

Lisa Howard - Metolius River Basin ACSC

From: "Eben Pindyck" <ebenpindyck@hotmail.com>
To: HOWARD Lisa <Lisa.Howard@state.or.us>
Date: 02/05/2009 10:55 AM
Subject: Metolius River Basin ACSC

Lisa,

Resorts and subdivisions should be prohibited in the Metolius Basin. Yes, a buffer should be included of 3 miles around the basin with the stipulation of no adverse effects on water quantity or quality in the entirety of the Metolius and only very low water use should be allowed. No, the ACSC should not assure that Jefferson County may proceed with some resort development—not all of central Oregon needs to have destination resorts. There are too many already.

Sincerely,
Eben Pindyck

Lisa Howard - Metolious

From: "LINDA GOEBEL" <lindajane38@hotmail.com>
To: HOWARD Lisa <Lisa.Howard@state.or.us>
Date: 02/05/2009 8:57 AM
Subject: Metolious

The Metolious River basin is such a sensitive area that the addition of such a critical mass of people and their attendant needs will stress the environment, no matter how 'green' a project is. There are plenty of places where the public can stay in this area that are already established. There is no need for additional destination resorts, or developments.

Linda Goebel
POB 8000 PMB 8304
Black Butte Ranch, OR 97759

541 595 6664

Lisa Howard - ACSC Designation testimony

From: "D.Corce" <d.corce@bendbroadband.com>
To: HOWARD Lisa <Lisa.Howard@state.or.us>
Date: 02/05/2009 6:49 AM
Subject: ACSC Designation testimony

To: Lisa Howard

As a Camp Sherman property owner and resident for 15 years, my wife and I are strongly opposed to destination resorts or subdivision development in the Metolius Basin or within a 3 mile buffer. The concept of resorts/subdivisions of the scale proposed cannot realistically have NO adverse effects on watershed within the upper or lower basin not to mention wildlife and roads. This is one of the very few pristine environments left in Oregon and to allow large scale development of the magnitude being proposed is irresponsible and thoughtless. Regarding relief to property owners if they are unable to proceed I suggest a land swap of comprobable worth. Please accept this testimony and we will be at the meeting on Feb. 11 in Sisters to offer verbal statement if deemed necessary.

Sincerely,
Doug Corce and Patricia Vandewater

Lisa Howard - LCDC Hearings on Metolius ACSC

From: <Dicksuekellogg@aol.com>
To: HOWARD Lisa <Lisa.Howard@state.or.us>
Date: 02/04/2009 6:17 PM
Subject: LCDC Hearings on Metolius ACSC
CC: <metolius@centraloregonlandwatch.org>

Dear Commissioners,

I would like to address the following Key Question posed by LCDC:

3) Should an ACSC provide relief to property owners if they are unable to proceed with resort development as a result of the ACSC?

If this is a matter of fairness, consider the following:

Both these developers purchased their properties very recently as zoned for Forest Management use. As experienced developers, they certainly know the risks of their trade. Getting these properties designated as eligible for destination resorts is clearly part of that risk.

Although the county approved the rezoning, it is still under legal challenge at the Supreme Court and is not final. (Processing of appeals is as much a part of the land planning prerogative as is the county's process of approval.) Expending funds toward development planning under these circumstances was at the Developer's risk - not at the county's or the state's risk.

The only "right" they have, and have paid for, is to use the land as allowed in the Forest Management zone.

Consider the other side of the equation: If allowed to use the property for Destination Resort development, shouldn't they reimburse the county for the incredible value added to their property?

Compensation is not appropriate nor warranted.

Thank you for considering these factors in your decision.

Dick Kellogg
26247 Metolius Meadows Drive
Camp Sherman Oregon

Great Deals on Dell Laptops. Starting at \$499.

Lisa Howard - Metolius Basin and Destination Resorts

From: "Brenda Pace" <jetpace@bendcable.com>
To: HOWARD Lisa <Lisa.Howard@state.or.us>
Date: 02/04/2009 4:12 PM
Subject: Metolius Basin and Destination Resorts

LCDC:

I do not believe that destination resorts belong in either the Metolius Basin or within 3 miles of the Basin for the following reasons.

Central Oregon has plenty of resorts within a short distance of Highway 20 and does not need more.

