basic building materials.

(2) Social Consequences: The consequence of protecting mineral resource sites is necessary in order for public and private construction projects. The characteristics of sand and gravel operations may be a nuisance in that they do contribute to noise, dust, and visual blight.

The negative social consequence of applying regulations is similar to the negative economic consequences in that the same individuals may be inconvenienced in their building plans.

(3) Environmental Consequences: The importance of any mining activity lies within its economic value and the relative scarcity of the resource. State agencies regulate mining activities and require that reclamation plans be submitted prior to permit approval. Reclamation plans provide for productive uses of property following a mining operation and can include recreational features such as lakes and wildlife habitats.

Because the natural environment will, of necessity, be disturbed by mining, the protection of mineral resource sites may not result in positive environmental consequences (mineral extraction is temporary in nature). Farming, forestry and recreation can and do occur before and after a mining operation. In case of important mineral resource sites, the positive economic and social benefits must be weighed against the environmental consequences.

(4) Energy Consequence: Because of transportation costs, the deposits nearest to developing areas are, of necessity, the best ones in order to remain economically viable. As a result, the energy consequence of protecting the best mineral resource site (those close to construction areas) is entirely positive.

(5) Conclusion: In Wasco County decisions to protect aggregate sites for Goal 5 will be on a site by site basis. The consequences of establishing requirements which limit conflicting uses in identified mineral resource sites should prove to be of substantial benefit to the economic, social, and energy systems within which we live. As long as provision for reviewing extenuating circumstances is included, the limitation of conflicting uses within identified mineral resources sites is warranted.

b. A Program to Conserve Mineral Resource Sites: The program to conserve significant mineral resource sites is designed to limit some conflicting uses and prohibit others through the use of an overlay zone. The overlay will ensure that most structural development will not preempt the use of a needed mineral resource.

Based on a site specific ESEE analysis, the County shall make a determination on the level of protection to be afforded each significant site. The County shall make one of the following determinations:

- (1) Protect the site fully and allow mining. To implement this decision the county shall apply the Mineral and Aggregate Overlay zone. Development of the significant site shall be governed by the standards in Section 3.835 of the Wasco County Land Use and Development Ordinance. As part of the final decision, the County shall adopt site-specific policies prohibiting the establishment of conflicting uses within the Impact Area.
- (2) Allow conflicting uses, do not allow surface mining. To implement this decision the county shall not apply the Mineral and Aggregate Overlay zone. The significant site will not be afforded protection from conflicting uses, and surface mining shall not be permitted.
- (3) Balance protection of the significant site and conflicting uses, allow surface mining. To implement this decision the county shall apply the Mineral and Aggregate Overlay zone, and identify which uses in the underlying zone will be allowed, allowed conditionally, or prohibited. Development of the significant site shall be governed by the standards in Section 3.835 of the Wasco County Land Use and Development Ordinance and any other site-specific requirements designed to avoid or mitigate the consequences of conflicting uses and adopted as part of the final decision. Development of conflicting uses within the Impact Area shall be regulated by Section 3.845 of the Wasco County Land Use and Development Ordinance and any other site-specific requirements designed to avoid or mitigate impacts on the resource site and adopted as part of the final decision.

Any uses not mentioned below will be allowed as specified in the Land Use and Development Ordinance.

Under the Mineral Resource Overlay, the following uses, by zone, will be prohibited:

Zone	Prohibited Use
F-2	Single Family Dwelling
A-1	Churches
	Second farm dwelling
	Schools
	Additional farm dwellings
	Nonfarm dwellings
F-F	Churches
	Second farm dwelling
	Schools
	Additional farm dwellings
	Nonfarm dwellings

The following uses by zone, will require a conditional use permit:

Zone	Conditional Use
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F-2	Public recreational facilities
	Water impoundments
	Private recreation facilities
A-1	Public utility facilities
	Solid waste disposal site
	Water impoundments
	Commercial activities in conjunction with farm use
	Private recreation facilities
	Public parks and playgrounds
	Golf courses
	Commercial utility facilities
	Personal use airport
	Boarding horses for profit
	Farm Dwellings
F-F	Placement of power generation facilities
	Kennels
	Public utility facilities
	water impoundments
	Commercial activities in conjunction with farm use
	Public parks and playgrounds
	Golf courses
	Commercial utility facilities
	Personal use airport
	Boarding horses for profit
	Private recreation facilities
	Solid waste disposal sites
	Farm Dwelling

Table 5.9 - Aggregate Inventory

Inv. #	Current Map/Tax Lot	Zone	Owner Name & Address	Former Map & Tax Lot	DOGAMI #	Application #	Goal 5
1	2N 11E 2 D 200	NSA	Hood River Sand & Gravel		33-0055	CUP 92-110	No
2	2N 11E 11 900	NSA	ODOT (Gove) 33-004-4	2N 11E 11 2800	33-0060		No
3	2N 11E 11 200	NSA	ODOT 33-001-4	2N 11E 11 200	33-0057		

	2N 11E 2 D 300	Mosier UGB	(Mosier Pit) Listed as reference	2N 11E 2 1300			
4	2N 11E 1 D 200	NSA	Hood River Sand & Gravel 2630 Old Columbia River Drive Hood River OR 97031	2N 11E 1 D 200	33-0076	CUP 92-136	No
5	2N 11E 13 600	F-2	Ken & Joan Hudson 1020 Mosier Creek Rd	2N 11E 3500			No
6	2N 11E 24 500	F-2	Mosier Creek Dev. 1234 P O Box 6039 Bellevue WA 98008	2N 11E 6001			No
7	2N 12E 19 1200	F-2	Tony Heldstab 2175 Mosier Creek Road Mosier OR 97040	2N 12E 19 600	33-0088	CUP 92-126 & 94-111	No
8	2N 12E 29 1800	F-2	Mosier Creek Dev. 1234 P O Box 6039 Bellevue WA 98008	2N 12E 9155			No
9	2N 11E 11 2700	NSA	Gayle Weisfield		33-0079	CUP 92-101 - <i>Exp. 1997</i>	No
10			Chenoweth Air Park				No
11	2N 13E 19 1600	NSA	Floyd Marsh P O Box 2 The Dalles OR 97058	2N 13E 19 100			No
12	2N 13E 19 600	A-1	W R & Margaret Pentecost 4900 Seven Mile Road The Dalles OR 97058	2N 13E 19 800			No
13	2N 12E 1300	NSA	Jim Ellett 5693 Chenoweth Road The Dalles OR 97058	2N 12E 24 12500	33-0056	CUP 90-124 & C90-0249 <i>Exp. 11-2000</i> CUP-00-125 & SPR-00-169	Yes
Inv. #	Current Map/Tax Lot	Zone	Owner Name & Address	Former Map & Tax Lot	DOGAMI #	Application #	
14	2N 12E 16 D 1900	RR-5	William Ringlbauer 2244 Dell Vista Drive The Dalles OR 97058	2N 12E 16 D 1700			No
15			Mayer State Park				No
16	2N 13E 17 B 200	SMA	US Forest Service 902 Wasco Ave Ste 200 Hood River OR 97031	2N 13E 17 1801			No
17	2N 13E 20 300	NSA	Wayne & Jana Webb P O Box 692	2N 13E 20 1000 not shown on map	33-0064	CUP-98-122 - <i>Exp. 1-2000</i>	No

			The Dalles OR 97058				
18			Gooseberry Springs - State of Oregon				No
19			Gooseberry Springs - State of Oregon				No
20			Dalles Dam - State of Oregon				No
21	2N 13E 20 700, 600	NSA	(Sun Pit)	2N 13E 20 600	33-0011	CUP 91-101 &	No
			1022 W 9th Street		33-0083	SPR 91-103	
			The Dalles OR 97058				
22	2N 15E 500	NSA	Celilo - State of Oregon	2N 15E 700			No
23	Fifteen Mile Road		County				No
24	2N 14E 25		Right of Way	2N 14E 25			No
25	2N 14E 1100	A-1	Jacob Kaser	2N 14E 1000			No
			4550 Fifteen Mile Road				
			The Dalles OR 97058				
26	2N 14E 2200	A-1	Donna E. Ashbrook et al	2N 14E 28 2700	33-0014		No
			P O Box 158				
			Dufur OR 97021				
27	2N 14E 33 500	A-1	Judith F. Bayley et al	2N 14E 33 400			No
			6331 SW Radcliff St				
			Portland OR 97219				
28	2N 14E 2400	A-1	C Gard Fulton	2N 14E 33 3000	33-0023		No
			3775 Fifteen Mile Rd.				
			The Dalles OR 97058				
29	1N 14E 300	A-1	Forest J. Hay	1N 14E 400			No
Inv. #	Current Map/Tax Lot	Zone	Owner Name & Address	Former Map & Tax Lot	DOGAMI #	Application #	Goal 5
			609 E 9th St				
			The Dalles OR 97058				
30	1N 14E 2000	A-1	Sylvia Weimer	1N 14E 3500			Yes
			4100 Old Dufur Rd.				
31	1N 14E 2300	A-1	William & Sheli Markman/Wasco	1N 14E 3300			No
			County				
			4785 Eight Mile Road				
			The Dalles OR 97058				
32	1N 15E 3700	A-1	William & Carmen Eddins	1N 15E 3700			No
			1515 E 21st Street				

			The Dalles OR 97058				
33	1N 14E 500	A-1	Cliff Baker (County?)	1N 14E 6700			No
34	1S 13E 1		County May Pit	1S 13E 1	33-0013		No
35	1S 14E 17 300	A-1	Miller Ranch Co. 1 NW Greenwood Ave. Bend OR 97701	1S 14E 3100			No
36	1S 14E 3000	A-1	Paul & Velma Limmeroth 2520 Ward Road The Dalles OR 97058	1S 14E 3401 Boyd			No
37	1S 14E 18 100	A-1	Miller Ranch Co. 1 NW Greenwood Ave. Bend OR 97701	1S 14E 18 100			No
38	1S 14E 3200	A-1	Mary Sylvester 3813 Faith Home Road Ceres CA 95307	1S 14E 3600			No
39	1S 14E 20		Dufur	1S 14E 20			No
40	2S 13E 35 100	A-1	William Neil 62883 US Hwy 197 Dufur OR 97021	2S 13E 100	33-0050		No
41	2S 13E 5000	A-1	ODOT Tygh Ridge 33-025-4	2S 13E 35 5200	33-0071		Yes
42	3S 13E 100	A-1	William & Masil Hulse P O Box 427 Dufur OR 97021	3S 13E 100			No
43	3S 13E 2300	A-1	Paul & Velma Limmeroth 2520 Ward Road	3S 13E 2500			No
Inv. #	Current Map/Tax Lot	Zone	Owner Name & Address	Former Map & Tax Lot	DOGAMI #	Application #	Goal 5
			The Dalles OR 97058				
44	3S 13E 2300	A-1	Paul & Velma Limmeroth 2520 Ward Road The Dalles OR 97058	3S 13E 2500			No
45	3S 13E 3200	A-1	Irl Jr. & Orlena Davis 45 N Eagle Pt Road Tygh Valley OR 97063	3S 13E 3400	33-0054	CUP 96-101	No
46	3S 13E 33 100	A-1	Robert & Meredith Lindell P O Box 217 Tygh Valley OR 97063	3S 13E 33 3500	33-0047		No

47	2N 11E 36 100	F-2	Berniece & Morris Schmidt 2855 Mosier Creek Road Mosier OR 97040	2N 11E 7600	33-0081		No
48	2N 12E 30 1100	F-2	Mosier Creek Dev. 1234 P O Box 6039 Bellevue WA 98008	2N 12E 9139	33-0088		No
49	2N 13E 31 B 600	RR	Whispering Pines Ranch Corp 612 Liberty The Dalles OR 97058	2N 13 31 600			No
50	1N 11E 25 100	F-2	Ketchum Ranch Inc 6282 Chenowith Road W The Dalles OR 97058	1N 11E 900			No
51	1N 13E 1300	A-1	John & Betty Skirving 2013 W Scenic Drive The Dalles OR 97058	1N 13 4490			No
52	1N 13E 32 200	A-1	Milton & June Martin 3560 Three Mile Road The Dalles OR 97058	1N 13E 5300			No
53	1N 13E 25 700	A-1	Arthur V Braun P O Box 498 The Dalles OR 97058	1N 13E 25 2991	33-0082	CUP 90-113	No
54	1N 15E 2900	A-1	Eldon F Emerson et al 6124 Roberts Market Road The Dalles OR 97058	1N 15E 28 2700			No
Inv. #	Current Map/Tax Lot	Zone	Owner Name & Address	Former Map & Tax Lot	DOGAMI #	Application #	Goal 5
55	1S 15E 700	A-1	James Q Johnson 6352 Roberts Market Road The Dalles OR 97058	1S 15E 402			No
56	1S 15E 2000	A-1	Iva J Kortge 338 West 21st The Dalles OR 97058	1S 15E 1400			No
57	1S 15E 2600	A-1	Frederick & Peggy Clausen Rt 2 Box 4 Dufur OR 97021	1S 15E 1900			No
58	2S 14E 1900	A-1	Martin & Beverly Underhill P O Box 266	2S 14E 1600			No

			Dufur OR 97021				
59	2S 14E 2000	A-1	Martin & Beverly Underhill P O Box 266 Dufur OR 97021	2S 14E 1800			No
60	2S 14E 2300	A-1	Robert & Nancy Hammel 62250 Tygh Ridge Road Tygh Valley OR 97063	2S 14E 2000			No
61	1N 15E 2200	A-1	William & Barbara Hammel 7075 Fifteen Mile Road The Dalles OR 97058	1N 15E 21 2100			No
62	1N 15E 2200	A-1	William & Barbara Hammel 7075 Fifteen Mile Road The Dalles OR 97058	1N 15E 2100			No
63	1N 15E 2900	A-1	Eldon F Emerson et al 6124 Roberts Market Road The Dalles OR 97058	1N 15E 20 2700			No
64	1S 14E 4500	A-1	Lucie Underhill Life Estate 85429 Easton Canyon Road Dufur OR 97021	1S 14E 4900			No
64	1S 14E 4500	A-1	Clara A. O'Brien 2867 Breckenridge NW Salem OR 97304	1S 14E 4900 Duplicate			No

Inv. #	Current Map/Tax Lot	Zone	Owner Name & Address	Former Map & Tax Lot	DOGAMI #	Application #	Goal 5
65	1S 14E 5100	A-1	W C Hanna Estate US Nat'l Bank Trust Dept P O Box 3168 Portland OR 97208	1S 14E 31 5600			No
66	1S 14E 2800	A-1	Daniel Bolton P O Box 731 Dufur OR 97021	1S 14E 1900			No
68	2N 12E 4 1100 2N 12E 5 100	NSA	Wasco County	2N 12E 4/5			No
70	2S 12E 1700	A-1	Sharon L. Sorensen Rt 1 Box 180 Dufur OR 97021	2S 12E 12 3000			No

