



PLANNING DEPARTMENT

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WASCO COUNTY PLANNING **COMMISSION AGENDA PACKET**

FOR

Hearing Date: November 5, 2019
Hearing Time: 3:00 pm
Hearing Location: The Gorge Discovery Center
Lower Level Classroom
5000 Discovery Drive
The Dalles, Oregon 97058

Recommendations on proposed amendments to Chapters 5, 7, 11, and 13 as part of Wasco County 2040 Work Plan



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MEMORANDUM TABLE OF CONTENTS

Date: October 25, 2019
To: Wasco County Planning Commission
From: Wasco County Planning Office
Subject: Submittal for Meeting dated November 5, 2019
Re: Recommendations on proposed amendments to Chapters 5, 7, 11, and 13 as part of Wasco County 2040 work plan

<u>Item</u>	<u>Page</u>
Staff Report – Amendment to Comp Plan Chapter 7	PC – 1
Attachment A	PC – 11
Chapter 7	PC - 17
Staff Report – Amendment to Comp Plan Chapter 5	PC – 29
Attachment A	PC – 40
Chapter 5	PC – 47
Staff Report – Amendment to Comp Plan Chapters 11 & 13	PC – 118
Chapter 11	PC - 134
Chapter 13	PC – 145
Staff Presentation	PC – 154



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FILE #: 921-18-000216 (13)

REQUEST: Legislative Request to Amend the Comprehensive Plan, Chapter 7
DECISION:

Attachments:

- A. Overview of Chapter 7 revisions
- B. Finalized Draft of Proposed Chapter 7 of Wasco County 2040 (Comprehensive Plan)

File Number: 921-18-000216

Request: Amend the Wasco County Comprehensive Plan
1. Change the format to align with Statewide Land Use Planning Goals
2. Develop Goal 7 into Wasco County 2040 format (Chapter 7), make any general amendments reflecting current planning practice. This is related to Periodic Review work task 13.

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:** November 5, 2019

Procedure Type: Legislative

Attachments: Attachment A: Wasco County Comprehensive Plan Periodic Review Work Task 13 Overview
Attachment B: Annotated Draft of Proposed Chapter 7 of Wasco County 2040 (Comprehensive Plan) with notes

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

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

Open House September 19, 2019

Public notice for an Open House was published in *The Dalles Chronicle* on September 11, 2019.

Citizen Advisory Group Work Session October 1, 2019:

Public notice for a Citizen Advisory Group meeting was published in *The Dalles Chronicle* on September 11, 2019, more than 20 days prior to the October 1st work session.

Planning Commission Hearing November 5, 2019:

Public notice for a Planning Commission hearing was published in *The Dalles Chronicle* on October 16, 2019, more than 20 days prior to the November 5th hearing.

B. Information Available on Website

The information regarding the proposed amendments was placed on the Wasco County Planning Department Website¹ on September 24, 2019. If updates are made following each 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

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

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 28 subscribers that receive notification of new content, and is also promoted on the Planning Department's social media channels which have 228 followers.

C. 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 September 24, 2019. The notification included links to the staff report, proposed amendments, and the opportunity to comment.

D. 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 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 102 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 September 17, 2019. The notification included links to the proposed amendments, and information on how to provide comment.

E. 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 7 (Chapter 7) of the Comprehensive Plan, as part of a broader Periodic Review work plan. 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. The goal of the work

² www.Wasco2040.com

³ <https://wasco2040.com/contact/>

task is to ensure the policies and implementations are consisted with the Natural Hazards Mitigation Plan (2019).

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: Goal 7, Natural Hazards, is designed to reduce risk to people and property from natural hazards. Requirements of Goal 7 include inventories, policies, and implementing measures.

Wasco County relies on the inventory provided by FEMA for Flood Hazards in the form of the Flood Insurance Risk Map (FIRM). Similarly, the Oregon Department of Geology and Mineral Industries (DOGAMI) maintains data on geological hazards. Wasco County recently inventoried fire risk through the Community Planning Assistance for Wildfire. Wildfire is mitigated through strategies identified in the Community Wildfire Protection Plan (CWPP) which is implemented through the Land Use and Development Ordinance. More generally, Wasco County Natural Hazards have been inventoried and an action plan developed by the Natural Hazards Mitigation Plan (NHMP) Steering Committee. The first NHMP, adopted in 2012, was updated in 2019.

To be consistent with these plans and Goal 7, Wasco County is proposing to amend its policies and implementation measures to be consistent with inventories, action plans, and current practice. These amendments do not reflect a mistake in the original Comprehensive Plan. Instead, they are the result of continued work and new, available data on natural hazards. Many of these plans did not exist or were not required when the original Comprehensive Plan was adopted in 1983.

The strategies are, by in large, intending to mitigate impact from natural hazards on the built environment and promote safety and health for Wasco County residents. The proposed amendments are based on the special studies, data, and other information available from partners and the plan teams.

The Chapter is also revised significantly in format, and includes additions like references, findings, and an overview to provide context for the Goal and its impact on Wasco County.

By providing a clear connection between plans and the Comprehensive Plan, the intent is to provide a clear, efficient means for the public and staff to understand the policies and implementation measures related to natural hazards.

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 in Work Task 13 to the Board of County Commissioners. The first hearing by the Board of County Commissioners will be held on December 4, 2019, 32 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 September 12, 2019, consistent with requirements, to inform them of the proposed November 5, 2019 hearing and subsequent hearings to adopt Chapters related to Periodic Review work task 13. To date, staff has not received any oral or written comment or request for notification from the public on Work Task 13. At such a time when comment is received, that will be attached to the staff report and submitted 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 Task 13 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.

Attachment A

Chapter 7 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.

Chapter by Chapter Overview of Proposed Substantive Amendments:

A. Chapter 7- Goal 7 Natural Hazards

This new chapter maps to Goal 7 (Natural Hazards) and includes an overview of Wasco County's natural hazard plans, a brief overview of the goal's purpose in Wasco County, an excerpt of Oregon's Statewide Land Use Planning Goal 7, policies, implementation strategies for each policy, and a new findings and references section.

1. **Overview:** The overview briefly discusses natural hazard planning in Wasco County.
2. **Historical Perspective:** An overview of various natural hazards plans and inventories in Wasco County.
3. **Excerpt of Statewide Planning Goal:** Excerpt from the Oregon Administrative Rules on Goal 7 that outlines for staff and public the purpose of Goal 7.
4. **Wasco County's Goal:** This maps directly to the State's Goal 7, and has not been modified from existing broad goal.
5. **Photo:** A staff photo of an NHMP public event is included.
6. **Cross Reference:** A list of other goals that relate to Goal 7 was included for easy reference.
7. **Policies:** The existing plan has three policies. The recommendation is to keep two of the existing policies with some modifications, remove one, and add an additional three policies for five total policies and implementation measures.
 - a. Policy 1: Existing policy: "Control flood hazards through active management of water resources, soil conservation techniques and flood plain identification" is proposed to be update to: "Mitigate flood hazards through active management of water resources, soil and water conservation techniques, and flood plain identification." This change is proposed to make responsibilities more clear and reflect current practice
 - (1). Implementation strategy "a" "The County shall continue to meet participation requirements for the national flood insurance program in identified flood hazard areas" is moved to strategy "c." The new proposed "a" is "All implementing ordinances applicable to the County shall be consistent with the Comprehensive Plan and the Natural Hazard Mitigation Plan."

(2). Implementation strategy “b” “Lands within identified flood plains shall be excluded from intensive development” is moved to “e”. The new strategy proposed is: “Updated mapping of identified floodplains (floodway and flood fringe areas) based on channel migration data from federal or state agencies, or other approved sources shall be used to delineate areas within Wasco County that are protected by the Environmental Protection District Flood Hazard Overlay zone (EPD-1).” This is a modification of the former strategy “c”.

(3). Implementation strategy “d” is “Coordinate the flood plain ordinance provisions with the Soil Conservation Service.” Because this does not reflect current practice, it is recommended to be replaced with: “The County shall encourage communities within flood hazard areas to develop floodplain management strategies that exceed the minimum NFIP standards with the end goal of enhanced flood control, protection, and standing within the NFIP Community Rating System.”

(4). Implementation strategy “e” is “Open space and agricultural uses are preferred in identified flood plain areas.” This strategy is proposed to be removed as it’s not actionable. The new proposed strategy “e” is formerly “b”.

(5). Implementation strategy “f” is “Projects for channelization, diversion, and other flood control measures designed to reduce flood hazards should be supported.” These types of projects are typically permitted with minimal review and is proposed to be replaced with the more actionable “Development standards within flood hazard areas should be updated periodically to reflect best practices for minimizing risk and damage to people and property.”

(6). Implementation strategy “g” is an addition and proposed to read: “Encourage sustainable and resilient construction techniques for development in identified flood plain areas to help mitigate the impact of flood events.”

- b. Policy 2: The current policy is “Intensive developments should not be allowed in an identified Natural Hazard Area.” This policy was supported by implementation measures related to geological hazards. Therefore, the policy has been rewritten to say: “Mitigate geological hazards through active management of development and landform alterations in identified geologic hazard prone areas.”

(1). Implementation strategy “a” reads: “Active natural hazard areas will be identified by the placement of an Environmental Protection District Overlay zone” is proposed to be replaced by “All implementing ordinances applicable to the County shall be consistent with the Comprehensive Plan, and the Natural Hazards Mitigation Plan”. This creates a more clear nexus between all land use plans relevant to natural hazards.

(2). Implementation strategy “b” is currently: “Only those activities which are associated with non-intensive recreational or agricultural pursuits should be allowed upon lands inventoried as active natural hazard areas.” Staff proposes to replace this with “Updated mapping of identified geologic hazard areas based on data from federal,

state, or local agencies shall be used to delineate areas within the County that fall within the Environmental Protection District Geologic Hazard Overlay zone (EPD-2).” This references both the EPD and NHMP goal to update the geological hazard map.