The Metolius Basin is a very limited area and preserving it does not affect the ability of destination resort development to occur in other locations in Central Oregon.

The Metolius Basin is one of very few pristine environments remaining in Oregon and should be preserved.

Destination Resorts lack the ability to limit the impacts of additional cars on the roads, additional people on the trails and along the river, additional pets, additional pollution and watershed impacts in the Metolius Basin.

Jefferson County cannot offer this location basic services such as roads (residents will use Highway 20 in Deschutes County), schools (children will have to go to Sisters), emergency vehicles (Sisters is by far the closest), other goods and services (again these communities would use Sisters, Redmond and Bend rather than Culver or Madras).

If Jefferson County wants a destination resort to assist with County finances and development, their resorts should be located in closer proximity to Jefferson County population and retail centers.

Thank you for listening.

Brenda Pace
541-383-8055
Jetpace@bendcable.com

Lisa Howard - Metolius river basin

From: <t.hedford@comcast.net>
To: HOWARD Lisa <Lisa.Howard@state.or.us>
Date: 02/04/2009 5:25 PM
Subject: Metolius river basin

I fully support the position of the Central Oregon Landwatch and urge a ban on any large scale development within the basin. In addition to water use issues, the Metolius river is too fragile to withstand the increase in recreational use.

Thank you.

Tom Hedford
9610 SW 46th Ave
Portland, OR 97219

Lisa Howard - Metolius development

From: "Rod Juranek" <rjuranek@sunrivertelecom.com>
To: HOWARD Lisa <Lisa.Howard@state.or.us>
Date: 02/04/2009 9:48 AM
Subject: Metolius development

Dear Lisa,

I am writing in support of banning all resort type development in the Metolius basin. I am not a lobbyist, owner of a competing resort, environmental extremist or anything radical. I am a retired educator and construction manager to who pays my taxes, volunteers a great deal and feels the Metolius is truly a sacred place. It is a true gem for Oregon to protect. I have experienced it during all seasons and favorite is winter and the quietness I experience. I cannot phantom developing these lands. We could never protect the beauty and naturalness of the area if the proposed plans are allowed to continue.

I will contribute time and money to do whatever I can to protect one of Oregon's special spots. I am sure glad generations before us had the insight to protect our national treasures as well. Let us too protect our local treasure.

Respectfully submitted,
Rod and Gail Juranek
Sunriver, Oregon

Dear DLCD of Oregon,

I recommend that the Metolius ACSC eliminate destination resorts in the Metolius basin, resorts and other large-scale, urban development should not be allowed. The specific areas that require protection include the basin including a three mile buffer around the basin. Developments are not allowed under current law on forest land and in unincorporated communities, and they should not be allowed under the ACSC. Furthermore, any usage that cause an adverse effect on stream flows, ground water, fish habitat, wildlife migration and habitat should be limited or excluded.

Future generations will thank us for the destination resorts that we do not build in Central Oregon.

Sincerely,

Steven E. Sloop, Ph.D.

430 NW Flagline Drive

Bend, Oregon 97701

From: Norma Prichard <padenandnorma@mac.com>
To: HOWARD Lisa <Lisa.Howard@state.or.us>
Date: 02/08/2009 2:31 PM
Subject: Metolius River and destination resorts

Dear Ms Howard and Members of the Oregon DLCD,

We would like to urge you to prohibit destinations resorts in the Metolius Basin and immediate surrounding areas.

The Metolius River, a designated Wild and Scenic River, is unique and treasured, and the area is beloved and much used by hikers, fishermen, camping families, hunters and horse owners. The trails along the river and in the area are heavily used and eroded and cannot support the additional heavy usage the resorts would create. The source of the river is unknown and extensive development, especially with golf courses, will require water and create runoff which would adversely impact the creeks that feed the river and the Metolius itself. Without knowing the source of the river, it is not prudent to draw water from surrounding aquifers to support an additional 3,000 plus homes.

The Santiam Highway from Salem to Bend is already heavily used, and is, for much of its route, a narrow and dangerous highway. The fatal accident this past week, which closed the highway for 4-1/2 hours, is only one of many such accidents. The highway cannot easily be widened or improved enough to safely handle what would be a large increase in traffic if the two proposed resorts with more than 3,000 homes and lodging units are allowed to proceed.