71	2S 12E 5100	A-1	Martin & Beverly Underhill P O Box 266 Dufur OR 97021	2S 12E 23 5700			No
72	3S 12E 3	A-1	Wasco County 511 Washington St. The Dalles OR 97058	3S 12E 3			No
73	3S 12E 25 300	A-1	Russell & Wanda Sinclair Rt 1 Box 79 Tygh Valley OR 97063	3S 12E 25 3700			No
74	2S 13E 5200	A-1	Keith & Mary Smith 60538 Dufur Gap Rd. Dufur OR 97021	2S 13E 32 4900			No
75	4S 13E 12 2800	A-1	Fred & Maxine Ashley/Tygh Valley Sand & Gravel	4S 13E 12 6800	33-0015		No
76	3S 13E 3800	A-1	Roger T. Justesen/Betty Nelson P O Box 96 Grass Valley OR 97029	3S 13E 31 4000	33-0051	Cancelled 1976	No
77	4S 13E 10	A-1	Wasco County	4S 13E 10			No
78	4S 12E 2700	A-1	Keith & Kathleen Obermaier P O Box 3497 Pojaque Santa Fe NM 87501	4S 12E 17 5000 Formerly Cody Logging	33-0048		No
79	4S 13E 7100	A-1	Erma C. Gutzler	4S 13E 31 10800			No
Inv. #	Current Map/Tax Lot	Zone	Owner Name & Address	Former Map & Tax Lot	DOGAMI #	Application #	Goal 5
			Rt 1 Box 120 Maupin OR 97037				
80	5S 12E 2 400	A-1	Lora M Hachler Rt 1 Box 408 Maupin OR 97037	5S 12E 2 400			No
81	5S 12E 800	A-1	Wasco County 511 Washington St. The Dalles OR 97058	5S 12E 4 800			No
82	5S 12E 2300	A-1	Milton & Mae McCorkle Life Estate Rt 1 Box 412 Maupin OR 97037	5S 12E 12 2100			No
83	5S 13E 1400	A-1	Eugene H. Walters Rt 1 Box 86 Maupin OR 97037	5S 13E 6 1400			No

84	5S 13E 6300	A-1	Lyle & Lorraine Gabel Rt 1 Box 110 Maupin OR 97037	5S 13E 28 5200			No
85	5S 12E 7100	A-1	Allan & Cristina Blake Rt 1 Box 60A Maupin OR 97037	5S 12E 35 5400			No
86	5S 11E 5100	A-1	Wasco County	5S 11E 35 4802	33-0074		No
87	6S 11E 9	A-1	Woodside	6S 11E 9			No
88	4S 13E 11 100 4S 13E 0 7200	A-1	Robert Ashley	4S 13E 11 100 4S 13 E 0 2700		CPA-01-101 CUP-01-112	No
101	Site Not Identified		Port of The Dalles				
102	Site Not Identified		Interpretative Center Site				
150	4S 14E 33	A-1	Connolly	4S 14E 33			No
151	4S 14E 2700	A-1	Connolly Land & Livestock Inc. 412 W. 4th St. The Dalles OR 97058	4S 14E 25 2400	33-0093	CUP 93-110	No
152	4S 15E 800	A-1	Lee & Ruth Lindley Box 64 Maupin OR 97037	4S 15E 30 800			No
Inv. #	Current Map/Tax Lot	Zone	Owner Name & Address	Former Map & Tax Lot	DOGAMI #	Application #	Goal 5
153	4S 15E 1000	A-1	USA Bureau of Land Management	4S 15E 30 1200			No
154	5S 16E 2000	A-1	Lonny & Pamela Brown (County Lease) 18233 W Wintergreen Lane Bremerton WA 98312	5S 16E 20 2200			No
155	5S 16E 3300	A-1	Janis Lee Snodgrass % Lonny D. & Pamela A. Brown 18233 W Wintergreen Lane Bremerton WA 98312	5S 16E 32 3300			No
156	5S 16E 3400	A-1	Warnock Ranches Inc. Rt 1 Box 16 Baker OR 97814	5S 16E 32 2401			No
157	6S 19E 900	A-1	Warnock Ranches Inc. Rt 1 Box 16 Baker OR 97814	6S 16E 5 106			No
158	6S 16E 900	A-1	Warnock Ranches Inc.	6S 16E 5 106			No

			Rt 1 Box 16 Baker OR 97814				
159	6S 16E 2100	A-1	ODOT Bakeoven Quarry 33-051-4	6S 16E 21 101	33-0017	PR-94-102	No
160	7S 17E 31 1700	A-1	Richard & Betty Baker P O Box 136 Antelope OR 97001	7S 17E 31 1990	33-0032		No
161	8S 17E 600	A-1	Donald & Marjorie Gomes (County owned) P O Box 70 Antelope OR 97001	8S 17E 4 692			No
162	8S 17E 1400	A-1	Wilton & Francis Dickson 604 NE Loucks Road Madras OR 97741	8S 17E 14 1500			No
163	8S 16E 4300	A-1	McNamee Ranches P O Box 50 Antelope OR 97001	8S 16E 36 3400			No
164	8S 17E 2000	A-1	Herbert & Faye McKay P O Box 5 Antelope OR 97001	8S 17E 35 2100			NO
Inv. #	Current Map/Tax Lot	Zone	Owner Name & Address	Former Map & Tax Lot	DOGAMI #	Application #	Goal 5
165	8S 18E 900	A-1	Washington Corp. P O Box 3027 Pasco WA 99302	8S 18E 34 800			No
166	8S 19E 1600	A-1	USA Bureau of Land Management	8S 19E 31 1900			No
167	8S 14E 1400	A-1	Ned Darling 5618 SE Taylor Portland OR 97215	8S 14E 13 101			No
168	8S 14E 2200	A-1	Bureau of Land Management	8S 14E 21 1900			No
169	7S 14E 3100	A-1	Ned Darling 5618 SE Taylor Portland OR 97215	7S 14E 32 3000			No
170	5S 12E 0 8500, 6S 12E 0 1300	A-1	Richard Dodge			PLAQJR-10-10-0005, 4/15/2011	No
171	7S 15E 0 600	A-1	J. Arlie Bryant Inc. (Hagen)			PLACUP-15-01-0001, 6/12/2015	Yes
172	6S 17E 0 2200, 2400	A-1	Jon Justesen			PLACUP-15-01-0002, 6/12/2015	Yes

173	5S 16E 0 3600	A-1	J. Arlie Bryant Inc. (Carver)			PLACUP-15-02-0003, 6/12/2015	Yes
174	3S 13E 0 4000	A-1	Jack Stevens		33-0051	CUP-06-112, CPA-06-102	No
200	4S 14E 3700	A-1	USA Bureau of Land Management	4S 14E 33 3800			No
201	5S 14E 35 C 400	A-1	ODOT Maupin Pit 33-036-4	5S 14E 35 4400	33-0004		Yes
202	6S 14E 300	A-1	Criterion Interest Inc. 122 E Stonewall Charlotte NC 28202-1889	6S 14E 11 100			Yes
203	7S 14E 200	A-1	ODOT Criterion 33-038-4	7S 14E 12 1200	33-0078		Yes
204	6S 17E 3 400	A-1	ODOT 33-049-4 County Line Quarry	6S 17E 3 500	33-0102		Yes
205	6S 17E 0 2000	A-1	State Highway Dept	5S 17E 16 ?			No
206	6S 17E 2300	A-1	ODOT 33-050-4 Hinton Quarry	6S 17E 19 1800	33-0100		Yes
208	7S 16E 1300	A-1	ODOT Identifier 33-053-4	7S 16E 6 1000	33-0024		Yes
209	7S 15E 1600	A-1	ODOT 33-059-4 Garbage Pit	7S 15E 22 1600	33-0097		Yes
Inv. #	Current Map/Tax Lot	Zone	Owner Name & Address	Former Map & Tax Lot	DOGAMI #	Application #	Goal 5
211	8S 15E 2200	A-1	Charles & Betty Johnson Gateway Star Route Box 465 Madras OR 97741	8S 15E 22 1701			No
212	8S 15E 2000	A-1	Charles & Betty Johnson Gateway Star Route Box 465 Madras OR 97741	8S 15E 27/28 1701			No
213	8S 15E 26 3500	A-1	Annan & Marla Priday HC 62, Box 462 Madras OR 97741	8S 15E 26 2900	33-0094	CPA 96-101 Goal 5	Yes
214	7S 17E 1600	A-1	ODOT Shaniko 33-062-4	7S 17E 20 2000	33-0065		Yes
215	8S 18E 600	A-1	ODOT 33-064-4	8S 18E 6 501			Yes
216	8S 18E 4 400	A-1	ODOT 33-065-4 Antelope Rock Product	8S 18E 4 400	33-0069		Yes
217	5S 12E 8500		Richard Dodge	5S 12E 33 7200	33-0080	CUP 87-104 Added 3/93	No
218	4S 12E 2800	A-1	Metzentine Quarry Dan Van Vactor	4S 12E 17 1900	33-0086	CUP 91-102 Added 3/93	No
219	2N 11E 900		ODOT 33-002 Rock Creek Quarry	2N 11E 2 900			No
220	2N 13E 20 800		ODOT 33-007 Shooting Range Quarry	2N 13E 20 800			No
221	2N 13E 500		ODOT 33-008	2N 13E 20/21 500			No

222	1S 14E 3300		ODOT 33-021 Boyd Quarry	1S 14E 20 3700			No
223	3S 13E 33 200		ODOT 33-028-4 Butler Canyon Quarry	3S 13E 33 4100	33-0062		No
224	5S 14E 6 200		ODOT 33-032 Maupin Maintenance Yard	5S 14E 6 200			No
225	7S 15E 2000		ODOT 33-039 Filler Pit	7S 15E 29 2100			Yes
226	8S 15E 2000		ODOT 33-040	8S 15E 15			Yes
227	8S 15E 3100		ODOT 33-041 Cow Canyon Quarry	8S 15E 22 2800	33-0075		Yes
228	5S 11E 36 1600		ODOT 33-045-4 Pine Grove Quarry	5S 11E 36 5300	33-0074		Yes
229	5S 12E 30B 100		ODOT	5S 12E 30 200			Yes
230	6S 12E 2 700		ODOT 33-048-4 Paquet Gulch Quarry	6S 12E 2 300	33-0101		Yes
231	7S 17E 600		Shaniko Ranch		33-0092	CUP 93-106	No
Inv. #	Current Map/Tax Lot	Zone	Owner Name & Address	Former Map & Tax Lot	DOGAMI #	Application #	Goal 5
232	1N 13E 27/28 1000		Phetteplace		33-0098	CUP 98-113 & CPA 98-103	No
233	6S 17E 2400		Jon Justesen		33-0072	CUP 99-105	No
234	1N 13E 0 2900		Elmer Wilson		33-0096	CUP 94-135	No
235	2N 12E 2000		Tingue		33-0064 & 33-0081	CUP 90-107	No
other -	Co. Road Depts Sites						
625	1S 13E 39 102		Dufur County Pit	1S 13E 36 102			No
649	4S 12E 36 7400		Kennedy Pit	4S 12E 36 7400			No
673	8S 14E 13 101		South Junction Pit	8S 14E 13 101 a portion			No
713	5S 11E 35 4802		Kelly Springs	5S 11E 35 4802			No
790	2S 14E 33 2900		Hilgen Pit	2S 13E 33 2900 a portion of			No
800	8S 17E 4 500		Helyer Pit	8S 17 4 500			No
833	3S 12E 3 1101		Schindler Pit	3S 12E 3 1101			No
850	2S 12E 12 3000		West Pit	2S 12E 12 3000			No
870	3S 12E 25 3800 & 1102		Shadybrook Pit	3S 12E 25 1102			No
871	2N 12E/13E 19 & 24 1000	NSA	Harvey Pit	2N 12E 1000	33-0009		Yes
872	2S 13E 0 (34,35) 4400, 4900		(Mike) Filbin Pit		33-0099	CUP-99-102	No

Historic Resources

Table 5.11-Historic, Cultural and Archaeological Inventory

Site Number	Site Name	Location	Description	Date of Construction	Notes
1	Oregon Trail		Road/ Archaeological Site		Historic Oregon Trail Route. This east-west route was the highway to the Northwest that ended in The Dalles.
2	Barlow Road and Cut off Road		Road/ Archaeological Site	1845-1846	This was the alternate route to the Willamette Valley from the east. The former route was the Columbia River. The road was built in 1845-6 by Samuel K Barlow.
3	The Dalles Military Wagon Road	4S 12E 1 301	Road/ Archaeological Site		This was the main military road to the interior Oregon from Fort Dalles.
4	Jonah H. Mosier Sawmill Site	2N 11E 1	Cultural site	1854	Mosier sawmill established to supply The Dalles with lumber, was the first settlement of the City of Mosier.
5	Lower Fivemile School	1N 14E 2000		1890	Historic school, also known as the Benson School.
6	Mt. Hood Flat School	1S 13E 21 400		1890	Originally Dutch Flat School (1890), then called Fairview (1901), finally Mount Hood Flat (1910), it was declared abandoned in 1954 and property became private.
7	Lower Eightmile School	1N 14E 32 400		1904	Established in 1904, the school dated back to 1860 and was also used by Mt. View Grange.
8	Mill Creek Grange	1N 12E 14		1920	Historic grange hall.
9	Wolf Run Community Hall	1S 12E 14		1913	Wolf Run School operated from 1913-1939 and was named after wolves that roamed the area.
10	Center Ridge School	2S 15E 0 800		1890	Historic school, in the 1940s it consolidated with Dufur School District.
11	Columbia Hall	1N 15E 0 1200		1906	Was used as a school until moved to the current site where it was as a Farmers Union Hall.
12	Bear Springs Camp Shelter	5S 10E 0 100			Owned by the US Forest Service. Occupied during the first enrollment period by Company 616, a company of junior enrollees from Chicago.
13	Wapinitia School/Gym	5S 12E 25B 200		1878	Wapinitia, meaning "running water", references a nearby creek. The school operated from 1878 to 1946. The town of Wapinitia also had two churches, two stores, a hotel and a blacksmith. The school district eventually merged with Maupin.
14	White River Dam	4S 14E 0 1800		1910	Now a State Park, the White River Falls was the site of a historic hydroelectric power plant that supplied power to Wasco and Sherman

