



**MEMORANDUM**

**TO:** Deschutes County Board of County Commissioners (“Board”)

**FROM:** Nicole Mardell, AICP, Senior Planner  
Will Groves, Planning Manager

**DATE:** July 17, 2024

**SUBJECT:** Deliberation #2: Deschutes County 2040 Comprehensive Plan Update – Chapter 5, Natural Resources

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On July 24, 2024, the Board will deliberate Chapter 5 of the Deschutes County 2040 Comprehensive Plan (2040 Plan), pertaining to Natural Resources (Attachment A). Staff provides a brief background on the process, items recommended to remain in a “parking lot” that will ultimately inform an action plan, and notable testimony. During this meeting, the Board will be asked to provide recommended text, goal, and policy revisions for incorporating in the final document.

**I. PROPOSAL**

This is a legislative text amendment to repeal and replace the 2030 Comprehensive Plan, adopted in 2011, with the 2040 Plan. No zoning or comprehensive plan map amendments are being considered, nor are any changes to the County’s adopted Goal 5 inventories pertaining to significant natural resources, scenic views, open spaces, mineral and aggregate sites, and historic and cultural resources.

The full record is included on the project hearing page: <https://www.deschutes.org/cd/page/247-23-000644-pa-deschutes-county-2040-comprehensive-plan-update-hearing-page>.

**II. BACKGROUND**

The 2040 Plan provides background information, a summary of community considerations, and overarching goal and policy guidance pertaining to key issues facing the county. The Board held public hearings to gather testimony for the 2040 Plan on April 10, 2024, in Bend<sup>1</sup>;

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<sup>1</sup> <https://www.deschutes.org/bcc/page/board-county-commissioners-meeting-162>

April 23 in Sunriver<sup>2</sup>; and April 30 in Sisters<sup>3</sup>; and May 8 in Bend<sup>4</sup>. At the conclusion of the May 8 hearing, the Commission voted to close the oral record, leave the written record open until May 30, and commence deliberations at a subsequent meeting.

Staff held a work session with the Board on June 10<sup>5</sup> to discuss the process for deliberating the 2040 Plan, ultimately determining to perform an extensive review of the following four chapters:

- July 22: Chapter 3, Farm and Forest Resources
- July 24: Chapter 5, Natural Resources
- July 29: Chapter 7, Natural Hazards
- August 5: Chapter 11, Unincorporated Communities and Destination Resorts.

The Board may choose to conduct additional deliberations if needed. At each one, commissioners will discuss preferred edits to chapter narratives, goals, and policies.<sup>6</sup> Staff will be seeking consensus from the Board. Some issues may warrant a vote.

#### *Parking Lot*

During the June work session, staff introduced the concept of a “parking lot” for items that may be outside the scope of the 2040 Plan. This includes items that are one-time actions more fitting for a subsequent action plan or those that are potentially precluded by state law. They are listed in Attachment B. Staff recommends the Board table them during deliberations, and instead include the list as an attachment to the adopted 2040 Plan. The Board can then discuss them in greater detail through the development of an action plan.

### **III. KEY ISSUES FOR CONSIDERATION**

Chapter 5, Natural Resources was selected due to numerous public and agency comments. To aid in the Board’s discussion, a high-level summary of topics raised in the record are listed below<sup>7</sup>:

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<sup>2</sup><https://www.deschutes.org/bcc/page/public-hearing-2020-2040-comprehensive-plan-update>

<sup>3</sup><https://www.deschutes.org/bcc/page/public-hearing-2020-2040-comprehensive-plan-update-0>

<sup>4</sup><https://www.deschutes.org/bcc/page/2020-2040-comprehensive-plan-update-public-hearing>

<sup>5</sup><https://www.deschutes.org/bcc/page/board-county-commissioners-meeting-175>

<sup>6</sup> Scrivener’s errors and technical edits do not need to be discussed as part of the deliberations process. Staff will compile a list to update in the final draft of the document.

<sup>7</sup> This list does not include items that are considered to be one-time actions, outside the scope of the plan, or potentially precluded by state law. Those items are listed separately in Attachment A “Parking Lot”

## **General Comments**

- Protect against environmental pollutants and add policies related to environmental justice.
- Protect significant trees.
- Protect individual rights to develop property, pursue incentives over regulations.
- Strengthen protections for natural resources.
- Increase coordination with Confederated Tribes of Warm Springs on natural resource issues and understanding of treaty rights.
- Remove references to coordination with Confederated Tribes of Warm Springs.
- Remove or add qualifier to climate change related statements.
- Include additional information on impacts of climate change on natural resources.

## **Water**

- Work with Oregon Water Resources Department to identify groundwater protection areas and additional restrictions on development, if needed.
- Retain deleted policy which considers potential impacts to water quality and availability for large scale developments.
- Remove policy supporting Oregon Water Resource Department (OWRD)'s efforts to modernize groundwater allocation rules.
- Add language to encourage conservation of water and financial incentives for property owners.
- Incentivize and provide funding for upgrades to irrigation equipment for farming operations.
- Ensure adequate water availability for farming.
- Limit use of irrigation water for uses outside of farming.
- Limit water waste associated with agriculture.
- Explore measures to ensure adequate water for junior water right holders and wildlife habitat.
- Establish process to analyze development impacts on aquifer.
- Develop a comprehensive water plan for the County.
- Amend "reservoir", "water use", and "water resources" sections to include more up to date information.
- Create new surface water narrative section.
- Include reference to Oregon spotted frog.
- Provide information on role of Oregon Health Authority in water management.
- Address water quality issues in southern Deschutes County.
- Remove reference to support of the Upper Deschutes Basin Habitat Conservation Plan.

## **Wildlife**

- Prioritize protection and restoration of wildlife and habitat over other uses.
- Revisit mule deer inventory update process.

- Update inventories and protections for wildlife at regular intervals to incorporate best information.
- Protect migration corridors for wildlife.
- Incentivize or require clustering of development to reduce impacts to wildlife.
- Explore education and incentives for wildlife protection.
- Balance tourism with wildlife impacts.
- Encourage efforts to obtain specialty knowledge among staff related to wildlife and other topics.
- Acknowledge the connection between retention of resource land and benefits to wildlife habitat.
- Analyze impacts to wildlife as part of energy development processes.
- Increase references to predation in narrative.
- Pursue incentives over regulations to protect wildlife habitat.

### **Scenic Views and Open Spaces**

- Support development of dark skies program.
- Protect open spaces from development.
- Remove policies related to view protection along Highway 97.

## **IV. NEXT STEPS**

Staff seeks direction from the Board on preferred edits to this chapter. Following the discussion, staff will integrate them into a final version of the 2040 Plan for adoption. The Board's next deliberation is scheduled for Monday, July 29 to discuss Chapter 7, Natural Hazards.

### Attachments:

- A. Chapter 5, Natural Resources
- B. "Parking Lot" Issues