(3). Implementation strategy “c” reads “Pre-existing uses, not in accordance with Goal #7, Policy 2 B, should be phased out in active natural hazard areas”. This sentence is proposed to be modified, for clarity and applicability, to read “Lands delineated as geologic hazard areas should be evaluated as to the degree of hazard present, and appropriate limitations on development shall be imposed in the Environmental Protection District Geologic Hazards Overlay zone (EPD-2).”

(4). Implementation strategy “d” relates to the LUDO and reads “Development restrictions on active geologic hazard areas shall be specified in the Zoning Ordinance Chapter 3.750.” Staff is recommending revision to: “Only those activities which are associated with non-intensive recreational or agricultural pursuits shall be allowed upon lands inventoried as high risk geological hazard areas.”

(5). Implementation strategy “e” currently states: “Areas subject to active natural hazards should be evaluated as to the degree of hazard present, and appropriate limitations on use be imposed.” Staff recommends removal because it conflicts with natural hazard protection requirements. Current strategy “f” will become “e”.

(6). Implementation strategy “g” is not proposed to change.

- c. Policy 3: Current policy is *“Wasco County shall maintain siting regulations for mobile homes to reduce safety and fire hazards.”* Staff is recommending a broader wildfire policy to read: *“Mitigate wildfire hazards through enhanced fire safety development standards.”*

(1) Implementation Strategy “a.” is related to mobile homes and recommended to be replaced by the more applicable: “All implementing ordinance applicable to the County shall be consistent with the Comprehensive Plan, the Natural Hazards Mitigation Plan, and the Community Wildfire Protection Plan.”

(2) Implementation Strategy “b” is also related to mobile homes and proposed to be replaced with “Fire protection agencies and other applicable organizations shall be provided an opportunity to comment on development applications prior to approval.”

(3) A new implementation measure “c” is proposed: “All physical development shall be required to implement applicable “Fire Safety Standards” in a timely manner.”

(4) A new implementation measure “d” reads: “All applications for physical development in areas identified as high risk for wildfire shall require a County approved wildfire mitigation plan prior to approval.”

- (5) New implementation strategy “e” proposed “Encourage sustainable and resilient construction techniques for development in areas identified as high risk for wildfire.”
- d. Policy 4: A new policy addressing drought is proposed: “Mitigate drought hazards through development standards that encourage water and soil resource conservation.”
- (1) Implementation “a” is proposed to read: “All implementing ordinances applicable to the County shall be consistent with the Comprehensive Plan, the Natural Hazard Mitigation Plan, and the Community Wildfire Protection Plan.”
 - (2) Implementation “b” is suggested to be “Support best management practices for identified problems to maintain and improve land and water resource qualities.”
 - (3) Implementation strategy “c” staff recommends: “The adequacy and quality of the ground water supplies shall be a major consideration of all development.”
 - (4) Implementation measure “d” connects to recommendations in Goal 5 and 6, and is proposed to read “Discourage residential development in areas with known water resource deficiencies and in areas adjacent to surface water sources.”
 - (5) The final implementation proposed for Policy 4 is “Encourage the coordination and development of a countywide water conservation plan.” This is an aspirational policy that reflects the expressed concern of residents over water resources.
- e. Policy 5: The new proposed policy is “Support Natural Hazards Mitigation Plan action items through coordination and resource allocation.” The implementation measures that follow are taken directly from the Natural Hazards Mitigation Plan action items.
- (1) Implementation Strategy “a.” “Work with key partners, including the NHMP steering committee, to develop and promote public outreach materials related to natural hazards.”
 - (2) Implementation Strategy “b.” is proposed to be “Keep relevant plans, including the NHMP and Community Wildfire Protection Plan, updated.”
 - (3) Implementation Strategy “c.” is recommended to read: “Support partners developing training and recommendations for water conservation and drought management.” This also ties into policy 4 and Goals 5 and 6.
 - (4) Implementation Strategy “d.” is drafted as “Accomplish defensible space around structures and support implementation of Fire Safety standards.”
 - (5) Implementation Strategy “e” is proposed as “Encourage the creation of a Wildfire Coordinator or local Natural Hazard Planner position.”

- (6) The next recommended implementation “f” is “Continue to properly administer the National Flood Insurance Program.” This is also consistent with Policy 1.
 - (7) Implementation measure “g” relates to Goal 5, reading “Support removal of fish passage barriers and improvement of waterway ecology.”
 - (8) The final proposed implementation strategy relates to policy 2, and reads “Update the County Landslide Ordinance.”
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. These references cite sources from text. 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.

Goal 7

Areas Subject to Natural --- Disasters and Hazards

Goal 7

Areas Subject to Natural Disasters and Hazards

Overview

Goal 7 of Oregon's Statewide Planning Goals requires that local governments mitigate risk of harm to people and property from natural hazards through comprehensive plans. This requirement was created specifically for those areas within the state of Oregon that have a higher propensity of natural disasters. Due to the geography, climate, and topography of Wasco County, there are a number of natural hazards that may detrimentally affect people and property. Severe weather, drought, wildfire, flood, earthquake, landslide and volcano eruption are all natural hazards that have the potential to occur, and cause localized and widespread disaster throughout Wasco County. The Comprehensive Plan addresses Goal 7 through limitations to development so that risk to people and property within these areas can be reduced.

Historical Perspective

Environmental Protection District (EPD) Overlay Zones were created in the County in conjunction with partners like the Federal Emergency Management Agency (FEMA) and the State of Oregon's Department of Geology and Mineral Industries (DOGAMI), to restrict development on lands susceptible to flood and landslide natural hazards. Wasco County has, to date, fourteen EPDs. EPD 1 supports administration of the FEMA floodplain, and EPD 2 governs areas identified by the DOGAMI as geological hazard zones.

Local jurisdictions are also required to maintain an approved Natural Hazards Mitigation Plan (NHMP). Local and federal approval of this plan ensures that the county will remain eligible for pre- and post-disaster mitigation project grant funding.

The Wasco County NHMP is the result of the collaborative effort between the County, The Dalles, citizens, special districts, public agencies, non-profit organizations, the private sector, and other regional organizations. The primary intent of the NHMP is to develop a comprehensive community-level mitigation strategy to prepare the county for the long term effects resulting from natural hazards. The NHMP is the best overall comprehensive source of information pertaining to hazard identification in susceptible areas.

Wasco County also has a Community Wildlife Protection Plan. Its primary purpose is to identify and prioritize wildfire hazards and to develop a strategy to reduce these hazards. Chapter 10 of the Wasco County Land Use and Development Ordinance addresses Fire Safety Standards for all new development in the designated fire zones in the county, as established in the Community Wildfire Protection Plan.

Statewide Planning Goal 7

To protect people and property from natural hazards.

Local governments shall adopt comprehensive plans (inventories, policies and implementing measures) to reduce risk to people and property from natural hazards.

Excerpt from
OAR 660-0150000(7)

Cross-Reference

Additional policies related to this goal: Goal 4, Goal 5, Goal 6, and Goal 14

Wasco County Goal

Areas Subject to Natural Hazards

To protect life and property from natural disaster and hazards.



Figure 1. Disasters and Donuts event. The purpose of this event was to involve the public to help with updates to the Natural Hazards Mitigation Plan. (10/30/2017)

Policies

7.1 Policies

Policy 7.1.1

Mitigate flood hazards through active management of water resources, soil and water conservation techniques, and flood plain identification.

Implementation for Policy 7.1.1:

- a. All implementing ordinances applicable to the County shall be consistent with the Comprehensive Plan, and the Natural Hazards Mitigation Plan.
- b. Updated mapping of identified floodplains (floodway and flood fringe areas) based on channel migration data from federal or state agencies, or other approved sources shall be used to delineate areas within Wasco County that are protected by the Environmental Protection District Flood Hazard Overlay zone (EPD-1).
- c. The County shall continue to meet the minimum participation requirements for the National Flood Insurance Program (NFIP) in identified flood hazard areas.
- d. The County shall encourage communities within flood hazard areas to develop floodplain management strategies that exceed the minimum NFIP standards with the end goal of enhanced flood control, protection, and standing within the NFIP Community Rating System.
- e. Lands within identified flood plains shall be excluded from intensive development.
- f. Development standards within flood hazard areas should be updated periodically to reflect best practices for minimizing risk and damage to people and property.
- g. Encourage sustainable and resilient construction techniques for development in identified flood plain areas to help mitigate the impact of flood events.

Policy 7.1.2

Mitigate geologic hazards through active management of development and landform alterations in identified geologic hazard prone areas.

Implementation for Policy 7.1.2:

- a. All implementing ordinances applicable to the County shall be consistent with the Comprehensive Plan, and the Natural Hazards Mitigation Plan.

- b. Updated mapping of identified geologic hazard areas based on data from federal, state, or local agencies shall be used to delineate areas within the County that fall within the Environmental Protection District Geologic Hazard Overlay zone (EPD-2).
- c. Lands delineated as geologic hazard areas should be evaluated as to the degree of hazard present, and appropriate limitations on development shall be imposed in the Environmental Protection District Geologic Hazards Overlay zone (EPD-2).
- d. Only those activities which are associated with non-intensive recreational or agricultural pursuits shall be allowed upon lands inventoried as high risk geologic hazard areas.
- e. An on-site investigation and written report by a certified geologist shall be required before development will be allowed in a geologic hazard area.

Policy 7.1.3

Mitigate wildfire hazards through enhanced fire safety development standards.

Implementation for Policy 7.1.3

- a. All implementing ordinances applicable to the County shall be consistent with the Comprehensive Plan, the Natural Hazard Mitigation Plan, and the Community Wildfire Protection Plan.
- b. Fire protection agencies and other applicable organizations shall be provided an opportunity to comment on development applications prior to approval.
- c. All physical development shall be required to implement applicable "Fire Safety Standards" in a timely manner.
- d. All applications for physical development in areas identified as high risk for wildfire shall require a County approved wildfire mitigation plan prior to approval.
- e. Encourage sustainable and resilient construction techniques for development in areas identified as high risk for wildfire.