The land proposed for development was zoned forest land when it was purchased. The prices paid reflected that designated use. Just as with any speculative purchase, there is no guarantee that profit can be made on sale or development of that land.

The county adopted the Destination Resort Plan without adequate input from owners in the area. There were no public meetings open for input before the plan was put forward. The meetings held after the plan was proposed were no more than informational meetings to advise what the county proposed to do, and even though there was great concern voiced at the those meetings the plan was adopted.

Thank you for your consideration of this letter.

Paden and Norma Prichard
Lake Oswego, Oregon
and Camp Sherman, Oregon

Lisa Howard - Metolius river protection

From: <JTAOR@aol.com>
To: HOWARD Lisa <Lisa.Howard@state.or.us>, <aHenry@mind.net>
Date: 02/07/2009 9:44 PM
Subject: Metolius river protection
CC: <mail@savethemetolius.org>

Dear Mrs. Howard

We will be unable to attend the public meetings on the proposed destination resorts near the Metolius river. However we would like to add our voice of opposition to these developments to the DLCD.

We have been a long time hiking, biking, and camping visitors to this area and have found it to be a pristine gem in central Oregon's dwindling natural landscape.

We have discussed this issue with residents in Camp Sherman. They feel steam rolled by big development and fear for their solitude and way of life. Because of its unique natural beauty and river origination We believe it deserves permanent protection as a natural scenic wonder and part of the Oregon legacy. Allowing development in this area especially golf courses would only add further burden a limited water supply and risk destroying the river and its water shed as its origins are not fully understood. Additionally this type development would only lead to further support development in the area. Gas stations, Condos, malls and fast food places would follow shortly. There are many other beautiful places in Jefferson County where resorts could be sensibly located without the risk of destroying the unique beauty of this remarkable area. We urge comprehensive protection of this area so future generations of Oregonians can enjoy this truly remarkable place.

**Jim Atchley / Peggy Donovan
2326 ne 27th st
Portland Or.**

**Robert Mow Elizabeth Wagner
5104 SW 42nd Avenue
Portland, OR 97221**

Who's never won? [Biggest Grammy Award surprises of all time on AOL Music.](#)

To Whom it may concern:
Mrs Davis wrote one
of the most intelligent
letters to the Bend Bulletin
that I have seen and
I'm indaring it as
to the concerns of the
Metallic basin.

Have any of you
people ever spent time
fishing or hiking that
river of I'm 83, a native
of Oregon, and love this
state with all my heart.
That is being done to it
is breaking my heart.
Please do not destroy
what nature has left.
Sincerely,
Mrs Jan Morrison



Mrs. Janice Morrison
2401 SE Mountain Bend OR 977
Prineville, OR 97754

09 FEB 2009 PM 1 T



J.C.D.C.
635 Capital St. N.E.
Salem,
Oregon
97301-2540

Suite 150



In My View

The Metolius River Basin is one of the last special places in Oregon

By Linda L. Davis
Bulletin guest columnist

Humans have compunction to exploit, alter — and even destroy — the Earth and the very resources that provide sustenance. Throughout history, power, greed and survival have driven the pattern of settlement, exploitation and development.

The difference between ages past and today is that we now better understand the impacts we have on the Earth, and the resources are rapidly diminishing. We are driven less by survival than by power and greed. In spite of our understanding, the forces of exploitation at any cost seem insurmountable because vested interest is seen as more legitimate than environmental conscience. While we have had historic moments when our wisdom prevailed, it is an ongoing battle to keep wisdom alive and do what is right.

So it is with Oregon. A moment of wisdom, coupled with strength and courage, drove Gov. Tom McCall and the Legislature to adopt land use laws in 1973. The issues ranged from saving Oregon's farmland and forests and preserving the amenities of the Oregon Coast, to preserving our environment and ensuring urban development occurred in urban growth boundaries, where it would be more cost effective and efficient to provide services.

During the recession of the 1980s, land use laws became a scapegoat for the state's economic woes. To compensate rural counties suffering from timber job and revenue losses, the destination resort law was passed to stimulate a tourist-oriented economy and permit development outside UGBs.