					Counties from 1910 until completion of The Dalles Dam in 1960.
15	Old White River Station Camp	4S 11E 0 100			Owned by the US Forest Service this campsite was used in the pioneer days.
16	Pine Grove School	5S 11E 25B 600		1890	Historic school was consolidated with other schools in the late 1940s.
17	Jersey School	8S 14E 0 2300		1894	A historic school close to the Deschutes River, it was abandoned in 1954.
18	Lower Antelope School	8S 16E 0 800		1890	Historic school that was part of a joint district with Jefferson County.
19	Fivemile Rapids				Site not identified on GIS to protect cultural resources
20	Memaloose Island		Cultural Site		Lewis and Clark called it "Sepulchar Island".
21	Abbott site	5S 12E 0 5000			Near Wapinitia
22	Celilo Falls	2N 15E 20 400	Cultural site	1958	Falls were flooded in 1957 with the construction of the Dam. Park was developed by the Army Corp of Engineers to commemorate the Falls.
23	Black Walnut	2s 13E 18 1600	Black walnut tree with approx. 7' diameter	c. 1860	Record Size. Part of the Nickalson P. O'Brien homestead from 1890s. Black walnut trees, not native to Oregon, were reportedly brought west by Oregon Trail pioneers.
24	Old Fashioned Yellow Rose	4S 13E 24	Large Old-Fashioned Yellow Rosebush	c. 1910	Rose was inside the Fairview School yard. Highway was widened on part of the original school yards.
25	Ox Yoke Monument	2N 14E 25 400	Monument	1936	Built as an Oregon Trail marker by Isaac Remington. Constructed from cement mixed by hand in his wheelbarrow when Remington was aged 76.
26	Seufert Viaduct	2N 14E 31	Bridge	1920	Named for former train station which, in turn, was named for two pioneer brothers who moved to Oregon in the early 1880s. Designed by CB McCullough and constructed by the State Highway Department. Built under contract in 1920 by the Colonial Building Company.
27	BNRR Bridge	2N 15E 20	Railroad Bridge	1912	Historic link between Oregon and Washington. The bridge was built entirely on dry land on the rocks in the river during low water.
28	Dalles Canyon City Road Bridge	2S 14E 9 700	Bridge	1923	Constructed by Alfonso Pizzolato to eliminate water problems created by Dry Creek. One of few cut stone bridges in Wasco County.
29	Upper White River Canyon Grade	5S 12E 4, 5, 8, 9	Road	1910	Road was built as a short cut between Juniper Flats and Smock Prairie. Valuable as recreation and scenic road.
30	Hinton House	5S 16E 26 2900	Dwelling	1900-1915	Built for R.R. Hinton and family.
31	Nansene House and Post Office	2S 14E 9 701	Hotel/Stage Coach Stop	1874	Nansene, the Native-American name for Fifteenmile Creek, was an early stage coach stop and post office. It served as a stage coach stop (started in 1874) and post office (1880 to 1904). Credited with being one of the few remaining stagecoach stops in Oregon.
32	Mark O. Mayer House	2N 12E 6 401	Residence	1910	Mark O. Mayer constructed the house in 1910 as a country home. Mayer, from Portland, built the road from Mosier to his house. The road later became part of the Columbia River Highway. He named the house Mayerdale. Its an excellent example of Colonial Revival style.

33	Friend Store, Post Office and Real Estate Office	2S 12E 35 100	Commerce/Government	1912	The post office was opened in 1903. The small building was constructed in 1924 by Fred Buskuhl as a real estate office during the boom time for Friend between 1912-1924.
35	Wapinitia Hotel	5S 12E 26 5000	Multiple dwelling	1915	Barzee Hotel, built in 1915 by Earl Barzee. The hotel/rooming house was very popular in the 1920s when the Wapinitia cut-off highway was being constructed with highway engineers and workers. It was also a popular place for local teachers to board. The Wapinitia Hotel operated until the 1940s.
36	OWRR&N Railroad Section House	5S 14E 5 700	Multiple dwelling	1910	Affiliated with the east site of the Deschutes River and the railroad.
37	Round Barn	1N 13E 10AB 7200	Barn	1932	Built for a poultry business for Howard McNeal. In 1964, the barn was remodeled for use by a local theater group and called "The Round Barn." The group was asked to vacate the barn in 1973, and reverted to farm use. It is one of the few remaining round barns in Wasco County.
38	Smock Prairie School	4S 12E 32 8500	School	1906	The district merged with Wamic in 1958.
39	Friend School	3S 12E 2 800	School	1909-1910	Operated as a school until the late 1930s.
40	Petersburg School	2N 14E 33 3001	School	1860s	Built by William Floyd circa 1860s. Originally called the Floyd School. In 1904, name changed to Roosevelt School until 1908 when it was renamed Petersburg School after the nearby Great Southern Railroad station of the same name. The school was vacated in 1954 when a new school was built.
41	Fairbanks School	2N 15E 31 600	School	1912	Served as a school between 1912-1928. From 1954-1982, the building was leased to the Ten-Mile Saddle Club.
42	Clarno School	7S 19E 32 1200	School	1914	Had an average of 10-16 pupils who were rancher children between Clarno and Pine Creek (Wheeler County). The last class graduated in 1937 with two students.
43	Imperial Stock Ranch Headquarters Complex	5S 16E 26 2900	Historic District	1871-1915	Historic District, for much of its history was the largest individually owned land and livestock holding in Oregon.
44	Mosier Mounds		Archaeological resource		Site not identified on GIS to protect cultural resources

Open Space

During the 1983 Comprehensive Plan planning process, a list of open spaces to be preserved and protected were developed and subsequently listed in the Findings and Recommendations Chapter. Table 5.13 summarizes that information.

Table 5.13 – Open Space Resources in Wasco County

Open Space Resource	Details	Conflicting Uses
Agricultural and forest lands	Lands are protected through low density and conditional uses for non-resource related development	Residential uses
Columbia Gorge	Formerly protected by an Environmental Protection Zone, now protected via the Columbia River Gorge National Scenic Area Act and implementing Management Plan and Ordinances	Non-resource uses
Deschutes and John Day Rivers	Protected by the State Scenic Rivers Act and EPD 7	Non-resource uses
The White River	Designated natural area by the Nature Conservancy and Wasco County, Federally Designated Wild and Scenic River.	Non-resource uses
The Dalles and Dufur Watersheds	Zoned F-1 to limit conflicting uses	Residential uses

Scenic Views and Sites

Table 5.14-Wasco County Designated Scenic Areas

Route No	Hwy	From MP & Location	To MP & Location	Remarks
US I-84 N	2	67.72 – Hood River/Wasco County Line	69.62 – W City Limits of Mosier	660' Both Sides
		70.63 – E City Limits of Mosier	79.70 – 1.08 W of Tayler Frantz Rd 0-Xing	660' Both Sides
		87.85 - .06 E of E City Limits of The Dalles	96.70 - .25 W of Jct Celilo-Wascy Hwy	660' Both Sides
		96.70 - .25 W of Jct Celilo-Wasco Hwy	99.85 – Wasco/Sherman County Line	Within View
US 97	4	2.00 - .16 S of 0-Xing, Equipment Pass	11.00 - .14 S of Starveout Road	Within View
		22.42 - .06 N of Tygh Ridge Summit	43.83 - .13 N of W City Limits of Maupin	Within View
		47.00 - .14 N of City Limits of Maupin	50.00 – 2.58 S of S City Limits of Maupin	Within View
US 197/US 97	4	59.00 – 1.07 S of Criterion	74.26 – Wasco/Jefferson County Line	660' Both Sides
US 97	42	48.81 – Sherman/Wasco County Line	56.04 – N City Limits of Shaniko	Within View
		56.72 – W City Limits of Shaniko	68.66 – Jct The Dalles-California Hwy	Within View
ORE 216	44	0.00 – Jct Warm Springs Highway	26.17 – Jct The Dalles-California Hwy	Within View
US 26	53	62.15 – Clackamas/Wasco County Line	77.99 - .11 W of Willow Creek	660' Both Sides
ORE 216	290	6.00 - .45 W of Winter Water Creek	8.30 – Wasco/Sherman County Line	660' Both Sides
ORE 218	291	0.56 – S City Limits of Shaniko	7.31 – N City Limits of Antelope	660' Both Sides
		8.24 – E City Limits of Antelope	23.07 – Wasco/Wheeler County Line	660' Both Sides
US 30	292	2.00 - .91 E of City Limits of Mosier	13.00 - .73 W of Taylor – Frantz Road	660' Both Sides

Figure 5.14a - Wasco County Outstanding Scenic and Recreational Areas

Columbia River Gorge: Includes area defined by the Columbia River Gorge Commission and O.R.S. 390.460.

Deschutes River: Areas within the river canyon that can be seen from the Deschutes River or lands designated under the State Scenic Rivers Act. This is a potential Federal Wild and Scenic River.

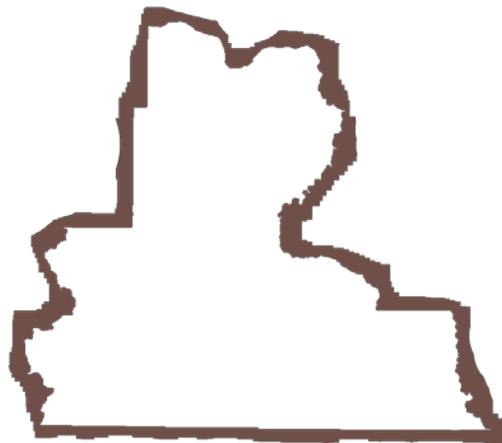
John Day River: Land seen from the river within the river canyon, or lands designated under the State Scenic Rivers Act. This river is under study for inclusion as a Federal Wild and Scenic River.

Rock Creek Reservoir: Includes land adjacent to the reservoir.

Pine Hollow Lake: Includes land adjacent to the lake.

White River: Lands within the River Canyon, or lands within approximately 4 mile of the river

**WASCO
COUNTY
2040
OUTREACH
REPORT**



Wasco County 2040

May 2019-March 1, 2020

3/1/2020

Outreach Results and Summary

In February 2018, the Wasco County Planning Department officially entered Periodic Review and commenced work on the Comprehensive Plan update, Wasco County 2040. The process includes public outreach efforts to engage citizen involvement in updates. This report is a summary of those efforts, including feedback received through online comments, email, mailed in comments, online surveys, and at workshop events.

The Wasco County Citizen Advisory Group set a goal for total participation of 20% of the population, roughly 1,629 residents living outside UGBs (this number includes children). In 2017, outreach efforts engaged 890¹ people including 60 key stakeholders and over 830 residents. Between the end of 2017 and June 2018, outreach efforts engaged an additional 1,014 people. From June 2018 until April 10, 2019, participation numbers totaled over 1,447 interactions. Between May 2019 and February 2020, there were over an additional 2,072 contacts with the public through either public meetings, comments, website visits, phone calls or emails.

This brings the total reach to over 5,400 interactions. Due to ongoing participation of some of our citizens, and the nature of counting interactions that are in some cases anonymous, it's difficult to conclude exactly how many discrete contacts have been made over the last several years. Planning staff estimates, based on

¹ This number counts each interaction as unique (e.g., survey filled, meeting attendance, etc.). Because many of the activities were anonymous, staff could not identify all interactions as discrete. We also had some people participating separately as citizens and stakeholders. The same count method was used in 2018, 2019, and 2020.

available data, that roughly have of the total 5,400 interactions are discrete which far exceeds the 20% goal set by the Citizen Advisory Group.

This interaction percentage also does not include the mailers sent every year to every property owner in unincorporated Wasco County. Total recipients for the postcard in 2020 were 3,694 residents. Many new faces were at the February 2020 roadshow meetings and told staff they were specifically in attendance because of the mailer.

Planning staff and the Citizen Advisory Group will continue, in the last year, to work to improve total reach and encourage public participation. The intention is to build on the momentum of outreach from Wasco County 2040 for the Land Use and Development Update in 2021-2022.

Wasco County 2040 Outreach Report

OUTREACH RESULTS AND SUMMARY

Online Exercises

To model activities at the 2020 roadshow meetings, staff developed a survey tool to seek public input about the Economic, Social, Environmental and Energy (ESEE) Analysis needed to update the sensitive wildlife maps. In particular, participants were asked to identify possible conflicting uses and potential ESEE consequences of limiting those conflicting uses.

The surveys were posted online on February 17, 2020 and shared through links on the Wasco County main the Wasco County 2040 project website and Wasco County Planning social media.

The surveys were closed on February 28th to tabulate results.

The survey received a total of **0** responses.

Online Comment Submissions

Submit a Comment

Name (required)

Email (required)

Website

Comment (required)

Would you like to be added to our notification list for news and events? (required)
 Yes ▾

SUBMIT

To make it easy for residents and businesses to submit comments, an online comment submission form was created in 2017 and posted on the project website.

8 comments were received from the online submission form between May 2019 and February 2020. Online comments can be read in [Appendix A](#). We have redacted email addresses.

Emailed Comments

Community members were encouraged to email planning staff at any time during the Comprehensive Plan Update process to voice their hopes, concerns, and other feedback for Wasco County 2040.

No comments were received via email in 2020.

Mailed Comments

Community members were also encouraged to mail comments to planning staff at any time during the Comprehensive Plan Update process to provide feedback for Wasco County 2040.

No mailed comments were received to date in 2020.

Phone Calls and Counter Visits

Between May 2019 and February 2020, staff received 24 inquiries by phone or at the counter related to Wasco County 2040.

September 2019 Open House

On September 19, 2019 Wasco County Planning held an open house to share information with the public on updates to Goal 5, Goal 7 and Goal 13.

There were 3 people in attendance.

October 1st Citizen Advisory Group Meeting

In October, a Citizen Advisory Group meeting was held to review proposed amendments to Chapters 5, 7, 11, and 13 of Wasco County 2040. There were 2 members of the public in attendance.

November 5th Hearing

In November, a Planning Commission meeting was held to review proposed amendments to Chapters 5, 7, 11, and 13 of Wasco County 2040. There were 2 members of the public in attendance.

The Planning Commission recommended approval of the amendments to the Board of Commissioners.

December Board of County Commissioner Meetings

The Planning Commission recommendations were presented to the Board of County Commissioners in two separate hearings in December. No members of the public attended to provide testimony.

2020 Roadshow Work Sessions

As part of work task 18, staff and the Citizen Advisory Group held four community workshops to address topics of sensitive wildlife, forest lands, and recreation. Interested in understanding community visions for policy and implementation, the sessions were structured to be two hours long and consisted of a short presentation, three informational tables with exercises, and a large group discussion.

- The Dalles Attendance: 52 citizens, 3 CAG members, 1 BOCC, 1 ODFW, 4 staff
- Dufur Attendance: 72 citizens, 2 BOCC, 1 ODFW, 4 staff
- Wamic Attendance: 63 citizens, 3 CAG members, 1 BOCC, 1 ODFW, 5 staff
- Mosier Attendance: 50 citizens, 2 CAG member, 2 BOCC, 1 ODFW, 5 staff

Notes from each meeting can be seen in [Appendix B](#).

Participants were also encouraged to make written comment on comment cards at the meetings. We received 17 comment cards that can be seen in [Appendix C](#).

At the roadshow meetings, staff requested the public support the ESEE Analysis by identifying potential land use conflicts and ESEE consequences. The exercises can be seen in [Appendix D](#).