Policy 7.1.4

Mitigate drought hazards through development standards that encourage water and soil resource conservation.

Implementation for Policy 7.1.4:

- a. All implementing ordinances applicable to the County shall be consistent with the Comprehensive Plan, the Natural Hazard Mitigation Plan, and the Community Wildfire Protection Plan.
- b. Support best management practices for identified problems to maintain and improve land and water resource qualities.

- c. The adequacy and quality of the ground water supplies shall be a major consideration of all development.
- d. Discourage residential development in areas with known water resource deficiencies and in areas adjacent to surface water sources.
- e. Encourage the coordination and development of a countywide water conservation plan.

Policy 7.1.5

Support Natural Hazards Mitigation Plan action items through coordination and resource allocation.

Implementation for Policy 7.1.5:

- a. Work with key partners, including the NHMP steering committee, to develop and promote public outreach materials related to natural hazards.
- b. Keep relevant plans, including the NHMP and Community Wildfire Protection Plan, updated.
- c. Support partners developing training and recommendations for water conservation and drought management.
- d. Accomplish defensible space around structures and support implementation of Fire Safety standards.
- e. Encourage the creation of a Wildfire Coordinator or local Natural Hazard Planner position.
- f. Continue to properly administer the National Flood Insurance Program.
- g. Support removal of fish passage barriers and improvement of waterway ecology.
- h. Update the County Landslide Ordinance.

Findings and References

7.1.a The 2012 and 2019 Natural Hazards Mitigation Plans inventory natural disasters that could potentially impact Wasco County. Severe weather and drought were identified as high risk hazards, followed by wildfire, flood, and earthquake.

7.1.b Private homeowners insurance does not cover flooding. In 1968, Congress created the National Flood Insurance Program (NFIP) which makes available flood insurance to communities that adopt and enforce flood plain management ordinances that meet or exceed the Federal Emergency Management Agency's requirements for reducing flood risk.

7.1.c Flood Insurance Rate Maps (FIRMs) are produced by FEMA's Risk Mapping, Assessment, and Planning (Risk MAP) program. Maps for unincorporated Wasco County were effective on September 24, 1984.

7.1.d The NFIP Community Rating System (CRS) provides lower flood insurance premiums to communities that go beyond meeting the minimum NFIP standards. The CRS program offers credit points for a community's participation in approved activities (public information, mapping and regulations, flood damage reduction activities, and warning and response), that apply to a community's CRS class rating. A community's CRS rating (class 1-10) determines the overall flood insurance premium reduction.

7.1.e Best practices for flood mitigation are recommended by FEMA.

7.1.f Intensive development is broadly defined by FEMA as development that is susceptible to damage and, in turn, creating further damage to nearby resources, from flooding.

7.1.g Using Wasco County LIDAR data, FEMA

will provide updated FIRMs by 2023.

7.1.h The United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) offers natural resource conservation programs that help communities reduce erosion, improve water quality, and reduce damages from flooding and other natural disasters.

7.1.i Mapped geological hazards are provided by DOGAMI's SLIDO and incorporated into Wasco County's Comprehensive Plan Zoning Map as EPD-2.

7.1.j Non-intensive activities and uses have minimal structural development that could be susceptible to damage in the case of a landslide.

7.1.k The wildfire safety protections were developed during the Community Wildfire Protection Plan effort.

7.1.l The Wasco County Soil and Water Conservation District has resources on water conservation.

7.1.m Wasco County 2040 efforts resulted in policies in Goal 6 to increase educational materials for the public on water conservation.

7.1.n The Natural Hazards Mitigation Plan lists several action items for the Planning Department to address. This list is included in the implementation strategies of 7.1.5.

7.1.o The removal of fish passage barriers is a Soil and Water Conservation District specific action item included in the NHMP meant to reduce flood risk.

References

Community Planning Assistance for Wildfire (2018). [*Final Recommendations for Wasco County, OR.*](#)

Federal Emergency Management Agency (2017). [National Flood Insurance Program Community Rating System Coordinator's Manual.](#)

Oregon Department of Geology and Mineral Industries (DOGAMI) (2018). [Natural Hazard Risk Report for Wasco County, Oregon](#) “working draft”.

Oregon Department of Geology and Mineral Industries. *Statewide Landslide Information Database for Oregon.*

Oregon Department of Land Conservation and Development. [Goal 7: Natural Hazards.](#) Oregon's Statewide Planning Goals and Guidelines.

Oregon Department of Land Conservation and Development. (2002). *Planning for Natural Hazards: Oregon Technical Resource Guide.*

Wasco County Planning Department (2019). [Wasco County Multi-Jurisdictional Natural Hazards Mitigation Plan.](#)

Wasco County Planning Department (2012). [Wasco County Multi-Jurisdictional Natural Hazards Mitigation Plan.](#)

Wasco County Planning Department (2005). [Wasco County, Oregon Community Wildfire Protection Plan](#)

State of Oregon (2010). [The Climate Change Adaptation Framework.](#)

United States Department of Agriculture Natural Resources Conservation Services. [NRCS Conservation Programs.](#)

United States Environmental Protection Agency (1998). [Water Conservation Plan Guidelines.](#)



PLANNING DEPARTMENT

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FILE #: 921-18-000217, 921-18-000218, 921-18-00219, 921-18-000222 (5)

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

Attachments:

- A. Overview of Chapter 5 Revisions
- B. Final Draft of Proposed Chapter 5 of Wasco County 2040 (Comprehensive Plan)

File Number: 921-18-000217, 921-18-000218, 921-18-00219, 921-18-000222

Request: Amend the Wasco County Comprehensive Plan

1. Change the format to align with Statewide Land Use Planning Goals
2. Develop Goal 5 into Wasco County 2040 format (Chapter 5), make any general amendments reflecting current planning practice. This is related to Periodic Review work task 14, 15, 16, and 19.

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: November 5, 2019

Procedure Type: Legislative

Attachments: Attachment A: Wasco County Comprehensive Plan Periodic Review Work Task 14, 15, 16, and 19 Overview
Attachment B: Draft of Proposed Chapter 5 of Wasco County 2040 (Comprehensive Plan)
Attachment C: White River ESEE Analysis

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

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

Open House September 19, 2019

Public notice for an Open House was published in *The Dalles Chronicle* on September 11, 2019.

Citizen Advisory Group Work Session October 1, 2019:

Public notice for a Citizen Advisory Group meeting was published in *The Dalles Chronicle* on September 11, 2019, more than 20 days prior to the October 1st work session.

Planning Commission Hearing November 5, 2019:

Public notice for a Planning Commission hearing was published in *The Dalles Chronicle* on October 16, 2019, more than 20 days prior to the November 5th hearing.

B. Information Available on Website

The information regarding the proposed amendments was placed on the Wasco County Planning Department Website¹ on September 24, 2019. If updates are made following each 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

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

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 28 subscribers that receive notification of new content, and is also promoted on the Planning Department's social media channels which have 228 followers.

C. 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 September 24, 2019. The notification included links to the staff report, proposed amendments, and the opportunity to comment.

D. 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 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 102 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 September 12, 2019. The notification included links to the proposed amendments, and information on how to provide comment.

E. 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. 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

² www.Wasco2040.com

³ <https://wasco2040.com/contact/>

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: Work task 14 is a state required change from using the National Wetland Inventory to the State Wetland Inventory for identification of riparian and wetland areas for the purposes of protection. This change was specifically requested by the Periodic Review Assistance Team to be consistent with changes to state law. In practice, Wasco County currently uses State Wetland Inventory, so this change represents an alteration to references rather than a change in practice. The State Wetland Inventory includes the National Wetland Inventory, as well as additional information that increases the accuracy of the data.

Task 15 focuses on revisions to the program to protect Federal Wild and Scenic River, the White River, and Oregon Scenic Waterways, the Deschutes and John Day rivers. OAR 660-023-0120 and OAR 660-023-0130 provide the rules for both programs and protection of the resources. Currently, all three rivers are protected by Environmental Protection District (EPD) 7 which applies some additional criteria to development permits. An interpretation of this EPD, in addition, has guided Planning staff to elevate Type I and II applications to a conditional use review while conditional uses, in the underlying zone, are prohibited.

The goal of this work task is to ensure compliance with OAR 660-023 and provide clarity on the process for development permits.

The greatest confusion is with the White River, which was designated as a federal Wild and Scenic River after the 1983 completion of the Comprehensive Plan. This process identified segments of the river that were classified as “scenic” or “recreational.” There is some confusion among some Wasco County community members as to the impact of these different classifications; the Wild and Scenic River Act requires, regardless of classification, that the overall goal of the designation be protection and enhancement of the resource. OAR 660-023-0120 requires that, at the time of periodic review, local governments shall amend acknowledged plans and land use regulations to address any federal Wild and Scenic River (WSR)...not addressed by the acknowledged plan”. Since the plan was adopted in 1983 and the White River was designated a Federal Wild and Scenic River in 1988, periodic review has triggered this amendment.

The rule also requires that we designate all WSRs (in this case, the White River) as significant Goal 5 resources and follow ESEE standards and procedures (OAR 660-023-0040 and 660-023-0050). The ESEE for the White River is attached to this staff report as Attachment C. As required by OAR 660-023, the recommendations from the ESEE analysis are written to be consistent with the federal White River Management Plan.

ESEE Analysis of the White River demonstrates that properties surrounding the White River are, by in large, resource zones. There are some exceptions for the Tygh Valley segment which includes some residential and industrial zoned lands. The ESEE, according to OAR 660-023-0040, “need not be lengthy or complex, but should enable reviewers to gain a clear understanding of the conflicts and the consequences to be expected.” Therefore, an analysis focused on the three main types of uses relevant to property along the White River: residential, commercial and industrial.