The strategy was effective but ill-conceived and shortsighted for its overall

impacts on our land use principles. In the past 25 years, we have seen 10 new destination resorts approved in Central Oregon, and now two are proposed in Jefferson County in the Metolius basin.

The resorts are not just tourist attractions — they are suburban sprawl developments of high-income housing, distant from urban centers. This concept is totally out of sync with UGBs.

This loophole has been exploited by destination resort developers. Building outside UGBs costs less than inside — the land is cheaper, and development fees are either absent or far less than within UGBs. Also absent are many of the urban development standards required in UGBs.

Developers of destination resorts are looking for the last great places to build these elitist communities, using impressive, politically correct adjectives to sway us — like “eco-friendly” and “sustainable.” One of those last great places is the Metolius basin. They have found a willing partner in Jefferson County, which is enticed by the prospect of additional property taxes the new development will generate, while having to pay very little of the costs. The sites proposed are more geophysically a part of Deschutes County by virtue of transportation routes and access to urban centers. U.S. Highway 20 and the cities of Sisters and Bend are more apt to feel the effects of several thousand more people than will Madras. As anyone who has traveled over Santiam Pass on a busy weekend in the summertime knows, the two-lane highway is already inadequate to handle major traffic volumes. The recent controversy over passing lanes between Sisters and Black Butte will pale compared with the inevitable debate to widen the highway to four or more lanes from Bend west-

ward if these resorts are approved.

The big losses will be to the very resources that attracted development — the Metolius and Whychus stream systems. The Metolius contains world-class fish resources, almost pristine. However, the endangered bull trout are at extremely high risk from increased development — inevitable degraded water quality; lower flows from diversion of groundwater for residential, golf course and other uses; pollution from septic tanks, soil erosion, herbicides and pesticides; and the increased presence of humans and their vehicles trampling over the landscape. And then there is the real increased risk of wildfire. Try as they might to entice us, development is development.

Portland General Electric, i.e., the ratepayers, and many public agencies are investing millions of dollars into restoring steelhead and Chinook salmon in the Deschutes River system to ameliorate the negative impacts of dams and diversions. The approval of more destination resorts would seriously compromise these efforts. The risk is not worth the inevitable costs.

Keeping the wisdom alive — those promises for future generations — takes far more diligence and commitment than it takes to erode them. In no time, a decision can be made that will forever alter the future of the Metolius and other precious areas. We do not need destination resorts in Central Oregon for our economic survival, and we especially don't need any in the Metolius basin. We must stay the course, and we must avoid caving in to greed and power that threatens to destroy our last remaining special places.

Linda L. Davis lives in Sisters.

Lisa Howard - P.S. re Metolius testimony

From: Brian Hines <brianhines1@gmail.com>
To: HOWARD Lisa <Lisa.Howard@state.or.us>
Date: 02/10/2009 11:34 AM
Subject: P.S. re Metolius testimony

Lisa, here's a slightly revised version of the message I just sent you. Noted some typos after sending the email, so please substitute this for my first message.

 I'm not sure why the DLCD web site says that testimony on the designation of the Metolius Basin as an Area of Critical State Concern had to be in last Friday, when the last hearing on this issue isn't until March 11. Why should someone be able to testify in person a month from now, but I can't submit a comment today?

So I'm assuming that this email message can be entered into the record. If not, let me know why; I live a long ways from Madras and Sisters, and won't be able to attend the hearings. I note that the web page says that February 6 was the deadline for comments on the Feb. 11-12 public hearings, not the subsequent hearings. But this still doesn't make sense, since people can testify in person later than people can testify via email. There doesn't seem to be a reason for this.

At any rate, I want to express my strong support for designating the Metolius Basin as an Area of Critical State Concern. My wife and I are part owners of a forest service cabin on the Metolius (Tract C). We are deeply familiar with the area, and with Camp Sherman. I've followed the debate over the destination resorts since 2007, and have written several blog posts on the subject, most recently a few days ago:

<http://hinessight.blogs.com/hinessight/2009/02/keep-resorts-out-of-the-metolius-river-basin.html>

Proponents of the resorts like to say that Jefferson County is in favor of them. This is misleading. We're members of the Metolius River Forest Homeowners Association and Friends of the Metolius. We also chat with local Camp Sherman residents when we visit our cabin.