Ad Hoc Meetings

Although they were offered, no ad hoc meetings were requested of staff.

Social Media Engagement

The Planning Department currently maintains 4 social media accounts, in addition to the project website, including YouTube, Facebook, Twitter, and Pinterest. These accounts are used to push out material from the project website in order to increase audience engagement and capture. All accounts have restricted comments in order to funnel comments through official methods.

The Facebook page has continued to grow in followers and has been helpful in directing visits to the project website. Over 600 visitors to the website were referred to Wasco2040.com between May 2019 and February 2020.

				
Followers	271	54	142 (views)	3
Likes	84	7	1	NA
Shares	11	1	0	NA
Posts	64	89	2	102

Media Coverage

Staff sent a press release to all regional media, including the newspapers and radio stations for updates in 2019 and 2020.

Radio: 2 radio interviews with Mark Bailey of KHR radio, BiCoastal Media Columbia River (July 31, 2019 and January 22, 2020)

Websites: *Reprint of Press Release on Gorge Country Radio website homepage*

Wasco 2040 To Discuss Wildlife, Forests, And Recreation
Published January 22, 2020



Wasco 2040, Wasco County's Comprehensive Plan update, will be discussing goals relating to wildlife, forests, and recreation over the next few months. Wasco County Long-Range Planner Kelly Howsley-Glover this could be one of the most contentious parts of the process, noting wildlife map revisions in the past have brought up both private property and conservation issues. She says they will be updating two overlay maps based on new data from the Oregon Department of Fish and Wildlife. Four public meetings are scheduled in February on the topic starting February 19 at Columbia Gorge Community College in The Dalles, and moving on to Dufur School on February 20, Wamic School on February 26, and Mosier Grange Hall on February 27, all at 5:30 p.m. More information is available at wasco2040.com.

Project Website

In March 2017, a project website (wasco2040.com) was launched to house information about the Comprehensive Plan Update, including data and research about Wasco County, upcoming events, ways to participate, and results from public participation.

In addition to sharing information, the project website’s main goal is to channel public participation into methods that could help support visioning efforts including promoting the survey, offering an online comment submission form, links to social media pages, and offering a variety of ways to sign up for notifications on news and events.

In 2017, the project website had a total of 2,494 views by 749 visitors. In 2018, the website had 1,657 views by 509 visitors. The project website currently has 48 followers by email (a 28 person increase in 2020), 325 by social media and 10 by feed. Between May 2019 and February 2020, the website had 1,800 visitors that resulted in 5,089 views.

WASCO COUNTY 2040

HOME ABOUT FAQ PARTICIPATE

GET INVOLVED!

Upcoming Events

- Wed. Feb 19th
5:30-7:30PM
Columbia Gorge Community College
Lecture Hall Building 2
- Thur. Feb. 20th
5:30-7:30PM
Dufur School Cafeteria
- Wed. Feb 26th
5:30-7:30PM
Wamic School Community Center
- Thur. Feb 27th
5:30-7:30PM
Mosier Grange Hall

Notice about Updates

Did you get a postcard and/or letter in the mail? Wondering what it's all about?

[Click here to learn more!](#)

You can also view the proposed map for EPD 8 [here](#).

Want to help provide feedback for our analysis? Respond to the [Sensitive Wildlife Survey here](#). Respond to the [Sensitive Bird Survey here](#).

The most popular pages are: Progress to Date, Wasco County 2040: Look Ahead, References, and Participate. There were also a significant number of views to the Wildlife Habitat Overlay Zone Updates during this cycle.

The website has a steady readership of between 200 to 500 views a month.

Notification List

Staff has compiled a list, through meetings and the website, of all citizens who have indicated that they want notifications about news and events related to Wasco County 2040. To date, the list has 184 individuals signed up.

Staff sends out email notices for upcoming events and other news as they happen.

Analysis and Recommendations

Goal 4

The primary concern expressed at all public meetings to date with forest lands is wildfire risk. There was some discussion and questions related to buildability of forest lands by individual property owners, but by in large the community feels current regulations are consistent with values of residents and goals for the future.

Staff is recommending revisions to Goal 4 focus on ensuring the language, policies and implementation strategies are consistent with the Natural Hazards Mitigation Plan, Community Planning Assistance for Wildfire recommendations, and the Community Wildfire Protection Plan.

Destination Resorts

Citizens were concerned about impacts to water and increased fire risk of destination resorts. In particular, areas of concern were in the north east portion of the County that is largely winter wheat crops. When shown the correlation between fire protection districts and the eligible destination resort sites, the feedback by in large preferred the location around Pine Grove and at the Big Muddy Ranch.

Staff proposes that we address this concern by a). adding fire risk/emergency service availability to the eligibility criteria for mapping or b). as part of the criteria for approval of a destination resort . To address water, staff proposes we address this concern as an analysis required at the time of approval.

Additional Goal 8

There continues to be significant concern over the conflict between recreation and commercial agricultural activity, particularly on the transportation network. Staff is recommending an implementation strategy to increase education and outreach to recreators and partners about harvest seasons and hazards, and to work with Public Works to notify residents when major events are happening on the roadway.

Sensitive Wildlife

The next step to adopt revised maps for Environmental Protection District 8 (Sensitive Wildlife/Big Game Habitat) and Environmental Protection District 12 (Sensitive Birds) is to conduct an Economic, Social, Environmental and Energy (ESEE) analysis. The roadshow meetings were focused on soliciting feedback that would be helpful to staff in conducting this analysis.

Here are the primary takeaways based on public input:

- Farm uses should be exempt from additional restrictions in EPD 8
- Maintain exemptions for dwelling setback requirements if there are better alternatives on site for protecting habitat in EPD 8
- Remove fencing standards (they don't make sense and don't keep cows/livestock in) from EPD 8
- Update Sensitive Bird map on more frequent basis
- Most non resource uses pose potential conflict with Goal 5 wildlife resources
- There are significant ESEE consequences for prohibition of any land use

The recommendations based on public feedback are as follows:

- Revise EPD 8 to remove voluntary standards, including fencing, exempt farm uses and maintain exemptions for dwelling setback in case of better alternatives
- Add an implementation strategy to have EPD 12 evaluated on a five year cycle
- In the ESEE Analysis, ensure the ESEE consequences for prohibition of uses are clearly reflected
- Tie these recommendations into implementation measures and references to clearly identify public input

Appendix A –

Amie Davis wordpress@wasco2040.com via a.atomicsites.net
to me ▾

Mon, Jul 15, 2019, 10:15 PM ☆ ↩ ⋮

Name: Amie Davis

Email: amie.davis@wasco2040.com

Website:

Comment: No regulations. (For now) Given the very small number and percentage of short term rentals, it doesn't seem necessary at this point in time. We also want to encourage tourism and one way to do that is to provide a place to stay!

Would you like to be added to our notification list for news and events?: Yes

Johnk658 wordpress@wasco2040.com via a.atomicsites.net
to me ▾

Sun, Jul 28, 2019, 5:38 PM ☆ ↩ ⋮

Name: Johnk658

Email: johnk658@wasco2040.com

Website:

Comment: A big thank you for your article. Really thank you! Cool. eddeedegkece

Would you like to be added to our notification list for news and events?: No

Nicole Y Chaisson wordpress@wasco2040.com via a.atomicsites.net
to me ▾

Fri, Feb 14, 8:39 AM ☆ ↩ ⋮

Name: Nicole Y Chaisson

Email: nicole@wasco2040.com

Website:

Comment: I will be at the meetings but I am really worried that you will restrict my F1 and F2 land use even further. Also the chance that our taxes will rise and different agencies will be allowed to have access to my property at any time.

Would you like to be added to our notification list for news and events?: Yes

steve m carlson wordpress@wasco2040.com via a.atomicsites.net Sun, Feb 16, 6:32 PM (12 days ago) ☆ ↩ ⋮
to me ▾

Name: steve m carlson

Email: [REDACTED]

Website:

Comment: The maps on this page are useless as you cannot enlarge them and nothing is visible.

I'm assuming the Community College is in the Dalles as there is also one in Hood River.

Would you like to be added to our notification list for news and events?: Yes

steve m carlson wordpress@wasco2040.com via a.atomicsites.net Sun, Feb 16, 6:39 PM (12 days ago) ☆ ↩ ⋮
to me ▾

Name: steve m carlson

Email: [REDACTED]

Website:

Comment: The entire idea that the forest is closed outside of Rock Creek in the Winter because of pregnant deer is ridiculous. Every winter there are around 150 female and male deer on our sewer system drain field eating the grass. They're not out in the forest. On top of that, the area has been a popular ATV and 4 Wheel drive area for the last 50 years or so.

I find it funny that since you put the East side of the lake off limits to people, the eagles don't hang around as much. 15 years ago they watch the fishermen and swimmers from the dead trees on the West side of the lake. Now, you don't see them as frequently.

Now you've closed the trail around the lake by digging another drain or something, and put big rocks in the way over the dam. That used to be a enjoyable Mt. Bike ride for years and the hike around the lake was special.

Not a fan of you making the plan and then when you take input very little is ever taken. You already have your plan based on your needs and could give a rip about those that live there.

Would you like to be added to our notification list for news and events?: Yes

Steve M. Carlson wordpress@wasco2040.com via a.atomicsites.net Feb 27, 2020, 9:01 AM (1 day ago) ☆ ↩ ⋮
to me ▾

Name: Steve M. Carlson

Email: [REDACTED]

Website:

Comment: Want more jobs in the county? Reinstate the logging industry. The supposed "migration" habitat is just a theory and isn't even common sense. Look what the fish and wildlife theories have done already! The Wolves have wiped out the coyotes in Yellowstone so you now have an over population of rodents eating the grass needed for the Bison. Northern Idaho's wonderful Elk hunting grounds have been decimated. You've caused a disaster at the Coast as the logging industry shifted down there to private land and less control. They oyster industry is suing the logging because the increase sedimentation in the bays are ruining the industry. The soils in the Coast range are much more subject to erosion because they were initially deposited on the slopes of Volcanoes in the ocean and now move down slope easily. Fish and Wildlife has bankrupt all of those little logging communities and the schools no longer receive funding from the industry. All for a theory about making a Cascade Corridor.

Would you like to be added to our notification list for news and events?: Yes

Elizabeth Turner wordpress@wasco2040.com via a.atomicsites.net Feb 27, 2020, 6:45 PM (14 hours ago) ☆ ↩ ⋮
to me ▾

Name: Elizabeth Turner

Email: [REDACTED]

Website:

Comment: I left a long comment but it deleted it. Im against any expansion of wildlife overlay.

Its a farce and unneeded.

Best plan for good wildlife management is do a good job on Goal 3 working with a agriculture working group. They are the ones taking care of wildlife. The more you restrict their flexibility the more you endanger wildlife. All these little zones just restrict their ability to survive and to take good care of the land. After 40 years in agriculture here I cant tell you what fish and wildlife really does for wildlife. As far as survivability of animals its always the ranchers who are critical to survival.

Anywhere you go where resource ranch managers are allowed to be flexible and use their skills to be profitable you will find goi2d Wildlife numbers.

In sage grouse country for example. The best habitat and numbers of grouse is on privately contolled ground.

I never recived notifacation of these meetings nor did others.

Thank you

Would you like to be added to our notification list for news and events?: Yes

Pete Dalke wordpress@wasco2040.com via a.atomicsites.net
to me ▾

7:00 AM (3 hours ago) ☆ ↶ ⋮

Name: Pete Dalke

Email: [REDACTED]

Website:

Comment: Thanks for your presentation in Mosier last evening. I am writing to indicate full support for including ODFW's habitat maps in the Wasco County planning work and comprehensive plan documents.

Regards,
Pete Dalke

Would you like to be added to our notification list for news and events?: Yes

Appendix B – Roadshow Meeting Notes

WASCO COUNTY 2040 Roadshow

**February 19, 2020
5:30pm
Columbia Gorge Community College**

Staff present: Kelly Howsley Glover, Angie Brewer, Daniel Dougherty, Lexi Stickel

CAG Members present: Leroy Booth, Kate Willis, Lynne McIntire

CALL TO ORDER (5:30pm):

Long Range Planner Kelly Howsley Glover called the meeting to order. Howsley Glover then gave introductions, went over the agenda for the meeting, and presented the Wasco County 2040 PowerPoint presentation. At 6:05, the group was split up into three stations.

Group was reassembled at 7:00PM for question and answer.

Question: Sensitive wildlife habitat (property north of me is not in it) and they've put in orchards land and have fences. Will new regulations apply to them.

Answer: Ag fences have changed migratory paths of animals, but actually excluding that wildlife from those high intensity ag zones is good for species in the long run. We create those overlay zones assumed habitat utilization from December to April – deer or elk would utilize during that critical period.

March 3rd is the Citizen Advisory Group work session --- not March 7th

Enforcement question. Answer: we don't do code enforcement unless there is a complaint. If there's a complaint our code enforcement officer will investigate and work with the land owner for abatement.

Question: Looking at the EPD 8, I see that my neighbors are within it, but they didn't receive a postcard.

Answer: Everyone outside of the NSA and outside of incorporated area received a postcard

Question: Possible property value changes?

A: That language is required by state law. It's hard for planners to estimate a potential loss of value maybe – typically it happens if you weren't able to build a certain type of development.

Question: "May" is concerning word, I should prefer "shall"

Answer: It's hard to say with certainty when we haven't done the analysis yet. And the analysis requires citizen involvement and feedback.

Question: Exceptions for use, what does that mean?

Answer: This is referring to concerns about south Wasco County moving into EPD 8, and A1-160 isn't concerning as it provides a lot of protection for deer and elk and those typical activities of farming doesn't concern ODFW. Unusual uses on A1-160 is what concerns ODFW, however, those uses are already CUPs and as part of that process and in reality we're already doing that work.

Question: There's more talk of parcels being available... website... more parcels for development within the sensitive areas?

Answer: Without seeing the context, it's hard to see. Please contact me and we can chat through that and I can provide context.

Question: If you are in EPD 12, are you still able to use your land in the same way, for instance, can you still cut your hay during the same time as birds nesting. Can I still use my property in the same way?

Answer: We wouldn't limit any current uses. We would look at proposed uses – new development.

Question: What if you purchased a house, 20 years ago, that was never permitted.

Answer: We do have something within our LUDO called a non-conforming use, and we have some provisions in state law that would allow us to approve a dwelling that wasn't permitted. It's tricky, but there are options to make the house permitted and legal.

Question: Why are deer and elk important to Wasco County? Is it a Wasco County rule or ODFW?

Answer: Wasco County is required to protect anything that has been identified by ODFW. Deer and elk are the species that we have the greatest data due to hunting we are required to gather data on these two

species and they serve as a surrogate for all the other species that rely on open space. We also believe in our hunting heritage. It serves a far greater purpose than just deer and elk. There's a long list of species that we know migrate or depend on some level of movement – big horned sheep, bear, coyote, antelope. Some of the last good habitat for some of these species is located in Wasco County. Part of the comprehensive plan, we list all the species that exist in Wasco County (birds and fish too).