Possible residential development consequences included environmental impacts from site development related activity including erosion, run off, noise, and scenic disruptions. However, this was balanced by the economic impact of prohibiting residential development which could negatively impact the county and surrounding communities. The recommendation with residential development was to allow for residential uses according to a conditional use permitting process. This includes all residential uses, even those listed as conditional uses in the underlying zone. The conditional use recommendation, similar to the current application of EPD-7 to White River adjacent properties, primarily differs in that it allows for uses treated as conditional in the underlying zone.

The second type of use listed in the ESEE Analysis was commercial. Based on the scale and density, it was determined that commercial uses carry with them potential economic and environmental consequences. Similar to residential uses, staff determined the best option is for commercial uses to be treated as conditional uses. This includes all commercial uses processed as a conditional use in the underlying zone.

Industrial uses and activities carry with them the most potential for impact. Industrial uses permitted in the resource and industrial zones are broad and include manufacturing, resource extraction, storage and other miscellaneous uses. While there may be economic consequences to prohibited outright any industrial activity, staff noted potential environmental, economic, social, and energy consequences for both a no protection and EPD related protection program. Staff determined that “because many of the uses and activities are diverse, the ability to apply rules with discretion towards individual conditions provide for an equitable solution.”

Based on the ESEE, staff is recommending that the White River remain in EPD-7 and that all uses, including conditional uses in the underlying zone, be treated as conditional uses. This will assure for the greatest opportunities to allow for uses permitted in the underlying zone while still mitigating adverse impacts.

The 1983 Wasco County Comprehensive Plan was adopted prior to the National Scenic Area (NSA) Act and development of the National Scenic Area Management Plan. Prior to the establishment of the NSA Wasco County protected the Scenic Area with an overlay zone. The overlay zone has been removed from the Land Use and Development Ordinance, but references remain in the Comprehensive Plan. This work task aims to update that information to appropriately reference the NSA and Management Plan where applicable. Again, this does not represent a change to current practice but, rather, a change to references which were never updated.

The nineteenth work task is to ensure the Comprehensive Plan correctly maps the aggregate resource process to Oregon Administrative Rules 660-023, rather than the previous 660-016. With this change,

staff is recommending some new implementation measures required by OAR 660-023-0180 for new aggregate sites and the requirements for application.

The proposed changes for mineral resources were initiated by Amanda Punton, the Goal 5 specialist for the Department of Land Conservation and Development, and part of the Periodic Review Assistance Team. The shift from Division 16 to 23 is expressly required by state law for jurisdictions entering Periodic Review, and therefore represent compliance with state law and land use planning Goal 5. Additional changes are proposed to make the policies and implementation consistent with state law and public input. These include modifying the policies to directly map to listed Goal 5 resources, make implementation reflect requirements by state law, and strategies to increase public awareness about Goal 5 resources. Because these changes are required by state law they are determined to be in compliance with Goal 5.

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 December 6, 2019, 34 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 September 12, 2019, consistent with requirements, to inform them of the proposed November 5, 2019 hearing and subsequent hearings to adopt Chapter 5 related to Periodic Review work task 14-16 & 19. To date, staff has not received any oral or written comment or request for notification from the public on these work tasks. At such a time when comment is received, that will be attached to the staff report and submitted 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 14-16 & 19 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.

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.

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. The recommendation is to keep existing policies with some modification and add an additional five policies for fifteen total policies and implementation measures. These follow the categories of resources laid out in Goal 5 (OAR 660-023).
 - a. Policy 1: A new policy for riparian corridors is proposed as Policy 1, following the OAR listing of Goal 5 resources. The recommended language is "Preserve riparian areas to provide for productive ecological function."
 - (1) Implementation strategies "a" and "b" are taken from original policies in the Comprehensive Plan under the "Fish and Wildlife" category.
 - (2) Implementation measure "c" is a modified version of "c" under the "Fish and Wildlife" category.

- b. Policy 2 is a new policy for wetlands, proposed to read “Preserve wetland areas to provide for productive ecological function.”
 - (1). Implementation strategy “a” is a modified version of implementation strategy “H” that appeared under the category “Fish and Wildlife”.
 - (2). Implementation measure “b” is a modified version of “c” under the “Fish and Wildlife” category.
- c. Policy 3: Is taken from parts of the former “Fish and Wildlife” category. The recommended new policy is similar to riparian and wetlands: “Preserve wildlife habitat to provide for productive ecological function.” The supporting implementation measures are taken from existing implementation measures. This policy and implementation measures may be modified during work for Task 18.
- d. Policy 4 is an additional policy to directly address the White River as a Federal Wild and Scenic River. The proposed policy reads: “The White River will be protected consistent with the White River Management Plan and OAR 660-023-0120.” These are requirements for protection and process for inventorying the resource.
 - (1) Implementation strategy “a” is proposed as “The White River was designated an Outstanding Scenic and Recreation Area by the 1983 Comprehensive Plan.” The Citizen Advisory Groups and Planning staff at the time included the White River in an inventory of Outstanding Scenic and Recreation areas that warranted protection from encroaching or impactful development.
 - (2) Implementation strategy “b” reflects how the White River is principally protected: “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.”
 - (3) Implementation measure “c” is recommended to be “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.”
- e. Policy 5: Formerly addressed by the category “Wild and Scenic River” the new policy, under the heading Oregon Scenic Waterways (which is the correct term for the Statewide program and refers to the Act which established protections) is “The Deschutes and John Day Scenic Waterways shall be maintained and protected consistent with respective management plans and OAR 660-023-0130.”
 - (1) Implementation Strategies “a” through “d” are carry-overs from the previous Comprehensive Plan with minor modifications for clarity.

- (2) Implementation Strategy “e” is a new measure to make clear the notification requirements for the Oregon Scenic Waterways program and reads: “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.”
 - (3) Implementation measure “f” is a new strategy demonstrating how the resources are protected: “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.”
- f. Policy 6: This is a modification to previous Policy 8 with specific focus given to groundwater resources, which are listed in OAR 660-023-0140. Staff is recommending the policy be revised to: “Maintain quantity and quality of water in compliance with state and federal standards.”
- (1) Implementation “a” is taken from the current Comprehensive Plan.
 - (2) Implementation strategy “b” staff recommends: “The adequacy and quality of the ground water supplies shall be a major consideration of all development.” This is repeated in Chapter 6 and 7.
 - (3) Implementation measure “e” connects to recommendations in Goal 6 and 7, and is proposed to read “Limit water dependent development in areas with known water deficiencies including areas adjacent to the watershed.”
 - (4) Implementation “d” is also a carryover from Chapter 6, and reads: “Coordinate with local, state and federal agencies, including the Department of State Lands, the Army Corp of Engineers, and Oregon Water Resources Department, on projects and applications as appropriate.”
 - (5) Implementation “e” is a new strategy based on Goal 5 requirements: “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.”
- g. Policy 7: While there are currently no designated Oregon Recreation Trails in Oregon, this new policy reflects the requirements of state law should one be designated: “Recreation trails designated as an Oregon Recreation Trail shall follow rules set forth b OAR 660-023-0150.”
- h. Policy 8: This new policy related to Natural Areas is recommended to read: “Protect identified natural areas from conflicting uses and activities.”

- (1) Implementation Strategy “a.” “Maintain identified natural area protections through administration of EPD-7.” This reflects the current practice for protections for natural areas.
 - (2) Implementation “b” reflects requirements of state law and is proposed to read: “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.”
- i. Policy 9: Is an existing policy related to mineral resources that is not proposed to be modified.
- (1) Implementation measures “a” through “d” are proposed to remain unchanged.
- j. Policy 10: This was an existing policy related to mineral resources. It includes an additional “d” point to explain where the inventory is maintained: “The inventory is kept in the Comprehensive Plan and on the Comprehensive Plan Zoning Map as Environmental Protection District 5. Rules related to permitting for these sites are listed in the Land Use and Development Ordinance under EPD-5, Mineral and Aggregate Resources.”
- (1). Implementation “a” through “h” are existing measures with minor modifications to references.
- k. Policy 11: This new policy on aggregate mining is: “Applications for new aggregate mining sites shall be consistent with the process and rules in OAR 660-023-0180.”
- (1). Implementation “a” includes points 1-5 and is taken directly from state law.
 - (2). Implementation “b” was formerly a policy, and has been redirected as an implementation measure.
- l. Policy 12: A new policy for energy sources is recommended: “Promote energy conservation and limit conflicting uses of significant energy source sites.”
- (1). Implementation “a” is based on the requirements of state law and reads “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).
 - (2). Implementation strategy “b” is proposed to be: “New conflicting uses within the impact area of significant energy sources shall be limited (OAR 660-023-0190).”
 - (3). Implementation strategy “c” is also taken from state law and reads: “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)."

(4). Implementation strategy "d" is based on public input and is recommended as: "Support incentives for homes and businesses to install alternative energy systems."

(5). Implementation strategy "e" reflects ongoing public desire for quality information: "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."

- m. Policy 13: Policy 5.11.1 is supporting implementation is taken, unmodified, from the current Comprehensive Plan.
- n. Policy 14: The policy on open space is proposed to read "Protect existing open space as defined by OAR 660-023-0220 and ensure for the maintenance of new open spaces." This is a requirement of Goal 5. For the purposes of Goal 5 protection, open spaces are inventoried in the appendix. This inventory was developed during the initial 1983 plan.
 - (1). New supporting implementation "a" is to "Continue to preserve A-1, F-1, F-2, FF zones for open space, in addition to primary permitted uses."
 - (2) Implementation strategy "b" is also new and proposed, in keeping with other policies under other goals, to be "Ensure ongoing maintenance of open space and road systems through deed restrictions and HOA requirements when approving new subdivisions."
- o. Policy 15: An additional policy related to open space is proposed: "Consider impacts of new open space to public facilities and services as part of development review." This is connected to some of the policies and implementation measures developed for Goals 2 and 14.
 - (1) Implementation "a" connects to Fire Siting Standards and Goal 7 work, and is proposed to be: "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."
 - (2) Implementation measure "b" is based on public concern over new open spaces creating maintenance problems for jurisdictions without adding to the tax base. The proposed language reads: "Limit tax deferral for open space or land trusts."
- p. Policy 15: The final policy for Goal 5 corresponds to OAR 660-023-0230 and is recommended as: "Protect scenic views and areas identified in the 1983 Comprehensive Plan inventory."