I've been told that when Jefferson County held a public hearing in Camp Sherman, opposition to the rezoning that allowed the resorts was almost unanimous. Yet the county commissioners went ahead and pushed through the plan anyway.

As noted in the above-mentioned blog post, commissioner Bill Bellamy gave this reason for approving the rezoning: "Whether or not you like what destination resorts have done, it's phenomenally significant what they do to property tax revenues."

This shows how short-sighted and tax-revenue-focused decision makers in Jefferson County have been. Environmental and local concerns have been given short shrift. So designating the Metolius Basin as an ACSC is entirely justified, given that this area is a unique state treasure at risk of being trashed by money hungry county commissioners -- who are willing to allow long-term harm to the Metolius Basin in exchange for a promise of increased property taxes.

It simply makes no sense to allow 3,000 homes to be added to a "wild and scenic" recreation area where currently only several hundred people live. The proposed destination resorts would damage the character of the Metolius Basin -- regardless of the eco-friendly verbiage that one of the would-be

developers likes to throw out in support of his resort.

The only people in favor of the destination resorts appear to be a few county elected officials, those standing to profit from the developments, and a decided minority of local residents. The Metolius Basin truly is of statewide concern and shouldn't be endangered by the self-centered actions of a few individuals.

Sincerely,

Brian Hines
10371 Lake Drive SE
Salem, OR 97306

(please use email address below; others I've used may be inactive soon)

Brian Hines
brianhines1@gmail.com
www.brianhines.com (web site)
www.thehinessight.com (blog)
www.churchofthechurchless.com (other blog)

Lisa Howard - Fwd: Destination Resorts in the Metolius Basin

From: Jon Jinings
To: Howard, Lisa
Date: 02/10/2009 4:19 PM
Subject: Fwd: Destination Resorts in the Metolius Basin

Lisa,

Please add this to the list of testimony.

Thanks,

Jon

Jon Jinings
Regional Representative
Department of Land Conservation and Development
888 NW Hill Street, Ste. 2
Bend, OR 97701
(541) 318-2890 - Office
(541) 325-6928 - Cell
(541) 318-8361 - Fax

>>> "Bill Smith" <bill@wspi.net> 2/10/2009 3:27 PM >>>

Please pass onto the Commissioners my comments. I am unable to attend the meeting in Sisters tomorrow. I know a personal appearance carries more weight. But hopefully my written comments will be "heard".

Thanks.

First to qualify myself, I was President of Brooks Resources during most of the development of Black Butte Ranch. I am also the managing partner of the Developer of The Old Mill District on the Deschutes River in Bend.

I know that sensitive development can be done. The two projects mentioned above are living proof. Both projects created positive impacts on their natural surroundings.

The Metolius Basin is special. But that does not mean that new development cannot be done and improve what is already there. As we increase in population, the area will be used more. It is better to accommodate the increase in use with development than to let unprogramed use run roughshod over the area. Both talked about "resorts" can help create the infrastructure needed to protect the Basin from uncontrolled use. That should be a factor in the Commission's deliberations.

Resorts also provide a positive balance of payment to the area. Witness when Black Butte Ranch was finished in the middle 1980's, the Ranch provided funding for over half of the Sisters School District while contributing almost no students. The Resort's self contained nature prevents them from becoming a burden on their neighbors. Water usage is a boogieman. One golf course uses no more water than 110 horses. No one thinks of banning or limiting horses to protect the water supply in the Metolius Basin. We should not think of resorts as depleting the Basin's water supply unless we add horses to the mix too.

The Metolian is not a Destination Resort in the sense that Brasada and Pronghorn are. Metolian's size keeps it in the category of small accommodations. The project's proposed work on adjoining public land is a gift to the whole community. We should not preclude the community's acceptance of the gift by fear of boogiemens.

The Governor is off base in his proposed ban. Please don't blindly endorse it. We need development in the Basin to keep it from being overused.