WASCO COUNTY 2040 Roadshow

**February 20, 2020
5:30pm
Dufur School**

Staff present: Kelly Howsley Glover, Angie Brewer, Daniel Dougherty, Lexi Stickel

CAG Members present:

CALL TO ORDER (5:30pm):

Long Range Planner Kelly Howsley Glover called the meeting to order. Howsley Glover then gave introductions, went over the agenda for the meeting, and presented the Wasco County 2040 PowerPoint presentation. At 6:07, the group was split up into three stations.

Group was reassembled at 6:50PM for question and answer.

Question: I noticed that the boundary for voluntary participation has been taken away and that expands this map into legal requirements. Can we lessen the law?

Answer: We can more strict in our rules, but not less strict. In terms of our maps, it up to Wasco County and our partners to develop our inventories.

Question: So you had an advisory committee that helped put this together and you as the planner guided their work?

Answer: Voluntary advisory committee (wide diversity), and naming the farmers who helped. This map was not created. Process moving forward with March 3rd 3-5pm at the Discovery Center at the Citizen Advisory Group.

Question: Why do I feel like this has already been decided? It feels like my feedback isn't taken seriously.

Answer: We talk your feedback very seriously, it's gone a long way in shaping our work plan and policies. The only decision that's been made is that we need to use the maps provided by ODFW.

Question: Destination resort – there's a placement of a destination resort on the highest value farmland in the county. Why?

Answer: Based on NRCS data that state requires us to use –

Question: If we don't want to adopt the new map, does public comment make a change – specifically wildlife?

Answer: We are required by state law (OAR 660, division 23) to update maps.

Question: You mentioned mitigation? What do you mean? If there potential to change the maps from ODFW?

Answer: The only time ODFW would comment on uses within that new zone, mainly A1-160, is for unusual uses. For example, if an energy

Question: Lot line adjustment, affect Sensitive Birds

Answer: I think the concern is that if you create a new property then there's an increased a likelihood of new development. To date there's only been one application in the last 15 years that I've been here with ODFW, there's only been one application. The lot line adjustment becomes a concern when it crosses over into a buffer zone (or creates an unbuildable land).

Comment: Destination resorts – in unprotected areas for fire prevention – our resources are so limited right now that it could be an huge issue if something were to happen. The cost of that resort will be rolled over onto the community.

Comment: Water constraints are also very real so these areas and if there's limited water

Question: Along with fire, bicyclists with farm equipment, and now with a destination resort now there will be more traffic year round and now it would create more interaction on road with bicyclists. Also they might be selling this destination resort as a quiet place, but then a tractor rolls through loud in the morning – they may not like that, but that's how we make our living.

Question: Are the maps set in stone, or will they change?

Answer: Maps have been quite static for some time, they were updated in 2012. These are statewide map. We need to have a county go through periodic review for the update then there would be a public process. These a conglomeration of protections for

Question: Where did you get your directive to erase the boundary for the voluntary changes?

Answer: The County map is reflective of old data that the County has been using, but we haven't been using that for ODFW. As an agency directive comes from ODFW Commission. As I've gone back through the files, and looked at the original map, Ag 1-160 inherently provides more protection than other zones. The farm land community already provides that protection. We've had conflict and confusion arise when energy developers come in, ODFW comments off of our map. Through that process, we realized that it would be nice if the maps were the same so when an applicant looks at the county map they can see what the map will be that their application is actually based off of. We will want mitigation measures taken into account. It's helpful to uncouple the protections from A1-160 parcel size from EDP-8. This makes it really, really clear what exists on your property and what resources need to be protected.

Question: On fencing, if that was to be incorporated into all that area – is that retroactive?

Answer: No, new development only. ODFW would not recommend any language around any voluntary fencing standards in Ag1-160 (if at all). Handout for county for new landowners about wildlife friendly fencing.

Question: You know you're constantly repairing fences, because of the wildlife.

Question: Will we be voting on this? So as landowners we don't have a say?

Answer: We take your feedback to the CAG and the Planning Commission.

Comment: Postcards were really great.

WASCO COUNTY 2040 Roadshow

February 26, 2020

5:30pm

Wamic School Community Center

Staff present: Kelly Howsley Glover, Angie Brewer, Daniel Dougherty, Lexi Stickel, Brent Bybee

CAG Members present: Leroy Booth, Kate Willis, Vickie Ashley

CALL TO ORDER (5:32pm):

Long Range Planner Kelly Howsley Glover called the meeting to order. Howsley Glover then gave introductions, went over the agenda for the meeting, and presented the Wasco County 2040 PowerPoint presentation. At 6:04, the group was split up into three stations.

Group was reassembled at 6:55PM for question and answer.

Question: So you don't have the maps available unless we come into the office. What are you using on our private property to determine these sites?

Answer: We don't maintain that map set, it's maintained by ORBIC. It's probably within 6 miles of an energy proposal. Most of those nests are within the Deschutes River corridor, Columbia Gorge condor in public lands. Located in rim rock canyon cliffs. Only time in 15 years I've been here there's only been one time that I've made a comment

Question: How come we don't have those maps? Why don't we have them more specific. Nice Kate is going to charge us by the mile to drive into the office.

Answer: When it comes to Big Game Winter Range, it's publically available. You can call or email and we can send you a zoomed in map that shows on your property.

Question: What do you consider big game? Why are 200 elk on my property? What happened to the fence? What about these damned goose? Can I send you a bill? 10,000 goose on your property to destroy the wheat? You going to fix my fence. (Juniper Flat)

Answer: We can help with tags and deterrents. You can call our office. We haven't had many damage management complaints. You need to call our office so we know what's going on. We can absolutely work with landowners to help?

Comment: Elk crossing Deschutes River.

Question: 42 inches – not a cow or horse that will stay in with only 42 inches.

Answer: My recommendation is to remove that requirement. This is why we recommend that those rules are removed. We aren't following those requirements either. It's my understanding

Question: I just need to get rid of these elk.

Answer: I have till May to lethally remove elk (kill). I need a phone call. I know that not all of my solutions work.

Question: What about the wolves? We have them on Juniper Flats. They came right over on Victor Road.

Answer: The current pack is 7 of the White River Pack – mostly hanging out on the reservation.

Question: EPD 8, we're intermixed with the forest service and white river management area. It doesn't really bother use to see the big game on the forest ground, but the rules that get adopted here for our land (above the Indian Reservation) – the Forest Service adopts rules based on County and ODFW rules, we have timber sales but you can only log from winter.... Subtlety over time the rules affect us.

Answer: Agency to agency collaboration with the Forest Service to help with the rules. They have their own overlay for big game.

Question: Kelly, you mentioned that you have no jurisdiction over publically owned land. Where'd you get the authority to have all the rules over us? If it's state law, why do we need you? Can't we just follow state law? It's 5th amendment takings – courts and law won't say it is. French revolution there's a man who said "I don't care, I'm going to die anyway, I'm going to say. It's call legal plunder."

Answer: It's to help citizens navigate state law. We want to become subject experts to help citizen navigate regulations. Land use is all about regulations between

Question: Who is on the Citizen Advisory Group that's here tonight? What are the other categories besides ranching and farming?

Answer: Business owners, ODOT government worker, attorney, real estate (we used to have someone in forestry), and someone with food systems/nonprofit sector

Question: I don't understand the correlation between someone who owns a business up in The Dalles – I don't understand why they have the power to create laws that govern our land when they don't understand our lifestyle.

Answer: Process – voluntary, applications, Planning Commission. We care very much about what we get back from us. That's why we do so much public meetings. Wasco County is very diverse and it's incredibly hard to find a handful of volunteers who represent the county. We encourage you to apply to the Planning Commission. Leroy and XX are examples of that. Don't have vacancies right now, but the applications are always online.

Question: Elk problem on the flats. Who could harvest the elk?

Answer: At this scale, I would work with the landowners, they can determine who they want on their land as long as they didn't get a tag in 2019, and then ODFW issues them a tag (must pay for hunting license and tag).

WASCO COUNTY 2040 Roadshow

**February 27, 2020
5:30pm
Mosier Grange Hall**

Staff present: Kelly Howsley Glover, Angie Brewer, Daniel Dougherty, Lexi Stickel, Will Smith

CAG Members present: Leroy Booth, Rus Hargrave

CALL TO ORDER (5:30pm):

Long Range Planner Kelly Howsley Glover called the meeting to order. Howsley Glover then gave introductions, went over the agenda for the meeting, and presented the Wasco County 2040 PowerPoint presentation. At 6:10, the group was split up into three stations.

Group was reassembled at 6:55PM for question and answer.

Question: Energy facilities – but there's solar and wind, and there's a difference between one versus the other. A lot of the stuff is so general, it's hard to understand and hard to comment on the ESEE analysis. But if you're in support of protecting the birds, and you want to change some of the rules to protect. For big game, why aren't you protecting just elk and deer.

Answer: There's indicator species (elk and deer) and their habitat and migrations tend to help inform about a lot of other species. Once we get this high level feedback, we're able to start narrowing it down to more specifics. The proposed specifics will be available on March 26th – it will be posted on the Wasco County 2040 website and planning website. You can also come down to our office to pay for a copy.

Question: How does the sensitive bird map relate to wind farms, which are notorious for killing birds? How does it related to siting of wind farms?

Answer: We're not ODWF staffer. The new data is by and large related to all the wind farm activity. EPD 12 the only tie-in is related to all the data/surveys we had to gather due to the wind farm activity. The data tends to be pretty accurate – I trust the professional who conducts these studies for a lot of the wind farms. Bird habitat tends to change more rapidly, and one thing we're discussing is to update that map more frequently.

Question: Can you tell us how many acres in Wasco County are public lands versus private ownership? It would seem like the public lands are much higher than other private. So with all the thousands of acres that timber companies hold, why are you expanding big game habitat down to Mosier?

Answer: Spilt between 60% of private land, and 40% public. The majority of lands from Mosier to Mt Hood are privately held by timber companies. A lot of the areas that we've developed used to be the best habitat for deer and elk, and now we need to more land for them to survive in the winter on less than ideal land.

Question: ODFW used to have a recommendation, but now it's a rule that the County enforces that you have to build within 300 ft of an existing road. I was told that I may impact the migration of big game

Answer: Our recommendation (ODFW) was originally one house on every 160 acres on the habitat. It was negotiated with the County to determine how to condensed development in currently impacted corridors.

Question: The result is that you could have 10,000 acres, you'd have to build within 300 ft of an existing road or easement – in the dust zone within the county road.

Answer: If you read the code, and you can demonstrate that you can maintain that habitat, Wasco County would go with ODFW's recommendation. The goal is not to create additional burden on the landowner, but to work with the landowners to create ways to maintain critical habitat.

Question: So 160 is no longer the minimum parcel size?

Answer: Our resource zones are 80 minimum, and then there are some mixed farm forest parcels with a 10 acres minimum. In the Ag 1-160, if someone wants to explore uses beyond agriculture is that the applicant meets with ODFW to discuss mitigation. We're not telling land owners no, it's telling the land owners that we need a mitigation plan. We find other areas that need restoration. This doesn't change the underlying zoning.

Question: Are there, within EPD8, are there restrictions on logging?

Answer: No. The County doesn't have the power to restrict forestry practices. We want to protect resource lands to be able to use that land for that resource in the future – as the foundation of the Oregon system. It would be counter-intuitive to put restrictions

Question: In F-2 (80) can you build a dwelling?

Answer: There's two ways to build a new dwelling – either lot of record (you or your family has owned that land since 1985) or large tract tested (240 contiguous acres of land). You'd still have to apply through our office and through a STS application (fire site safety standards, setback standards). You could apply for a land use application, and then sell that approved application with the parcel then it could be developed (only one time). It's intended to balance resource zones with residential development.

Question: Why is map regarding birds confidential?

Answer: Federally protected species because they cross state lines, and therefore the information is confidential.

Question: So it doesn't impact underlying zoning, this is for future development. If you get a lot of kickback from the community about this, will the map be re-shaped?

Answer: We don't have flexibility on the map. State law requires that we use ODFW's map. Where we have flexibility is the rules we use to enforce these maps. We could exempt things from the overlay zones, like farm uses or forestry practices. What ODFW is most concerned is conditional use permits like large scale energy projects, rezoning.

Question: How much are we talking about opinion versus scientific data?

Answer: Public input is really critical to land use, and actively involve the public in the analysis. We do the analysis based upon scientific data, then we go out to the public looking to gut check that. It's a way to ground truth and test.

Question: Does Wasco County work with ODF about wildfire? For the most part they will not fight a structure fire. At some point in time, they will need to have a year round fire protection. Does Wasco County or Commissioners?

Answer: We can't speak for Commissioners. ODF does comment in development applications. Wildland fire fighters in Oregon don't have the equipment or expertise to fight structure fires.

Question: All our neighbors and myself don't have fire protection from a fire district so it's a big concern that we don't have fire protection. ODF won't come fight fires.

Answer: Yeah, the best we can do at the Planning Department can do on the front hand to help prevent or prepare applicants for fire. CWPP process will be beginning soon, and work with partners like ODF, ODFW, BLM, etc.

Questions: Any interest in expanding the fire districts?

Answer: It would be a fire district questions, I believe you can apply if you live close-by. All these are all voluntary run fire district. A lot of recommendations from the fire marshal is to install sprinklers to help prevent fires.

Question: Are you required to have a well for new development?

Answer: Fire safety standards, if you're outside the fire district there are requirements for gallons of water onsite. Inside the fire district, the fire marshal makes comment

Question: Are there any proposed questions for water quality?

Answer: Water was a big issue that arose during the visioning process in 2017. What we heard loud and clear is that Wasco County Planning is not water experts and we don't want more rules or conservation plan. What the community wanted from us was good quality data about water.

Question: Multi dwellings for family members?

Answer: We're still waiting for the rural-residential zones to be in state law as an allowable use.

Question: How big are those zones?

Answer: Rural residential zones are typically 5 or 10 acres. Though it would be an accessory dwelling, and would typically be smaller or be hooked up to same septic.

Question: What happens when that family member dies?

Answer: Accessory dwellings are different than a temporary hardship or temporary medical hardship, in those instances it would have to be removed after the hardship is over. ADU's are different and would not be required to be for a family member.

Appendix C -



We Want Your Feedback



Name: Keith Mobley Email: [redacted]

Sign Me Up for Notification on News and Events

Dest. Resort design for Pine Grove area makes most sense - between Mt. Hood & Deschutes

Wildfire mitigation - Survival does it well. Will provide contact info if needed.



We Want Your Feedback



Name: Sharon Blumley Email: [redacted]

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destination resorts sitting on the breaks of the deschutes & needs to not happen, due to wild life habitat, fire danger, and conflict between ag and tourist, bicycles, walking traffic and traffic in general.