(1). Implementation “a” is recommended to be “Evaluate impact of development on scenic resources during permitting processes.” This demonstrates how scenic resources are considered as part of development permit criteria during review.

(2). Implementation strategy “b” emphasizes coordination: “Work with public and private organizations, landowners, and the general public to identify, record, and protect valued scenic and open space resources.”

(3). Implementation “c” provides insight into how to review new sites: “Newly identified scenic views and sites are required to go through an inventory and ESEE Analysis consistent with OAR 660-023.”

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. These references cite sources from text. 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.

Goal 5

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.

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 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.

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 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.

5.1 Policies

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 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 plans 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. The Rural Service Centers identified in the Comprehensive Plan which lie within the overlay zone shall be exempt from the provisions of the overlay zone.
- c.** 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.
- d.** Sensitive bird habitat sites (bald eagle, golden eagle, osprey, great grey owl, great blue heron) 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 during periodic review pursuant to the current County approved work program.
- e.** 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. 16.

- 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.

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 Sanitarian 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" inventory or "Significant Sites" inventory.
 - 1. Mining at sites on the "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;
- c. An inventory of "Other Sites" 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 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 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 "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.** 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.** 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.** 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.** 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.

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.
- 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.

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.

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/lcd/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/sww_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>

Appendix

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 Podnds
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	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																																
Carp	A	F																														A
Northern Squawfish	A	A	C																													A
Fine-scaled Sucker	A	A	A	C	C	C																	A	A	F		C	A	C	C	A	A
Coarse-scaled Sucker	A	A	A	F																			C	F	F			C	C	C	C	A
Pacific Lamprey	A	A		C	C	C																										
Chiselmouth	A	A	C																													
Peamouth	A	A	F																													
Red-sided Shiner	A	C																														
Speckled Dace	A	A	C	A	A	A	A	C	C	C	F	C	C						C	C			A	A	C	F	F	A	A	A	A	A
Long-nosed Dace	A	A	C	A	A	C	C	C	C	C	R	F	C						F	F			F	F				C	C	C	F	
Tench	A																															C
Sculpt	A	A	F	C	C	C		C	C	C	R	C	C				C	C					A	C				C	R	F	C	C

Wildlife Habitat

Table 5.3 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		
MacGillivray'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
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
Pygmy Rabbit	F	F			F	F	F	X	X	X	X
Yellow-bellied Marmot					F			X	X	X	X
Belding Ground Squirrel					C		F	X	X	X	X
Townsend Ground Squirrel					C		F	X	X	X	X
Least Chipmunk	F	F			F			X	X	X	X
Northern Pocket Gopher	C	C	C	C	C	C	C	X	X	X	X
Great Basin Pocket Mouse					U			X	X	X	X
Ord Kangaroo Rat					F			X	X	X	X
Western Gray Squirrel	C	C	C			C	C	X	X	X	X
Chickaree	C	C				C		X	X	X	X

Northern Flying Squirrel	F	F				F		X	X	X	X
Longtail Vole	C	C		C		C	C	X	X	X	X
Oregon Vole	C	C		C		C	C	X	X	X	X
Norway Rat						C	C	X	X	X	X
Black Rat						C	C	X	X	X	X
Porcupine	C	C	C	C	C	C	C	X	X	X	X
Snowshoe Hare	C							X	X	X	X
Black Bear	C							X	X	X	X
Mountain Lion	F	F	F					X	X	X	X
Rocky Mountain Elk	C	C	C	C		C	C	X	X	X	X
Pika	C							X	X	X	X
Nuttall Cottontail	C	C		C		C		X	X	X	X
Cougar								C	C	C	C
Little Brown Bat								C	C	C	C
Golden-mantled Ground Squirrel								U	C	C	U
American Beaver								C	C	C	C
Townsend's Big-eared Bat											
White-tailed Jackrabbit											
Montane Vole											
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

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.

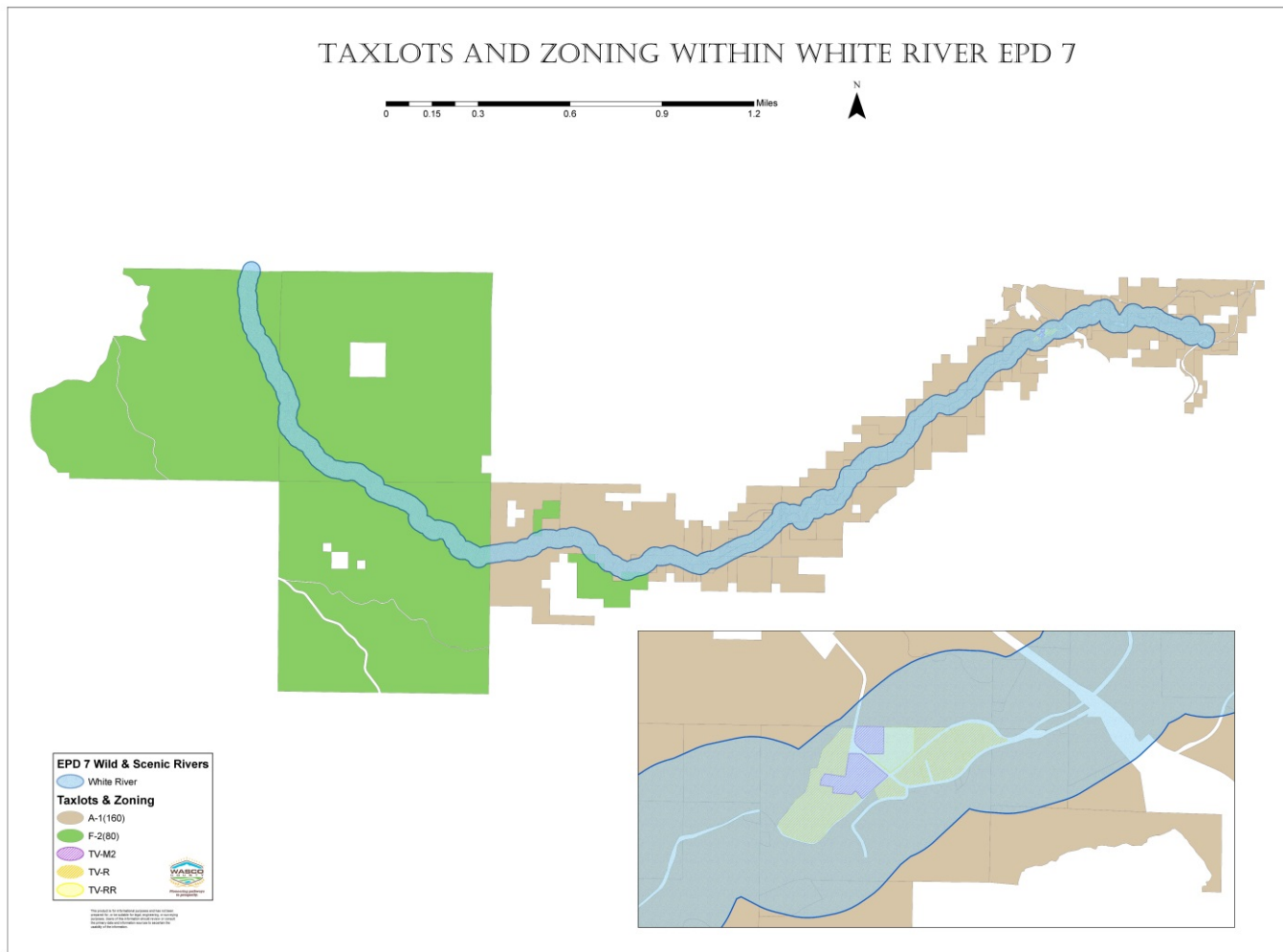


Figure 5.4- Zoning surrounding the White River in Wasco County

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 re-written 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*. <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>

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

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	***PS	ELEMENT NO.	****VO	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</i> var. <i>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 Ares (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	-6S, 10E, 10, 11	2	1.05.621	V	Ponderosa pine-Douglas fir

		Natural Area (C)			1.05.630 4.04.120	V V	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 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 V V V	Northern bald eagle Ring-necked duck Bufflehead 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 resources 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
		Solid waste disposal site
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
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 The Dalles OR 97058	2N 13E 20 1000 not shown on map	33-0064	CUP-98-122 - <i>Exp. 1-2000</i>	No
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) 1022 W 9th Street The Dalles OR 97058	2N 13E 20 600	33-0011 33-0083	CUP 91-101 & SPR 91-103	No
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 4550 Fifteen Mile Road The Dalles OR 97058	2N 14E 1000			No
26	2N 14E 2200	A-1	Donna E. Ashbrook et al P O Box 158 Dufur OR 97021	2N 14E 28 2700	33-0014		No
27	2N 14E 33 500	A-1	Judith F. Bayley et al 6331 SW Radcliff St Portland OR 97219	2N 14E 33 400			No
28	2N 14E 2400	A-1	C Gard Fulton 3775 Fifteen Mile Rd. The Dalles OR 97058	2N 14E 33 3000	33-0023		No
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 4100 Old Dufur Rd.	1N 14E 3500			Yes
31	1N 14E 2300	A-1	William & Sheli Markman/Wasco County 4785 Eight Mile Road The Dalles OR 97058	1N 14E 3300			No
32	1N 15E 3700	A-1	William & Carmen Eddins 1515 E 21st Street The Dalles OR 97058	1N 15E 3700			No
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	1N 13E 25 2991	33-0082	CUP 90-113	No