Bill Smith
c/o William Smith Properties, Inc.
15 SW Colorado Avenue, Ste 1
Bend, OR 97702
(541) 382-6691
(541) 388-5414 FAX
bill@wspi.net

Lisa Howard - Development in the Metolius Basin

From: RAND SCHENCK <randschenck@msn.com>
To: HOWARD Lisa <Lisa.Howard@state.or.us>
Date: 02/10/2009 2:02 PM
Subject: Development in the Metolius Basin

To: Lisa Howard
From: Rand Schenck
Date: February 9, 2009
Subject: Development in the Metolius Basin

I am unable to attend the public meetings to be held and do want to urge decision makers NOT to allow development of resorts in the Metolius Basin. The Metolius is one of Oregon's natural wonders, a real gem. I love walking up and down the river and simply appreciating its beauty. Large scale resort development risks damaging the water supply and harming this important fisheries stream. I urge decision makers to do the right thing and act to ensure the long term protection of this marvellous resource.

Sincerely,

Rand Schenck
2947 NE 31st Ave
Portland, Or 97212

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Lisa Howard - Destination Resorts including Metolius

From: Robin Vora <robinvora1@gmail.com>
To: HOWARD Lisa <Lisa.Howard@state.or.us>, SEN Telfer <Telfer.Sen@state.or.us>, REP Stiegler <Stiegler.Rep@state.or.us>
Date: 02/10/2009 12:11 PM
Subject: Destination Resorts including Metolius

Feb. 9, 2009

Governor Kulongoski
State Senator Chris Telfer
State Rep. Judy Stiegler
Oregon Land Conservation and Development Commission
Oregon Department of Land Conservation and Development

I am very opposed to any more destination resorts in Central Oregon, including the Metolius Basin. My understanding is that the purpose of destination resorts is to boost economic development. Central Oregon has more than enough economic development of this kind. Resorts and tourist services provide few high paying jobs once the initial construction is completed. Revenue from a potential increase in taxes should be weighed against losses in quality of life and what is special about Central Oregon. We don't need any more traffic. The two Metolius proposals, for example, would generate a lot of traffic on Hwy 20 which is already overloaded going through Sisters. We need to conserve precious water and protect its quality. The pure spring-fed water of the Metolius River is especially important for fisheries and related recreation. I value what little of our open space, natural habitats, and rural environments we have left. The area is important deer winter range and provides habitat for many important species including white-headed woodpecker. More development means higher cost to the taxpayer to provide protection from the wildfires that impact the Camp Sherman-Sisters area each summer.

The Metolius Basin is special from a statewide perspectives and should receive special protection (e.g., area of critical statewide concern). We don't need any more of our natural environments replaced by golf courses, subdivisions, and roads. While an "eco-friendly" destination resort may be preferable to one that is not "eco-friendly", I have difficulty seeing any conversion of forest and rangelands to a destination resort as an "eco-friendly" act.

I hope we can enact legislation that not only makes the Metolius Basin off-limits to destination resorts but also rescinds the 1980s legislation permitting destination resorts, at least in Central Oregon. I also support legislation blocking any Measure 49 claims pertaining to a change in law or regulations pertaining to destination resorts while possibly providing landowners involved with some monetary relief. Also, please don't allow developers to skirt Oregon's outstanding land-use laws by using destination resorts as a means to achieve more "sagebrush subdivisions." Remove all lands zoned for destination resorts and return those lands to some kind of rural agriculture or forestry zoning.

Robin Vora
1679 NE Daphne Dr.
Bend, OR97701

Lisa Howard - the metolius

From: "Bert and Carol Swift" <swifts@bendbroadband.com>
To: HOWARD Lisa <Lisa.Howard@state.or.us>
Date: 02/09/2009 5:08 PM
Subject: the metolius

It took me a while to understand what the Beatles meant when they sang that song "Let it Be". Finally, at the age of 78, I know what they meant. The Metolius: Let it Be. Let it be left to grow, to thrive, to live, or to die on it's own, without the destructive interference of another development designed to benefit the few, while leaving out the many who would gain from a sense of being, at least for a few moments, or a few hours, a part of nature. Please, let it be.