How did you come up with the two areas for the destination resorts.



We Want Your Feedback



Name: Linda May Email: [redacted]

Sign Me Up for Notification on News and Events

The destination resorts would be a very possible fire risk for the farmers in the area. (Tygh Ridge) Also, water is in short supply.

Tygh Ridge should not be a destination resort area.



We Want Your Feedback

Name: _____ Email: _____

Sign Me Up for Notification on News and Events

Northern most - Highest Value
- Wild fire - farmland
concerns
M. J. J. e
Wild fire concerns



We Want Your Feedback

Name: Bin Moreman Email: [REDACTED]

Sign Me Up for Notification on News and Events

ELIGIBLE PARAS FOR NORTH
END FOR RESORT SITES MAKES NO
SENSE. BEST WHAT GROUND IN
COUNTY



We Want Your Feedback

Name: Ben Turner Email: [REDACTED]

Sign Me Up for Notification on News and Events

Northern zones are high fire risk
zones, High value ~~from~~ farm land
County roads not designed for high traffic
impact to property value along travel path



We Want Your Feedback

Name: Tom May

Sign Me Up for Notification on News and Events

Tygh Ridge should NOT be a Destination Resort AREA.

Fire Risk

Water Issues

Not good for wildlife.



We Want Your Feedback

Name: Clinton Cox

Email:

Sign Me Up for Notification on News and Events

My vision for Wasco County is.... I feel that there are plusses and minuses for Destination resorts. They can be good economically and bring needed resources to the county. The bad could be an influx of people, creating more traffic and road wear/damage



We Want Your Feedback

Name: Jamie Grandy

Email:

Sign Me Up for Notification on News and Events

My vision for Wasco County is.... to grow slowly. I've seen what happened in 40 years to area just west of Mt. Hood (Welches and Sandy) and don't want the beauty + quaintness taken by these wilds above our lands.



We Want Your Feedback

Name: Tim Seitz Email: [REDACTED]

Sign Me Up for Notification on News and Events

My vision for Wasco County is.... Lands for resort recreation will be so hard to do without water sewer the land cant handle. He must its so hard to get approved for my own septic water ect



We Want Your Feedback

Name: Bob MANESS Email: [REDACTED]

Sign Me Up for Notification on News and Events

My vision for Wasco County is.... THERE ARE POLITICIANS MAKING DECISIONS ABOUT THE USE OF FARMLAND THAT HAVE 1) NO IDEA ABOUT FARMING 2) NEVER FARMED A DAY IN THEIR LIFE.



We Want Your Feedback

Name: Dezi Remington Email: [Redacted]

Sign Me Up for Notification on News and Events
Green Area off Kelly cutoff in NE has 60-80 Bushel wheat ground throughout. There this has some canyon ground for 15 mile that runs through it. we farm the ground next to it and it is some of our best ground for 4 generations. All buildable ground there is high value farm ground.



We Want Your Feedback

Name: Russ Hargrave Email: _____

Sign Me Up for Notification on News and Events
Dest. Resort map makes sense to me



We Want Your Feedback

Name: Susan Gabay Email: [Redacted]

Sign Me Up for Notification on News and Events
I am most concerned about big developments - multiple housing or resort complexes since the Mosier valley where I reside (have for 44 yrs) has seen continuous decline in the water aquifers - I am on the watershed Council and request strict attention to the limited water resources we have here



We Want Your Feedback

Name: Robert Dye Email: [Redacted]

Sign Me Up for Notification on News and Events

Small destination resorts are not allowed in almost all of Wasco Co. Why not have a map for small 160-500 ac. resorts, then another for 500-2000 ac, then a third for over 2000, that way you don't shut out the entire county from small.



We Want Your Feedback

Name: Bill Gibbs Email: _____

Sign Me Up for Notification on News and Events

My vision for Wasco County is... Not to become a destination resort site area because it would negatively affect the quiet farm community county it has been know to be for many many years



We Want Your Feedback

Name: Karen Dally Email: [Redacted]

Sign Me Up for Notification on News and Events

Water availability is an enormous concern. Mosier is a critical water area and develop more development for residential, farms or recreational uses would impact that resource even if it were on a scale of 160 acres or more. Please consider that. Also, the fire danger in summer & fall.

Sensitive Birds Habitat & Conflicting Uses

Consequences should focus on Economic, Social, Environmental and Energy

	CONFLICTS	NO CONFLICT	CONSEQUENCES IF PROHIBITED	CONSEQUENCES IF LIMITED
FARM USES			Economic Social Farm uses should be allowed to continue as long as they do not conflict with sensitive bird habitat. Economic Social Farm uses should be allowed to continue as long as they do not conflict with sensitive bird habitat.	Economic Social Farm uses should be allowed to continue as long as they do not conflict with sensitive bird habitat.
AGRITOURISM			Economic Social Agritourism should be allowed to continue as long as it does not conflict with sensitive bird habitat. Economic Social Agritourism should be allowed to continue as long as it does not conflict with sensitive bird habitat.	Economic Social Agritourism should be allowed to continue as long as it does not conflict with sensitive bird habitat.
RESIDENTIAL			Economic Social Residential development should be allowed to continue as long as it does not conflict with sensitive bird habitat. Economic Social Residential development should be allowed to continue as long as it does not conflict with sensitive bird habitat.	Economic Social Residential development should be allowed to continue as long as it does not conflict with sensitive bird habitat.
COMMERCIAL			Economic Social Commercial development should be allowed to continue as long as it does not conflict with sensitive bird habitat. Economic Social Commercial development should be allowed to continue as long as it does not conflict with sensitive bird habitat.	Economic Social Commercial development should be allowed to continue as long as it does not conflict with sensitive bird habitat.
COMMUNITY FACILITIES			Economic Social Community facilities should be allowed to continue as long as they do not conflict with sensitive bird habitat. Economic Social Community facilities should be allowed to continue as long as they do not conflict with sensitive bird habitat.	Economic Social Community facilities should be allowed to continue as long as they do not conflict with sensitive bird habitat.
ENERGY FACILITY			Economic Social Energy facilities should be allowed to continue as long as they do not conflict with sensitive bird habitat. Economic Social Energy facilities should be allowed to continue as long as they do not conflict with sensitive bird habitat.	Economic Social Energy facilities should be allowed to continue as long as they do not conflict with sensitive bird habitat.
INDUSTRIAL			Economic Social Industrial development should be allowed to continue as long as it does not conflict with sensitive bird habitat. Economic Social Industrial development should be allowed to continue as long as it does not conflict with sensitive bird habitat.	Economic Social Industrial development should be allowed to continue as long as it does not conflict with sensitive bird habitat.
OUTDOOR GATHERING			Economic Social Outdoor gathering should be allowed to continue as long as it does not conflict with sensitive bird habitat. Economic Social Outdoor gathering should be allowed to continue as long as it does not conflict with sensitive bird habitat.	Economic Social Outdoor gathering should be allowed to continue as long as it does not conflict with sensitive bird habitat.

Section 3.920 - Sensitive Wildlife Habitat Overlay (EPD-8)

Section 3.921 – Purpose 1
Section 3.922 - Application of Provisions..... 1
Section 3.923 - Exempt Areas 1
Section 3.924 - Permitted Uses..... 2
Section 3.925 - Conditional Uses 2
Section 3.926 - Siting Standards 2
Section 3.927 - Fencing Standards 3
Section 3.928 – Other Provisions..... 3

~~In any zone which is in the Wildlife Overlay (EPD-8), the requirements and standards of this SectionChapter shall apply in addition to those specified in this Section for the underlying zone. If a conflict in regulation or standards occurs, the provisions of this Section shall govern except that the larger minimum lot size shall always apply.~~

Section 3.921 – Purpose

The purpose of this overlay district is to conserve important wildlife areas by providing supplementary development standards; to promote an important environmental, social, and economic element of the area; and to permit development compatible with the protection of the wildlife resource.

Section 3.922 - Application of Provisions

Except as provided in Section 3.923 below, this overlay district shall be applied to all areas identified in the Comprehensive Plan as ~~Big Game Winter Range Habitat and Area of Voluntary Siting Standards~~Sensitive Wildlife Habitat.

Section 3.923 - Exempt Areas

The following areas are exempt from these provisions:

- A. Rural Service Centers.
- B. Areas designated as Impacted Areas in the Transition Lands Study Area.

Section 3.924 – Exempt Uses

- A. All uses permitted without review in the underlying zone are exempt from provisions and siting standards in this Section.
- B. All uses in A-1 (160) that are permitted subject to Type I Review are exempt from provisions and siting standards in this Section.

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C. Farm dwellings, accessory farm dwellings, and relative farm dwellings in A-1 (160) are exempt from provisions and siting standards in this Section but still require notice to ODFW consistent with subject to standards review.

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Section 3.924—Permitted Uses

All uses allowed in the overlay zone shall be those farm and forest uses permitted outright by the underlying zone.

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Section 3.925—Conditional Uses

The conditional uses permitted in the zones in which this overlay is applied, shall be those permitted conditionally by the underlying zone subject to the other applicable standards of this Section.

Section 3.926-925 - Siting Standards

A. Within EPD-8, subject to standards uses permitted in the underlying zone are subject to notice to and comment from the For lands within the Area of Voluntary Siting Standards a meeting between the applicant and Oregon Department of Fish and Wildlife, shall be required if Oregon Department of Fish and Wildlife determines that habitat values exist which may be important to discuss with the applicant. The result of the meeting shall be included as information in the county review of a land use application.

B. Within EPD-8, conditional uses permitted in the underlying zone are subject to notice and comment from the Oregon Department of Fish and Wildlife. This includes conditional use requirements per Section 5.020 F.

~~B.C. Within EPD-8, in the area designated Big Game Winter Range the following siting standards shall be applied as a condition of approval for all new dwellings in all zones not exempt under Section 3.924. In the area designated Area of Voluntary Siting Standards the following siting standards shall be by voluntary agreement of the applicant.~~

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1. New dwellings shall be located within three hundred feet (300') of public roads or easement or private roads or easements existing as of October 22, 1997, unless it can be found that:
 - a. Habitat values (browse, forage, cover, access to water) are afforded equal or greater protection through a different development pattern; or,
 - b. The siting within three hundred feet (300') of such roads or easements would force the dwelling to be located on irrigated land, in which case, the dwelling shall be located to provide the least impact on wildlife habitat possible

considering browse, forage cover, access to water, and minimizing length of new access roads.

Section 3.927—Fencing Standards

~~The following fencing standards could apply to new fences constructed as a part of development of a property in conjunction with conditional use permit. These standards shall be a voluntary agreement by the applicant.~~

~~New fences in the Big Game overlay zone are designed to permit wildlife passage. The following standards are guidelines approved by the County after consultation with the Oregon Department of Fish and Wildlife:~~

- ~~A. To make it easier for deer to jump over the fence, the top wire shall not be more than 42 inches high.~~
- ~~B. A 3-wire or 4-wire fence with the bottom wire at least 18 inches above the ground to allow fawns to crawl under the fence. It should consist of smooth wire to avoid injury to animals.~~
- ~~C. A gap of at least 10 inches shall be maintained between the top two wires to make it easier for deer to free themselves if they become entangled.~~

Section 3.928—Other Provisions

- ~~A. The County shall notify the Oregon Division of State Lands and the Oregon Department of Fish and Wildlife of any development application for land within a wetland identified on the National Wetlands Inventory maps.~~
- ~~B. An application for a destination resort, or any portion thereof, in a recognized Big Game Habitat overlay zone shall not be accepted pending completion of the County's Goal 8 destination resort mapping process.~~
- ~~C.A. _____ The county shall provide ODFW an annual record of development approvals within the areas designated as "Area of Voluntary Siting Standards" on the plan map to allow ODFW to monitor and evaluate if there is a significant detrimental effect on habitat (Added October 1997).~~

Section 3.920 - Sensitive Wildlife Habitat Overlay (EPD-8)

Section 3.920 - Sensitive Wildlife Habitat Overlay (EPD-8) 1
Section 3.921 – Purpose 1
Section 3.922 - Application of Provisions..... 1
Section 3.923 - Exempt Areas 1
Section 3.925 - Siting Standards 2

The requirements and standards of this Section shall apply in addition to those specified for the underlying zone. If a conflict in regulation or standard occurs, the provisions of this Section shall govern except that the larger minimum lot size shall always apply.

Section 3.921 – Purpose

The purpose of this overlay district is to conserve important wildlife areas by providing supplementary development standards; to promote an important environmental, social, and economic element of the area; and to ensure development is compatible with the protection of the wildlife resource.

Section 3.922 - Application of Provisions

Except as provided in Section [3.923](#) below, this overlay district shall be applied to all areas identified in the Comprehensive Plan as Sensitive Wildlife Habitat.

Section 3.923 - Exempt Areas

The following areas are exempt from these provisions:

- A. Rural Service Centers.
- B. Areas designated as Impacted Areas in the Transition Lands Study Area.