			The Dalles OR 97058				
54	1N 15E 2900	A-1	Eldon F Emerson et al	1N 15E 28 2700			No
			6124 Roberts Market Road				
			The Dalles OR 97058				
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	1S 15E 402			No
			6352 Roberts Market Road				
			The Dalles OR 97058				
56	1S 15E 2000	A-1	Iva J Kortge	1S 15E 1400			No
			338 West 21st				
			The Dalles OR 97058				
57	1S 15E 2600	A-1	Frederick & Peggy Clausen	1S 15E 1900			No
			Rt 2 Box 4				
			Dufur OR 97021				
58	2S 14E 1900	A-1	Martin & Beverly Underhill	2S 14E 1600			No
			P O Box 266				
			Dufur OR 97021				
59	2S 14E 2000	A-1	Martin & Beverly Underhill	2S 14E 1800			No
			P O Box 266				
			Dufur OR 97021				
60	2S 14E 2300	A-1	Robert & Nancy Hammel	2S 14E 2000			No
			62250 Tygh Ridge Road				
			Tygh Valley OR 97063				
61	1N 15E 2200	A-1	William & Barbara Hammel	1N 15E 21 2100			No
			7075 Fifteen Mile Road				
			The Dalles OR 97058				
62	1N 15E 2200	A-1	William & Barbara Hammel	1N 15E 2100			No
			7075 Fifteen Mile Road				
			The Dalles OR 97058				
63	1N 15E 2900	A-1	Eldon F Emerson et al	1N 15E 20 2700			No
			6124 Roberts Market Road				
			The Dalles OR 97058				
64	1S 14E 4500	A-1	Lucie Underhill Life Estate	1S 14E 4900			No
			85429 Easton Canyon Road				
			Dufur OR 97021				
64	1S 14E 4500	A-1	Clara A. O'Brien	1S 14E 4900			No
			2867 Breckenridge NW	Duplicate			
			Salem OR 97304				
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	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	5S 16E 32 2401			No

			Baker OR 97814				
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. Rt 1 Box 16 Baker OR 97814	6S 16E 5 106			No
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,	Yes

						6/12/2015	
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	4S 12E 17 1900	33-0086	CUP 91-102 Added 3/93	No
			Dan Van Vactor				
219	2N 11E 900		ODOT 33-002 Rock Creek Quarry	2N 11E 2 900			No
			ODOT 33-007 Shooting Range Quarry	2N 13E 20 800			No
220	2N 13E 20 800						
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
			ODOT 33-028-4 Butler Canyon Quarry	3S 13E 33 4100	33-0062		No
223	3S 13E 33 200						

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 National Scenic Area,	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-80 N	2	67.72 – Hood River/Wasco County Line 70.63 – E City Limits of Mosier 87.85 - .06 E of E City Limits of The Dalles 96.70 - .25 W of Jct Celilo-Wasco Hwy	69.62 – W City Limits of Mosier 79.70 – 1.08 W of Tayler Frantz Rd 0-Xing 96.70 - .25 W of Jct Celilo-Wascy Hwy 99.85 – Wasco/Sherman County Line	660’ Both Sides 660’ Both Sides 660’ Both Sides Within View
US 97	4	2.00 - .16 S of 0-Xing, Equipment Pass 22.42 - .06 N of Tygh Ridge Summit 47.00 - .14 N of City Limits of Maupin	11.00 - .14 S of Starveout Road 43.83 - .13 N of W City Limits of Maupin 50.00 – 2.58 S of S City Limits of Maupin	Within View Within View 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 56.72 – W City Limits of Shaniko	56.04 – N City Limits of Shaniko 68.66 – Jct The Dalles-California Hwy	Within View 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 8.24 – E City Limits of Antelope	7.31 – N City Limits of Antelope 23.07 – Wasco/Wheeler County Line	660’ Both Sides 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

<p><u>Columbia River Gorge</u>: Includes area defined by the Columbia River Gorge Commission and O.R.S. 390.460.</p> <p><u>Deschutes River</u>: 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.</p> <p><u>John Day River</u>: 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.</p> <p><u>Rock Creek Reservoir</u>: Includes land adjacent to the reservoir.</p> <p><u>Pine Hollow Lake</u>: Includes land adjacent to the lake.</p> <p><u>White River</u>: Lands within the River Canyon, or lands within approximately 4 mile of the river.</p>
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PLANNING DEPARTMENT

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FILE #: 921-19-000125

REQUEST: Legislative Request to Amend the Comprehensive Plan, Chapter 11 and 13
DECISION:

Attachments:

- A. Wasco County Comprehensive Plan Chapter 11 and 13 Overview
- B. Final of Proposed Chapters 11 and 13 of Wasco County 2040 (Comprehensive Plan)

File Number: 921-19-000125

Request: Amend the Wasco County Comprehensive Plan
1. Change the format to align with Statewide Land Use Planning Goals
2. Develop Goals 11 and 13 into Wasco County 2040 format (Chapters 11 & 13), make any general amendments reflecting current planning practice.

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:** November 5, 2019

Procedure Type: Legislative

Attachments: Attachment A: Wasco County Comprehensive Plan Chapter 11 and 13 Overview
Attachment B: Drafts of Proposed Chapter 11 and 13 of Wasco County 2040 (Comprehensive Plan)

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

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

Open House September 19, 2019

Public notice for an Open House was published in *The Dalles Chronicle* on September 11, 2019.

Citizen Advisory Group Work Session October 1, 2019:

Public notice for a Citizen Advisory Group meeting was published in *The Dalles Chronicle* on September 11, 2019, more than 20 days prior to the October 1st work session.

Planning Commission Hearing November 5, 2019:

Public notice for a Planning Commission hearing was published in *The Dalles Chronicle* on October 16, 2019, more than 20 days prior to the November 5th hearing.

B. Information Available on Website

The information regarding the proposed amendments was placed on the Wasco County Planning Department Website¹ on September 24, 2019. If updates are made following each 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

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

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 28 subscribers that receive notification of new content, and is also promoted on the Planning Department's social media channels which have 228 followers.

C. 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 September 24, 2019. The notification included links to the staff report, proposed amendments, and the opportunity to comment.

D. 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 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 102 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 September 12, 2019. The notification included links to the proposed amendments, and information on how to provide comment.

E. 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 11 and 13 (Chapter 11 and 13) of the Comprehensive Plan. This is not a part of the Voluntary Periodic Review work plan, but is submitted to make the Comprehensive Plan formatting and policies/implementation consistent. Amendments include reformatting and edits to existing policy and implementation, as well

² www.Wasco2040.com

³ <https://wasco2040.com/contact/>

as the addition of some new content including historical perspective, overview, and findings and references. The main goal of the work task is to ensure the policies and implementations are consistent with other Goals and current staff practice.

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: Proposed changes to Chapters 11 (Public Facilities and Services) and 13 (Energy Conservation) are largely format driven. The goal of the updates to these chapters is to ensure clarity and consistency for future use.

Chapter 11 amendments, beyond formatting and additional content in support of policies and implementation measures, consists of removing several implementation measures that are not relevant to current planning practice or providing clarity on key partners that implement aspects of public facilities and services, like public health. These revisions are meant to give community members and staff a nexus to rules and regulations, resources for further research, and clarity around current planning practice. This is by in large to strengthen the connection between the implementing ordinance, Land Use and Development Ordinance (LUDO), and the Comprehensive Plan.

For Chapter 11, no inventories are being modified. Proposed amendments do not reflect a mistake, but rather the passage of time and development of the Statewide Land Use Planning Program. Clarifying roles and responsibilities support the overall Goal 11 of planning and developing “a timely, orderly and efficient arrangement of public facilities and services to serve as a framework” for development. It also reflects the rule’s requirement that plans “assign respective implementation roles and responsibilities to those governmental bodies operating in the planning area and having interests in carrying out the goal”.

As such, these changes are not detrimental to the spirit and intent of Goal 11 or the Statewide Land Use Planning program. They are necessary to ensure for Goal 1, Citizen Involvement, by providing clear and accurate information to citizens. They also support continuing development of rural areas with healthful, safe, and aesthetic conditions.

Chapter 13, similar to Chapter 11, has been modified to reflect the new Comprehensive Plan standard formatting and include additional context and information that can guide members of the public to understand Wasco County land use planning. This Chapter was by in large modified in 2009 during updates to the LUDO on Energy Facilities. As such, the proposed amendments are minor and consist of minor corrections.

In addition to corrections and format changes, staff is also proposing the addition of a new policy and implementation measures that easily cross references Goal 5 requirements with respect to energy facilities. This is to ensure staff and future applicants are aware of the requirements for treating proposed and approved energy sites as significant resources.

The main purpose of these amendments for Chapter 13 is to make the Comprehensive Plan as up to date and transparent as possible for future use. These changes are necessary to ensure for Goal 1 and Goal 5 are consistent with Goal 13. Staff finds these proposed amendments are not detrimental to the spirit and intent of Goal 13.

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 Chapters 11 and 13 to the Board of County Commissioners. The first hearing by the Board of County Commissioners will be held on December 6, 2019, 34 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 DLCDD on September 12, 2019, consistent with requirements, to inform them of the proposed November 5, 2019 hearing and subsequent hearings to adopt new Chapter 11 and 13. To date, staff has not received any oral or written comment or request for notification from the public on these updates. At such a time when comment is received, that will be attached to the staff report and submitted to DLCDD.

- 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 Chapter 11 and 13 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.

Attachment A

Chapter 11 and 13 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.

Chapter by Chapter Overview of Proposed Substantive Amendments:

A. Chapter 11- Goal 11 Public Facilities and Services

This new chapter maps to Goal 11 (Public Facilities and Services) and includes an overview of Wasco County public facilities, an excerpt of Oregon's Statewide Land Use Planning Goal 11, policies, implementation strategies for each policy, and a new findings and references section.