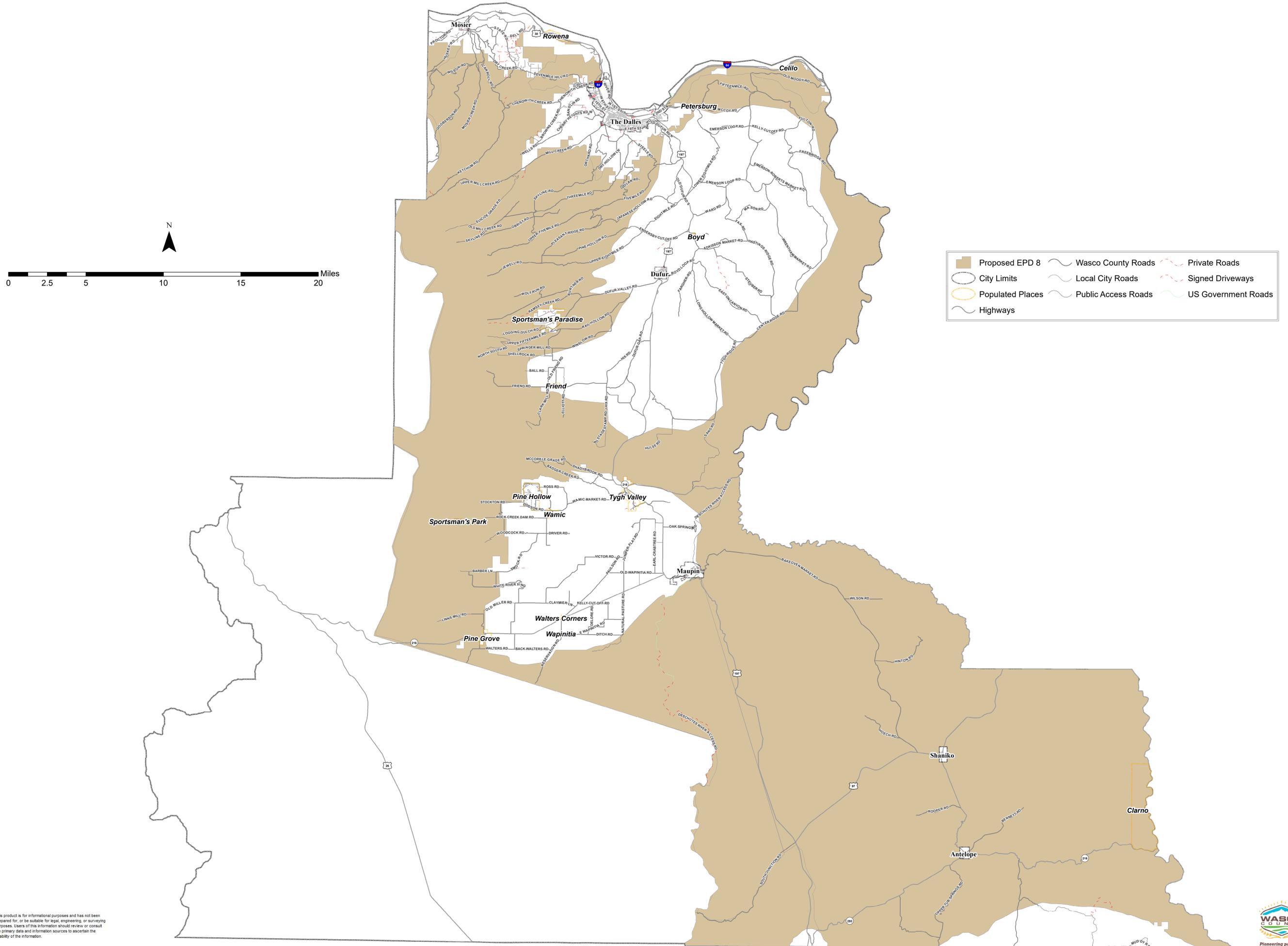
Section 3.924 – Exempt Uses

- A. All uses permitted without review in the underlying zone are exempt from provisions and siting standards in this Section.
- B. All uses in A-1 (160) that are permitted subject to Type I Review are exempt from provisions and siting standards in this Section.
- C. Farm dwellings, accessory farm dwellings, and relative farm dwellings in A-1 (160) are exempt from provisions and siting standards in this Section but still require notice to ODFW consistent with subject to standards review.

Section 3.925 - Siting Standards

- A. Within EPD-8, subject to standards uses permitted in the underlying zone are subject to notice to and comment from the Oregon Department of Fish and Wildlife.
- B. Within EPD-8, conditional uses permitted in the underlying zone are subject to notice and comment from the Oregon Department of Fish and Wildlife. This includes conditional use requirements per Section 5.020 F.
- C. Within EPD-8, the following siting standards shall be applied as a condition of approval for all new dwellings in all zones not exempt under Section 3.924:
 - 1. New dwellings shall be located within three hundred feet (300') of a public road or private road or road easement existing as of October 22, 1997, unless it can be found that:
 - a. Habitat values (browse, forage, cover, access to water) are afforded equal or greater protection through a different development pattern affirmed by Oregon Department of Fish and Wildlife; or
 - b. The siting within three hundred feet (300') of such roads or easements would force the dwelling to be located on irrigated land, in which case, the dwelling shall be sited to minimize impact on wildlife habitat considering browse, forage cover, access to water, and minimizing length of new access roads.

PROPOSED EPD 8 - SENSITIVE WILDLIFE HABITAT



This product is for informational purposes and has not been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

Map *

5S 13E 0 2400
5S 12E 0 1700
1S 12E 15 800
1S 12E 15 800
4S 13E 0 3500
5S 16E 0 2200
4S 13E 0 1800
4S 13E 15 400
4S 12E 31 800
1S 12E 15 700
4S 11E 0 400
1S 12E 0 2700
4S 16E 0 500
7S 14E 0 2000
2N 12E 30 700
7S 18E 0 300
4S 13E 15 500
4S 13E 6 101
2S 15E 0 800
1S 15E 0 3200
4S 13E 6 100
6S 15E 0 1302
4S 14E 0 3100
5S 15E 0 1500
2S 15E 0 1000
2N 12E 30 600
4S 13E 6 800
6S 14E 0 2000
6S 13E 0 2200
4S 14E 0 3400
5S 12E 0 4300
4S 12E 0 5500
5S 13E 0 3000
5S 13E 0 6000
8S 17E 0 1600
2N 12E 30 1000
2N 12E 30 800
6S 17E 0 3000
4S 13E 6 400
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2S 15E 0 1200
2N 12E 30 200
4S 13E 10 1100
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4S 13E 6 700
4S 13E 0 1200
4S 13E 6 701
1S 16E 0 1500
2S 15E 0 400
5S 13E 0 2300
8S 19E 0 2100
5S 13E 0 5900
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4S 13E 6 702
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4S 13E 0 4800
6S 18E 0 100
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4S 13E 0 4900
4S 13E 0 3101
8S 19E 0 700
1S 12E 15 900
6S 17E 0 2900
2N 12E 0 3100
1S 12E 15 100
4S 12E 4 200
4S 12E 3 500
3S 12E 0 3100
4S 15E 0 100
6S 17E 0 1800
4S 13E 6 500
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4S 16E 0 300
4S 15E 0 200
2S 15E 0 1200
5S 13E 0 2300
4S 15E 0 100
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5S 12E 0 1400
2N 12E 0 3200
1S 11E 0 1800
6S 14E 0 2500
4S 13E 6 200
4S 13E 0 2400
2N 12E 30 300
5S 13E 0 5900
2N 12E 30 1100
1S 11E 0 1700
2N 12E 30 400
5S 15E 0 500
4S 13E 0 3500
4S 13E 15 300
5S 14E 0 600
4S 13E 10 1300
7S 17E 0 1900
6S 17E 0 2800
1S 12E 0 500
5S 12E 0 200
8S 19E 0 2000
4S 13E 10 1100
8S 19E 0 2100

IMPORTANT NOTICE THAT MAY AFFECT YOUR PROPERTY

THIS IS TO NOTIFY YOU THAT WASCO COUNTY HAS PROPOSED A LAND USE REGULATION THAT MAY AFFECT THE PERMISSIBLE USES OF YOUR PROPERTY AND OTHER PROPERTIES.

WASCO COUNTY PLANNING DEPT.
2705 East Second Street
The Dalles, Oregon 97058



Phone: (541) 506-2560

Fax: (541) 506-2561

<http://co.wasco.or.us>

On **September 1, 2020**, the Wasco County Planning Commission will hold a public hearing regarding the adoption of Ordinance Numbers 20-001 and 20-004. These ordinances are the adopting documents for proposed revisions to Chapters within the updated comprehensive plan, Wasco County 2040, and comprehensive plan map.

Wasco County has determined that adoption of this ordinance may affect the permissible uses of your property, and other properties in Wasco County and may change the value of your property. ORS 215.503 requires notice which contains the above language. Wasco County is notifying thousands of property owners of these proposed changes, and Wasco County has no way to know whether, how or when these updates might affect the value of your property. Your receipt of this notice does not necessarily mean that any of the proposed updates will limit the use of your property or change the value of your property.

Due to the statewide restrictions on public meetings, this meeting will be held virtually, and we encourage your participation online or by phone. Please visit: https://www.co.wasco.or.us/departments/planning/pc_remote_meetings.php

This hearing includes the following Wasco County 2040 agenda items:

- Introduction
- Committed Lands Chapter
- Forest Lands Chapter
- Recreation Chapter
- Finalization of Wasco County 2040
- Adoption of Destination Resort Map
- Revisions to Sensitive Wildlife Policies and Implementation Measures
- Adoption of Revised Sensitive Wildlife Map (EPD-8)
- Adoption of Revised Sensitive Birds Map (EPD-12)

Proposed revisions are part of the Planning Commission packet and will be available for view on **August 25th, 2020** here: https://www.co.wasco.or.us/departments/planning/agendas_and_minutes.php. The proposed revisions, criteria, rules for legislative hearings, and all other documents and evidence related to updates have also been summarized and shared on the project website: <https://wasco2040.com>. To view a FAQ and find links to posts visit: <https://wasco2040.com/faq/2020-updates/>.

Ordinance Numbers 20-001 and 20-004 are available for inspection by appointment at the Wasco County Planning Department at 2705 E 2nd St, The Dalles, OR. Please call 541-506-2560 to schedule an appointment. A copy of Ordinance Numbers 20-001 and 20-004 are also available for view or download on the project website: <https://wasco2040.com/faq/2020-updates/> or for purchase at a cost of \$0.25 per page.

For additional information concerning Ordinance Numbers 20-001 and 20-004 you may call the Wasco County Planning Department at 541-506-2560.

These are part of the final work tasks to complete the update of Wasco County 2040, the Wasco County Comprehensive Plan.

WASCO COUNTY 2040 HIGHLIGHTS

As this multi-year project winds down, we want to share some of the highlights for the new Wasco County Comprehensive Plan.

- New, user friendly format
- Updated data, references, and findings
- Encourages incentive programs for development applications
- Reduces restrictions where appropriate
- Updated resource inventories
- Clarified restrictions in Natural Areas and Wild and Scenic Rivers Overlay to make all proposed uses conditional/no longer prohibit certain uses
- Allows for potential of agri-tourism uses permitted by state law
- Allows for potential for accessory dwelling units in rural residential lands when permitted by state law
- Promotes coordination and outreach with partners

The focus has been on creating a transparent long range vision for the future of land use and development in Wasco County over the next twenty years. To read more about Wasco County 2040 please visit our project website: <https://wasco2040.com>. Thank you for your participation and helping to create a new pathway to prosperity for Wasco County.

UPCOMING LONG RANGE PLANNING PROJECTS

As we wrap up Wasco County 2040, our multi-year project to update the Wasco County Comprehensive Plan, Wasco County Planning is kicking off the following new projects:

Update the Community Wildlife Protection Plan (CWPP). The current CWPP was written in 2005. The primary purpose for the plan is to identify and prioritize wildfire hazards and to develop a strategy to reduce those hazards. The plan will assist the county, its communities and fire districts in securing National Fire Plan grants and other funding sources to treat hazard fuel situations and to better prepare residents for wildfires that may occur. The updated plan will align with the National Cohesive Wildland Fire Management Strategy focused on making meaningful progress toward the three goals of 1. Resilient Landscapes, 2. Fire Adapted Communities, and 3. Safe and Effective Wildfire Response. To learn more visit: <https://WascoCWPP.com>

Update the Land Use and Development Ordinance. This multi-year project will focus on creating or removing criteria and/or regulation from many of the strategies identified by Wasco County 2040. To view the proposed timeline and more information, visit: <https://wasco2040.com/ludo-update/>

To submit comment about any of these matters, mail us a letter, email the project manager at kellyg@co.wasco.or.us, or use our easy online comment submission form: <https://wasco2040.com/submit-a-comment/>

AVISO IMPORTANTE QUE PUEDE AFECTAR SU PROPIEDAD

ESTO ES PARA NOTIFICARLE QUE EL CONDADO DE WASCO HA PROPUESTO UN REGLAMENTO DE USO DE LA TIERRA QUE PUEDE AFECTAR LOS USOS PERMISIBLES DE SU PROPIEDAD Y OTRAS PROPIEDADES.

**DEPARTAMENTO DE PLANIFICACIÓN
DEL CONDADO DE WASCO**

2705 East Second Street
The Dalles, Oregon 97058



Teléfono: (541) 506-2560

Fax: (541) 506-2561

<http://co.wasco.or.us>

El 1 de septiembre de 2020, la Comisión de Planificación del Condado de Wasco llevará a cabo una audiencia pública sobre la adopción de las Ordenanzas Números 20-001 y 20-004. Estas ordenanzas son los documentos que adoptan las revisiones propuestas a los Capítulos dentro del plan integral actualizado, el Condado de Wasco 2040 y el mapa del plan integral.

El condado de Wasco ha determinado que la adopción de esta ordenanza puede afectar los usos permitidos de su propiedad y otras propiedades en el condado de Wasco y puede cambiar el valor de su propiedad. ORS 215.503 requiere un aviso que contenga el idioma anterior. El Condado de Wasco está notificando a miles de propietarios de estos cambios propuestos, y el Condado de Wasco no tiene forma de saber si estas actualizaciones podrían afectar el valor de su propiedad, cómo y cuándo. Al recibir este aviso no significa necesariamente que algunas de las actualizaciones propuestas limitarán el uso de su propiedad o cambiará el valor de su propiedad.

Debido a las restricciones estatales en las reuniones públicas, esta reunión se llevará a cabo virtualmente, y esperamos su participación en línea o por teléfono. Por favor visite:

https://www.co.wasco.or.us/departments/planning/pc_remote_meetings.php

Esta audiencia incluye los siguientes puntos de la agenda del Condado de Wasco 2040:

- Introducción
- Capítulo de tierras comprometidas
- Capítulo de Tierras Forestales
- Capítulo de recreación
- Finalización del plan Condado de Wasco 2040
- Adopción del mapa del destino turístico
- Revisiones de políticas sensibles de vida silvestre y medidas de implementación
- Adopción del Mapa de vida silvestre sensible revisado (EPD-8)
- Adopción del Mapa revisado de aves sensibles (EPD-12)

Las revisiones propuestas son parte del paquete de la Comisión de Planificación y estarán disponibles para su visualización el **25 de agosto de 2020** aquí: https://www.co.wasco.or.us/departments/planning/agendas_and_minutes.php. Las revisiones propuestas, los criterios, las reglas para las audiencias legislativas y todos los demás documentos y pruebas relacionados con las actualizaciones también se han resumido y compartido en el sitio web del proyecto: <https://wasco2040.com>. Para ver una lista de preguntas, respuestas y encontrar enlaces a publicaciones visite: <https://wasco2040.com/faq/2020-updates/>.

Si necesita un interprete, por favor llame una semana antes del evento al (541) 506-2560 de lunes a viernes, de 10:00 a.m. a 4:00 p.m., y si necesita adaptaciones especiales

Los números de ordenanza 20-001 y 20-004 están disponibles para inspección con cita previa en el Departamento de Planificación del Condado de Wasco en 2705 E 2nd St, The Dalles, OR. Llame al 541-506-2560 para programar una cita. Una copia de los números de ordenanza 20-001 y 20-004 también está disponible para ver o descargar en el sitio web del proyecto: <https://wasco2040.com/faq/2020-updates/> o para comprar a un costo de \$ 0.25 por página.

Para obtener información adicional sobre los números de ordenanza 20-001 y 20-004, puede llamar al Departamento de Planificación del Condado de Wasco al 541-506-2560.

Estas son parte de las tareas finales de trabajo para completar la actualización del Condado de Wasco 2040, el Plan Integral del Condado de Wasco.

DETALLE DEL PLAN DEL CONDADO DE WASCO 2040

A medida que este proyecto de varios años termina, queremos compartir algunos de los aspectos más destacados del nuevo Plan Integral del Condado de Wasco.

- Nuevo formato fácil de usar
- Datos actualizados, referencias y que encontramos
- Fomenta programas de incentivos para aplicaciones de desarrollo.
- Reduce las restricciones cuando sea apropiado
- Inventarios de recursos actualizados
- Se aclararon las restricciones en las áreas naturales y de ríos en áreas escénicas para hacer que todos los usos propuestos sean condicionales / ya no prohíban ciertos usos
- Permite potencialmente el uso de agroturismo permitidos por la ley estatal
- Permite unidades de vivienda accesorias en tierras residenciales rurales cuando lo permite la ley estatal
- Promueve la coordinación y participación con los socios.

El enfoque se ha centrado en crear una visión transparente de largo alcance para el futuro del uso y desarrollo de la tierra en el condado de Wasco durante los próximos veinte años. Para leer más sobre el condado de Wasco 2040, visite nuestro sitio web del proyecto: <https://wasco2040.com>. Gracias por su participación y ayuda para crear un nuevo camino hacia la prosperidad para el Condado de Wasco.

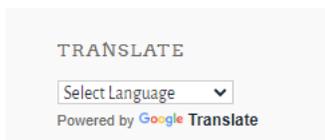
PRÓXIMOS PROYECTOS DE PLANIFICACIÓN DE LARGO ALCANCE

A medida que concluimos el Condado de Wasco 2040, nuestro proyecto de varios años para actualizar el Plan Integral del Condado de Wasco, la Planificación del Condado de Wasco está iniciando los siguientes proyectos nuevos:

Actualice el Plan comunitario de protección de la vida silvestre (CWPP). El CWPP actual se escribió en 2005. El objetivo principal del plan es identificar y priorizar los peligros de incendios forestales y desarrollar una estrategia para reducir esos peligros. El plan ayudará al condado, sus comunidades y distritos de bomberos a obtener ayuda del Plan Nacional de Incendios y otras fuentes de financiamiento para tratar situaciones de combustible peligroso y preparar mejor a los residentes para los incendios forestales que puedan ocurrir. El plan actualizado se alinearán con la Estrategia Nacional de Manejo Cohesivo de Incendios Forestales enfocada en lograr un progreso significativo hacia los tres objetivos de 1. Paisajes resistentes, 2. Comunidades adaptadas al fuego y 3. Respuesta segura y efectiva a los incendios forestales. Para obtener más información, visite: <https://WascoCWPP.com>

Actualizar la Ordenanza sobre el uso y el desarrollo del suelo Este proyecto de varios años se enfocará en crear o eliminar restricciones y / o regulaciones de muchas de las estrategias identificadas por el Condado de Wasco 2040. Para ver el tiempo propuesto y más información, visite: <https://wasco2040.com/ludo-update/>

Para enviar comentarios sobre cualquiera de estos asuntos, envíenos una carta, envíe un correo electrónico al gerente del proyecto a kellyg@co.wasco.or.us, o use nuestro sencillo formulario de envío de comentarios en línea: <https://wasco2040.com/submit-a-comment/>. Este sitio web tiene una función de traducción. vaya hasta la parte inferior de la página y busque este signo:



En el sitio web del condado de Wasco, busque en la pantalla superior izquierda este signo:



Attachment J- Public Comments

Sat, Aug 15, 4:11 PM

Name: Nikki Lahy

Website:

Comment: Please take the time to provide maps that are readable/viewable. It's not that hard to enlarge before pasting/printing. I enjoyed your presentation, but the maps and handouts, along with this web map information is unreadable and unprofessional. It makes me wonder if it is done on purpose or someone is not qualified for the job.

Would you like to be added to our notification list for news and events?: Yes

Vance Ellett

[Wasco County 2040] Submit a Comment

28 May 2020

I was born in The Dalles and have lived in my (our) current house for @ 5401 Chenoweth Rd for 30 years. Our place is about 360 acres of hills with Hay fields and pastures mostly zoned AG. We spent parts of 5 years trying unsuccessfully to get a 5 acre parcel (that was created by Wasco County) rezoned to RR 2 1/2 so the 2 tracts could be sold as housing sites. I feel that the Wasco County Planning Department did nothing to help us achieve our goals. Based on the time and thousands of dollars we wasted on this issue (and the fact that I have paid property taxes in Wasco County for 40+ years) I have the following recommendations that I would like to see addressed in Wasco County 2040: 1) Have the Planning Commission help citizen taxpayers achieve owners goals w/ land. 2) Recognize that in the 40 years since LCDC was passed that the needs of Oregon has changed and that as a State and County, we need to get more housing and get it closer to town. When you force people to build 10 miles from Town, you cause more "Fragmentation" and loss of wildlife habitat. And even worse, the environmental cost to the Planet is 5 or 10 fold because every trip to work, to town, to sports, to get groceries takes 5 to 10 times as much fuel and time for the 50 to 100 years somebody lives in the house. And loss of wintering range and fire fighting issues. 3) Our 5,7 acre tract that we wanted to split in

at 4:18

2 buildable lots has a well on it, The County will not allow a house to be built on the side where the well is. The County should allow Landowners to position the buildable footprint adjacent to the existing well. Same amount of development just located intelligently. 4) What the County should really do is say that the best thing to do in 2020 is divide the 5.7 acres into 2 or 4 lots and keep that many houses closer to town because people need places to live Respectfully Linda and Vance Ellett 5401 Chenoweth Road

Would you like to be added to our notification list for news and events? Yes

Steve Carlson

[Wasco County 2040] Submit a Comment

4 Mar 2020 at

3:53 am

I'm frustrated with the forest service and fish and wildlife because you have this idea that you can reestablish ancient migration routes from Canada to California with very little fact to support it! Just theory! You've already shut the forest industry down and don't really appear to care much about the property owner! The forest service was given a mandate during the Clinton Administration to manage better and they then wrote regulations that control with little regard for property owners! You mentioned jobs development in your presentation ! Well, maybe restoring the timber industry and towns would be a great start! I watched the documentary on OPB regarding Wolves and the head guy said, "Well, we didn't really know how it would work out! Now you have a problem in Yellowstone as the wolves have decimated the coyote population and the rodent population has exploded causing a bison habitat problem as their grass is being eaten by the rodents! What you're doing is similar to what happened to the Kaibab plateau in the Grand Canyon when TR made it illegal to hunt the white tail deer! In about 1929 the deer over populated and ate everything! The carrying capacity of the plateau has never recovered! People are tired of "the government " coming in with some theory that may or may not work! Meanwhile, the citizen suffers the consequences of your actions and the way leaders in your professions are moved around no one is ever responsible! The survey I Looked at during the meeting was a joke! Black and white answers out of

context are worthless and of course you can draw most any conclusions you want! I've been to many meetings and it's clear the agencies have their plan and will change very little! When I petitioned to have the forest service follow ADA, Washington DC said they didn't have to because ADA "didn't follow their plan!" Just like everything else in government, congress passed laws with good intentions and then bias people with their own agendas write the regulations! It's no wonder the rural population is fed up! Nite

Would you like to be added to our notification list for news and events? Yes

From: **Elizabeth Turner**

Date: Wed, Mar 4, 2020 at 6:49 AM

Subject: Re: Fish and wildlife overlay. Planning concerns

I hope you understand that if I have to be silent when facts are being misunderstood or incorrectly applied then I'm disrespecting thousands of farm families.

I either have to interrupt the meeting and disrespect them or the people who live here. I'm going to choose ranchers supported by facts every time. That's why I'm saying give us access to the process as citizens advising so we can answer when facts are misrepresented.

I did not hear today that the road department or the county sheriff and others have been consulted about supporting a resort. I'd like to hear from them.

I don't think a destination resort belongs here except in far south county. Don't save someone with money problems and hurt everyone else. That's how we screwed up the Columbia wheat district.

Thank you

On Tue, Mar 3, 2020, 6:52 PM Elizabeth Turner wrote:

Take a look at ORS 660 23 which is how we fall under the law for wildlife.

Under 110 we are allowed to use a safe harbor process instead of just let ODFW do their thing. It's mostly recognizing animals on endangered list or threatened. It might help us quite a bit with this overlay and reporting problem.

I will ask Angie about it.

Please don't think my intention is to disrespect. But we gained a huge amount of knowledge and have to sit in meetings not able to inform of really important things to our citizens.

Soils is a big one. Its not simple at all. There are a number of factors. Juniper flat has very unusual soil. We did update some of it before. But to judge it by a map would not always reflect its productivity.

The Dulings Natural Pasture wheat ranch is either under the destination resort overlay or very near it. Most successful ranch in south county in wheat. I wanted to remind Chris on the commission about that. But I wasnt allowed to.

There needs to be an educated group just like before. The commission needs that kind of input. Its not the same to comment as a rancher rather than a rancher with years of planning knowledge.

Im very pro wildlife. The big issues are probably sprays. If we could reduce chemicals it would help all species.

Please find a way for some more involvement by those trained to navigate the difficult areas.

Thank you

On Tue, Mar 3, 2020, 9:59 AM Elizabeth Turner wrote:

Ive been asking farmers questions and getting some response. There appears to be action being taken outside fiish and wildlifes overlay at present. Actually telling people they cant use their land.

So by whos authority is that being allowed?? Is our planning office using their reccommended ideas outside our approved overlay? Why?

Im getting copies of the maps today to look closer and to ask for the source of rule that allows our people to be hassled outside our approved plan.

The farmers I talked to said they thought the idea of a destination resort in those locations is silly. What needs addressed is our own citizens options to improve existing cities and rural facilities and housing. Its very similar to cap and trade in that you create an elitist society next to a slave society with no rights. Im very against resorts unless we address our people.

Do you know that last time on the ag zone they put in that people owning even 80 acres couldnt put an RV on it for the summer season??? Our group agreed to have it so theytook them home for the winter. But planning later changed it so it isnt long enough for summer season.

So we have a housing crisis but we penalize people for finding a way to not be homeless. Why dont we take a vacant area and license it to park RVs on? This whole agenda is from the same group as cap and trade. The removal of people from areas they want no one in. We are in one of those.

I think it would be very wise to hold a hearing or two of your own for people to come talk about wildlife over lays and the resort. The planning hearing will be very contentious with Thousand Friends and I dont think people will feel they can be heard.

Alot of people didnt get those post cards. Alot of people have told me they couldnt get to the planning comment meetings. Theres a big back lash coming. If you do what you did for cap and trade you can diffuse it. I would suggest one be an evening so farmers can get in.

Bottom line we need to better address the real concerns of this counties citizens.

Theres needed infrastucture and housing to have stable successful farms and ranches. It really is utterly ridiculous that a county with this much rough ground and

rock piles has one of the most restrictive planning ordinances in the state. Check that out. Its a real statistic.

The old ag group could help if you ask them to.

Thank you

Pete Dalke	<p>[Wasco County 2040] Submit a Comment</p> <p>Thanks for your presentation in Mosier last evening. I am writing to indicate full support for including ODFW's habitat maps in the Wasco County planning work and comprehensive plan documents. Regards, Pete Dalke</p> <hr/> <p>Would you like to be added to our notification list for news and events? Yes</p>	28 Feb 2020 at 3:00 pm
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Elizabeth Turner	<p>[Wasco County 2040] Submit a Comment</p> <p>I left a long comment but it deleted it. Im against any expansion of wildlife overlay. Its a farce and unneeded. Best plan for good wildlife management is do a good job on Goal 3 working with a agriculture working group. They are the ones taking care of wildlife. The more you restrict their flexibility the more you endanger wildlife. All these little zones just restrict their ability to survive and to take good care of the land. After 40 years in agriculture here I cant tell you what fish and wildlife really does for wildlife. As far as survivability of animals its always the ranchers who are critical to survival. Anywhere you go where resource ranch managers are allowed to be flexible and use their skills to be profitable you will find good Wildlife numbers. In sage grouse country for example. The best habitat and numbers of grouse is on privately controlled ground. I never received notification of these meetings nor did others. Thank you</p> <hr/>	28 Feb 2020 at 2:45
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Would you like to be added to our notification list for news and events? Yes

On Thu, Feb 27, 2020, 6:05 PM Elizabeth Turner wrote:

Thank you for respecting all the opinions. I wanted to comment after the fact because it was obvious to me that the different view points were heart felt beliefs.

Disrespecting them today would not help. Its true many are misinformed. That they read the propoganda from leftest enviromental groups. Its become a political weapon instead of true science.

For instance having a warm January. Theres been many warm Januarys and many years I lived here we had warm springs and low water for irrigation. I live in a 12 inch rainfall area. When we have wet years like the last several we forget our long term enviroment.

People would be more aware if our Oregon climate scientist hadnt been fired because he used facts that didnt suit the left.

The long term solution is to get back to facts and real science. The rotation of the earth around the sun is the number one indicator of weather.

To put out facts from resource people who do manage the land well. We have to stop thinking our only job is to produce a crop.

I hope you did pass a agreement that lines up with Rep. Danial Bonham and Senator Findley. They are smart reasonable people. What they say about being bullied and the danger of the bills I believe is true. I called every GOP Senator a week ago. They were trying their best to get reasonable things in the bill. They were not treated fairly. I think they have done the only thing they could do to protect us.

One last comnent on the wildlife overlay planning goal, I expressed to Steve. I dont believe the boundry for game needs extended at all. Ive lived out in the farm district since 1979. I still dont know what good fish and wildlife really do. They have never addressed problems or concerns we had. I believe the best thing you can do for wildlife is make sure you do a good job with Goal 3 agriculture. Get a working group and let them help define what really works. They really are the ones hosting wildlife. How you impact them will impact how well they survive and how much they can do for wildlife.

The profit levels are very low at this point. Its very important how what they need is addressed. Several orchards sold out in the last year for example.

My neighbors the Weimers work so hard. They do a good job. But profits are so tight. I feel for them because they are doing everything they can but have no control over the price they are paid.

The fish issues that arose on 15 mile were not farmer mistakes. The one kill event was the mistake of fish and wildlife and the watermaster. Into a long stretch of 100 degree days, most in a row historically, there was a long holiday weekend. They did not turn back the water years to shut off some irrigation prior to vacation. By the end of it was too late. Dead fish below Dufur. On my road we saw what was happening and we all shut off our water. No dead fish on my road. Just an example.

921-18-000221

Than you again.
Liz Turner

Nicole Y Chaisson wordpress@wasco2040.com **via** a.atomicsites.net Fri Feb 14,
8:39 AM

Name: Nicole Y Chaisson

Comment: I will be at the meetings but I am really worried that you will restrict my F1 and F2 land use even further. Also the chance that our taxes will rise and different agencies will be allowed to have access to my property at any time.

Would you like to be added to our notification list for news and events?: Yes