1. **Overview:** The overview briefly discusses natural hazard planning in Wasco County.
2. **Excerpt of Statewide Planning Goal:** Excerpt from the Oregon Administrative Rules on Goal 11 that outlines for staff and public the purpose of Goal 11.
3. **Wasco County's Goal:** This maps directly to the State's Goal 11, and has not been modified from existing broad goal.
4. **Photo:** A staff photo of a Tygh Valley Rural Fire Protection District truck.
5. **Cross Reference:** A list of other goals that relate to Goal 11 was included for easy reference.
6. **Policies:** The existing plan has six policies. The recommendation is to keep existing policies with some modifications, and add an additional policy.
 - a. Policy 1: Existing policy: "Provide an appropriate level of fire protection, both structural and wildfire, for rural areas" is proposed to be updated to: "Ensure development is concentrated in areas with appropriate levels of fire and emergency services." This change is proposed to make responsibilities more clear and reflect current practice
 - (1). Implementation strategy "a" "The Bureau of Land Management, private landowners and railroad companies should be encouraged to develop a cooperative fire management program for the Deschutes River Area" is proposed to be removed because of the lack of jurisdictional authority the Wasco County Planning Department has over this issue.
 - (2) Implementation strategy "b" "Adequate fire protection should be a factor in locating and planning rural subdivisions or Planned Unit Developments" is recommended to remain the same but move to "c".

(3). Implementation strategy “c” is proposed to be removed because of the lack of relevance to the Wasco County Planning Department “The County will assist Rural Fire Protection Districts in the acquisition of equipment and development of facilities.” Action items like these, where appropriate, are part of the Natural Hazards Mitigation Plan and typically assigned to the Office of Emergency Management.

(4). Implementation strategy “d” is “All community water systems shall provide minimum fire flow capacities and have a fire hydrant system.” This is being proposed to move to “b”.

(5). No changes are proposed for former “e” and other than updating to “d”

(6) A new implementation “e” is proposed: “Development located outside of a Rural Fire Protection District may be required to contract with a structural fire protection district for service.” This reflects current practice, according to Fire Siting Safety Standards.

- b. Policy 2: No changes are proposed for this policy or implementation.
 - c. Policy 3: Is proposed to remain the same. Removal of implementation measure “c” is proposed because it is inconsistent with state law and current practice. This strategy required the Planning Commission and Citizen Advisory Groups to review all BPA powerline corridor, substation, power plant development.
 - d. Policy 4: This policy is related to schools which are developed in the incorporated cities in Wasco County. No change is proposed for this policy or implementation.
 - e. Policy 5: Policy 5 addresses more generally public facilities and services. The policy is not being recommended to change. Staff is recommending the removal of implementation “b” and “c” related to library and medical service because it’s largely outside of the purview of the Planning Department. No other change to this policy or implementation is proposed.
 - f. Policy 6: Wamic and Tygh Valley are constrained, according to state law, to develop smaller lot sizes until municipal sanitary waste systems are in place. This policy has been reworded to add clarity to the issue. No other change is proposed to this policy or implementation.
 - g. Policy 7: Staff is recommending the addition of a new policy that address public health. Specifically, the policy is posed as: “Wasco County shall encourage public and private agencies to cooperate in planning and providing for health and related social services.”
- (1) Proposed implementation measure “a” reads: “The Planning Department will notify and coordinate with North Central Health on matters related to sanitary waste systems and matters related to public health.”

(2) Proposed implementation measure “b” reads: “The Planning Department shall coordinate with the Oregon Water Resources Department to ensure appropriate drinking water facilities for new development.”

7. **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. These references cite sources from text. 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.

B. Chapter 13- Goal 13 Energy Conservation

This new chapter maps to Goal 13 (Energy Conservation) and includes an overview of Wasco County energy conservation strategies, an excerpt of Oregon’s Statewide Land Use Planning Goal 13, policies, implementation strategies for each policy, and a new findings and references section.

1. **Overview:** The overview briefly discusses natural hazard planning in Wasco County.
2. **Historical Perspective:** This sidebar section gives an overview of energy conservation policy history in Wasco County and talks about recent commercial renewable energy projects that have been approved or are currently being reviewed.
3. **Excerpt of Statewide Planning Goal:** Excerpt from the Oregon Administrative Rules on Goal 13 that outlines for staff and public the purpose of Goal 13.
4. **Wasco County’s Goal:** This maps directly to the State’s Goal 13, and has not been modified from existing broad goal.
5. **Photo:** A staff photo of a site visit for a pending wind turbine application.
6. **Cross Reference:** A list of other goals that relate to Goal 13 was included for easy reference.
7. **Policies:** The existing plan has six policies. The recommendation is to keep existing policies with some modifications, and add an additional policy.
 - h. Policy 1-5: No changes are proposed for these policies or their supporting implementation measures.
 - i. Policy 6: No changes are proposed to this policy or the first and third implementation strategies.
 - (1). Implementation strategy “b” is proposed to be removed as solar rules are incorporated in the Land Use and Development Ordinance. The current strategy reads: “The County should develop a solar access ordinance.”

(2). Staff is proposing an additional implementation measure (to be “c”) that reads: “Where available, incentives will be provided to encourage residential solar.”

- j. Policy 7: This is a new policy that is being recommended to ensure staff and the public are aware of state law requirements for new commercial energy facilities, including those in OAR 660-023. The proposed language is: “New energy facilities shall meet the requirements in State Law.”

(1). Implementation strategy “a” is proposed as: “Applications processed by the EFSC or FERC shall be adopted into the Comprehensive Plan as significant energy sources as required by OAR 660-023-190.”

(2). Implementation strategy “b” is recommended to read: “Applications by Wasco County shall include in the application analysis consistent with OAR 660-023-0030 and 0040 and a program to protect the resource consistent with OAR 660-023-0050.”

- 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. These references cite sources from text. 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.

Goal 11

Public Facilities and Services

Goal11

Public Facilities and Services

Overview

Public facilities and services are the basic support systems for urban and rural development; this includes water and sanitary waste systems, police and fire protection, health and social services, schools, libraries and community centers.

The County is responsible for planning public services in unincorporated Wasco County. The following policies and implementation measures provide the framework for County planning related to future and existing public facilities and services.

Statewide Planning Goal 11

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Urban and rural development shall be guided and supported by types and levels of urban and rural public facilities and services appropriate for, but limited to, the needs and requirements of the urban, urbanizable, and rural areas to be served.

Excerpt from
OAR 660-015-0000(11)

Cross-Reference

Additional policies related to
this goal: Goal 2

Wasco County Goal

Public Facilities and Services

To plan and develop a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.



Policies

11.1 Policies

11.1.1 Ensure development is concentrated in areas with appropriate levels of fire and emergency services.

Implementation for Policy 11.1.1:

- a. Adequate fire protection should be a factor in locating and planning rural subdivisions or Planned Unit Developments.
- b. All community water systems shall provide minimum fire flow capacities and have a fire hydrant system.
- c. Adequate access shall be provided to any available water sources within development areas.
- d. Road design for rural subdivisions and planned unit developments should incorporate appropriate requirements with respect to mobility and access by fire suppression equipment.
- e. Development located outside of a Rural Fire Protection District may be required to contract with a structural fire protection district for service.

11.1.2 Provide an appropriate level of police protection for rural areas.

Implementation for Policy 11.1.2:

- a. Wasco County should continue to provide police protection, in conjunction with the Oregon State Police, commensurate with the needs of the rural community.

11.1.3 Minimize adverse impacts resulting for power line corridor and utility development.

Implementation for Policy 11.1.3:

- a. The Bonneville Power Administration should compensate for damage resulting from power-line corridor development at levels based on the loss of agricultural and residential values and productivity.

- b. When economically and physically feasible, transmission lines should be laid underground.
- c. Public utility easements and transmission lines corridors should be designed to provide for multiple land uses.
- d. Maximum utilization of existing utility right-of-way should be encouraged to minimize the need for additional rights-of-way.
- e. Public utilities shall be responsible for appropriate maintenance including noxious weed control on all existing and future rights-of-way.

11.1.4 Encourage adequate and convenient school facilities for the citizens of Wasco County.

Implementation for Policy 11.1.4:

- a. The County will continue to cooperate with school district(s) in the planning and placement of future educational facilities.
- b. The County will coordinate with the affected school district(s) when new subdivisions or Planned Unit Developments are proposed.

11.1.5 Future provision of public facilities and services shall be adequate to meet the needs of Wasco County citizens and be provided efficiently and economically.

Implementation for Policy 11.1.5:

- a. The Dalles Sanitary Landfill shall be maintained as the solid waste disposal site in Wasco County until such time as additional sites become necessary.
- b. The development of sanitary sewage disposal facilities for Wamic, Tygh Valley, Pine Grove, and Pine Hollow should be encouraged.
- c. Water systems developed on individual lots should provide a standpipe capable of handling the full capacity of the pumping system.
- d. The placement of nuclear facilities for the generation of nuclear energy shall be emphatically discouraged, especially in the more populous areas of the County where the obvious potential hazards would affect larger numbers of people.

- e. The availability of necessary utilities and public services shall be made know at the time of application for the development of subdivisions, planned unit developments and partitions.
- f. The facilities and services provided shall be appropriate for, but limited to, the needs and requirements of the areas to be served.
- g. Facilities and services provided to areas designated Rural Residential and Rural Service Center shall be at levels appropriate to and necessary for rural uses only and shall not support urban uses.
- h. The County will coordinate its public facilities and services planning with the plans of affected special service districts and other governmental units.
- i. The County will develop a detailed drinking water service plan which will comply with ORS 448.165 at the next update of the plan. A water system inventory will be the initial step and other factors such as groundwater resources, population growth, system aging, water quality and quantity will be considered in the detailed plan.

11.1.6 The larger lot sizes (5 acres in Wamic and 4 acres in Tygh Valley) will apply until approved facility plans are acknowledged and community sanitary waste systems are in place.

Implementation for Policy 11.1.6:

- a. Established minimum lot size in Wamic and Tygh Valley may be reduced to two (2) acre minimum property size standard when a community, municipal or public water and/or sewer public facility plan is “approved” by the county and acknowledged by the state pursuant to the post acknowledgment plan amendment (PAPA) requirements (ORS 197.610 through 197.650) and the requirements for facility plans under OAR 660, Division 22.
- b. Upon acknowledgment of an existing or new community, municipal or public water and/or sewer system facility plan, the minimum property size standard may be amended from the current five (5) acre standard to two (2) acres in Wamic, and from the current four (4) acre standard to two (2) acres in Tygh Valley.

11.1.7 Wasco County shall encourage public and private

agencies to cooperate in planning and providing for health and related social services.

Implementation for Policy 11.1.7:

- a. The Planning Department will notify and coordinate with North Central Health on matters related to sanitary waste systems and matters related to public health.
- b. The Planning Department shall coordinate with the Oregon Water Resources Department to ensure appropriate drinking water facilities for new development.

Goal 11

Findings and References

- 1.1.a** During Wasco County 2040, many residents emphasized their desire to continue to see concentrations of development in urban areas where there is better access to public facilities and services, including fire, emergency, schools and infrastructure.
- 1.1.b** The Wasco County Land Use and Development Ordinance requires development outside of a fire protection district, in some cases, to contract with a nearby fire protection district.
- 1.1.c** The Community Wildfire Protection Plan outlines many of the mitigation steps applied through regulation to reduce fire risk.
- 1.1.d** Oregon Administrative Rules (OAR) 660-022 provides rules for unincorporated communities, like Wasco County's rural service areas.
- 1.1.e** Public facilities planning and Goal 11 are informed by OAR 660-011.
- 1.1.f** Sewer service to rural lands is addressed in OAR 660-011-0060.
- 1.1.g** Water service to rural lands is addressed in OAR 660-011-0065.

References

Oregon. Department of Land Conservation and Development. *Goal 11: Public Facilities and Services*. Oregon's Statewide Planning Goals and Guidelines.

Wasco County. (2005). Community Wildfire Protection Plan.

Goal 13

Energy Conservation

Goal13

Energy Conservation

Overview

The purpose of this goal is to improve present and future energy efficiency, projects, and impacts to the residents of Wasco County.

The policies and implementation help support Goal 13 by leveraging planning to minimize energy consumption, increase access to alternative energy, and coordinate with state and federal partners. State and national energy policy plays a critical role in determining energy prospects in Wasco County.

Historical Perspective

The longstanding energy conservation policies for Wasco County, since at least 1983, have focused on renewable energy, minimizing energy consumption, and encouraging recycling and other efficiencies. There were also some policies that reflected the presence of The Dalles Dam in Wasco County.

The 1983 Comprehensive Plan identified a variety of energy sources important to existing or potential future of Wasco County. These included hydroelectric, pumped storage, thermal, geothermal, oil and gas, and wind.

While current National Scenic Area policies conflict with the development of commercial wind projects in the northern part of the County, a 1980 report (Wind Task Force Final report to the Oregon Alternate Energy Development Commission) demonstrated the feasibility for wind power throughout Wasco County.

In 2009, an application for the first major alternative energy facility was submitted to the Oregon Department of Energy (ODOE). In 2018, a solar facility application for a project in south Wasco County was submitted to ODOE.

Also in 2018, an application for a solar facility and an application for a wind facility were submitted to the Wasco County Planning Department for review. In 2019, the Wasco County Planning approved both projects with conditions.

Statewide Planning Goal 13

To conserve energy.

Land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles.

Excerpt from
OAR 660-015-0000(13)

Cross-Reference

Additional policies related to this goal: Chapter 2,

Wasco County Goal

Energy Conservation

To conserve energy, reduce waste, and increase self-sufficiency



Staff and applicants visit a wind turbine for pending application (2018)

Policies

13.1 Policies

13.1.1 The County will work with appropriate State and Federal agencies to identify and protect, and if feasible, develop potential energy resources, especially renewable energy resources.

13.1.2 Reduce the consumption of non-renewable sources of energy whenever possible.

Implementation for Policy 13.1.2:

- a. Conversion of energy sources from non-renewable sources to renewable sources shall be encouraged.
- b. The allocation of land and uses permitted on the land should seek to minimize the depletion of non-renewable sources of energy.

13.1.3 Minimize energy consumption through the use of zoning and subdivision standards.

Implementation for Policy 13.1.3:

- a. Zoning controls and subdivision design standards shall be developed and administered with consideration for the conservation of energy sources and the reduction of energy consumption.
- b. In the review of subdivision plans, consideration shall be made of the following in relation to energy consumption:
 - 1. Lot size, dimension, and siting controls;
 - 2. Building height, bulk and surface area;
 - 3. Density of uses, particularly those which relate to housing densities;
 - 4. Availability of light, wind and air.
- c. Uses developed on the land shall be managed and controlled so as to maximize the conservation of energy.

13.1.4 Considerations should be given to systems and incentives for the collection, re-use and recycling of solid waste and other waste products.

Implementation for Policy 13.1.4:

- a. Recycling centers for the collection of glass bottles, newspapers, tin cans, etc., should be encouraged.
- b. Public awareness and educations concerning the use of recycling centers and methods shall be encouraged.
- c. Encourage the utilization of sewage treatment wastes for fertilizer, methane gas production or other feasible products.

13.1.5 The transportation system shall be diversified with a focus on energy conservation.

Implementation for Policy 13.1.5:

- a. Bicycle paths and pedestrian walkways should be placed whenever and wherever feasible.

13.1.6 Use of renewable energy shall be encouraged.

Implementation for Policy 13.1.6:

- a. Wind generators will be permitted in the forestry, agricultural and rural zones.
- b. Facilities to manufacture alcohol from farm or timber waste products will be permitted as conditional uses in the forestry and agricultural zones.
- c. Where available, incentives will be provided to encourage residential solar.

13.1.7 New energy facilities shall meet the requirements in State Law.

Implementation for Policy 13.1.7:

- a. Applications processed by EFSC or FERC shall be adopted into the Comprehensive Plan as significant energy sources.
- b. Applications processed by Wasco County need to include in the application OAR 660-023-030-050 analysis and a program to protect the energy source.

Goal 13

Findings and References

13.1.a Reducing the county's reliance on non-renewable energy sources will result in higher resiliency for residents and businesses.

13.1.b Rural county residents often commute long distances and the Oregon Department of Energy reports Oregonians use more energy (41%) for transportation than any other use.

13.1.c Plans that effectively limit development in some areas and encourage development in others can influence energy consumption by affecting factors such as driving distance.

13.1.d Energy sources are considered a Goal 5 resource and should be protected as required by OAR 660-023.

References

Oregon. Department of Land Conservation and Development. *Goal 14: Urbanization*. Oregon's Statewide Planning Goals and Guidelines.



Wasco County
Planning

Wasco County 2040 Work Tasks 13-16 & 19

Work Tasks

13	<p>Update Hazard Plan References Amend comprehensive plan, to align with work done in Natural Hazards Mitigation Plan (NHMP), including referencing NHMP</p> <p>Product: Updated comprehensive plan natural hazards element</p>	3/31/20
14	<p>Wetland and Waterway Protections Update references from National Wetland Inventory to State Wetland Inventory</p> <p>Product: Updated comprehensive plan and LUDO, changing references from National Wetland Inventory to State Wetland Inventory.</p>	3/31/20
15	<p>Wild and Scenic Rivers</p> <ul style="list-style-type: none"> • Update language in Comprehensive Plan to correctly identify both Federal and State Wild and Scenic Rivers. • Appropriately identify development buffers and restrictions. • Reference appropriate wildlife management plans for rivers and other relevant external plans/documents or partners. • Update Wild and Scenic Rivers Section to add clarity and codify policy interpretation (or eliminate) for the LUDO that all Type 1 uses in EPF 7 are CUPs and any CUPs are not permitted. <p>Products: (1) Amendments to existing comprehensive plan policies; (2) add policy that addresses uses in EPD 7 (Wild and Scenic Rivers Overlay); (3) Update supporting data and references to Wild and Scenic Rivers, including external partner plans; (4) appropriately identify development buffers and designations.</p>	3/21/20

Work Tasks

16	<p>Replace references to overlay zone with National Scenic Area Address county lands that are now regulated by National Scenic Area rules. Reference documents, including the National Scenic Area Management Plan and Land Use and Development Ordinance, appropriately.</p> <p>Product: (1) Remove references in the comprehensive plan and LUDO to Columbia River Gorge EPD; (2) reference, where appropriate, National Scenic Area Management Plan and National Scenic Area Land Use and Development Ordinance</p>	3/31/20
19	<p>Aggregate Resources Update the comprehensive plan and LUDO to be consistent with OAR 660-023-0180.</p> <p>Products: (1) Updated comprehensive plan policies related to aggregate resource protection; (2) LUDO updates to implement new plan policies and OAR 660-023-0180</p>	3/31/20

Goal 7—Natural Hazards

- Clarified policy language
- Aligned with the NHMP
- Added in a policy for drought and wildfire

Goal 5

- Change National Wetland Inventory to State Wetland Inventory
- Create separate policies for each relevant Goal 5 resource
- Correct references
- Improve notification for Scenic Waterways
- Create linkages to Goal 5 rules
- Ensure Aggregate Resources are connected to division 23 rather than 16

Goal 5-Wild and Scenic Rivers

- Conducted ESEE for White River per OAR 660-023-0120
- Make implementation connect with the White River Management Plan
- ESEE recommendation is to continue protection of White River via EPD 7
- Revise EPD 7 to make all uses conditional (including conditional uses, which are currently prohibited)

Goal 11-Public Facilities & Services

- Revise some of the language to be more consistent with jurisdictional authority/current practice
- Included a new policy aimed at improved coordination

Goal 13 – Energy Conservation

- Added residential solar incentive strategy
- Added policy and implementation to ensure compliance with Goal 5 OAR 660-23

Next Steps

- BOCC Hearings December 4th and 18th
- Due to DLCD March 2020
- Roadshow end of February
- Final Chapters 4, 8, and 5 by June
- Clean Up/Merge by end of 2020
- Kick off LUDO Update late 2020