Bert Swift
Bend

Lisa Howard - Metolius Basin

From: "Fritz Johnston" <fritz.johnston@advantagebend.com>
To: JININGS Jon <Jon.Jinings@state.or.us>
Date: 02/09/2009 3:47 PM
Subject: Metolius Basin

Land Conservation & Development Commission
c/o Jon Jinings, DLCD
888 N.W. Hill Street, Suite 2
Bend, OR 97701
jon.jinings@state.or.us

Dear Commissioners,

This letter is written to pledge my support for Jefferson County to choose its own policy direction. The Governor's and LCDC's plan to designate an Area of Critical Concern (ACC) in the Metolius Basin is of concern. Jefferson County followed the rules as set forth in the Oregon Revised Statutes to designate two properties as Destination Resort Eligible.

Oregon's Planning System requires local planning documents to comply with the Statewide Planning Goals and Guidelines but assures that local land use decisions are rendered locally. Jefferson County considered the merits of the two sites and adopted a map identifying the sites as destination resort eligible consistent with state law (ORS 197.455).

The Land Conservation and Development Commission should not be adopting state law that is in direct conflict with the policy choices of Jefferson County that were developed through a lawful public process.

Thank you,

Fritz Johnston

Lisa Howard - planned resorts in the Metolius area

From: Allison Oseth <ao@oregonwild.org>
To: HOWARD Lisa <Lisa.Howard@state.or.us>
Date: 02/09/2009 2:56 PM
Subject: planned resorts in the Metolius area

Dear Ms. Howard,

I am writing to express my deep concerns regarding the destination resorts planned for Oregon's Metolius region, and to ask for your help. I am sickened and saddened to envision the drastic, irreversible changes that will affect the Metolius as a result of either of these projects coming to fruition. I am a native Oregonian, and the wild areas of central Oregon are intrinsic to my personal and family history. No project, even one that is supposedly "green" in nature, is the right choice for the Metolius. WE MUST protect these areas before it is too late. There are many more suitable areas for resorts or increased tourism in our state. We won't be a state worth visiting, however, if we don't protect the areas that make us special. Like the Metolius.

Thank you for your time.

--

Allison Oseth
Director of Development, Oregon Wild
5825 N. Greeley Avenue
Portland, OR 97217
503-283-6343 x223
www.oregonwild.org

Lisa Howard - Metolius ACSC and Destination Resorts issue

From: "Tim Lillebo" <tl@oregonwild.org>
To: "Tim Lillebo" <tl@oregonwild.org>, HOWARD Lisa <Lisa.Howard@state.or.us>
Date: 02/09/2009 2:24 PM
Subject: Metolius ACSC and Destination Resorts issue

Dear Lisa Howard,
Oregon Department of Land Conservation and Development
Salem, Oregon

Concerning; Metolius Area of Critical State Concern designation and siting of destination resorts and housing developments.

On behalf of Oregon Wild (OW), we would like to submit comments in opposition to siting any destination resorts or housing developments in the Metolius Basin and the support for designation of the Metolius as an Area of Critical State Concern.

Oregon Wild has long been involved in trying to improve management of the unique Metolius Basin. Oregon Wild supports protection of the Metolius Watershed's Wilderness, old growth, soil, water, fisheries, wildlife and wildlife habitat, and quality recreation for all publics.

On behalf of Oregon Wild (OW), we would like to submit comments in opposition to siting any destination resorts or housing developments in the Metolius Basin and the entire Metolius watershed.

Oregon Wild believes that destination resorts or housing developments in the Metolius Basin would:

1. degrade wildlife habitats and wildlife migration corridors due to fragmentation of habitat, unavoidable wildlife harassment and disruption of wildlife use due to excessively increased human, domestic pet, roads, and vehicular use.
2. degrade water resources due to excessive increases in water usage for housing, facilities, and golf courses.
3. Increase risk of fire damage to homes, properties and lives, due to increased housing and facilities in the middle of the forest
4. Increase the burden of fire protection on local entities due to increased housing, facilities, and roads.
5. take significant areas of land out of designated "forest" land use planning zones.
6. degrade the unique quality recreation experience currently available due to increased constant human activity .

Oregon Wild supports the designation of the Metolius as an "Area of Critical State Concern" and beyond that, opposes any new destination resorts or housing developments in the Metolius Watershed.

Thank you for this opportunity to comment.

Tim Lillebo
Oregon Wild
16 NW Kansas Ave
Bend, OR 97701

541 382-2616

Lisa Howard - Metolius Resorts

From: "Steve Turner" <steve@steveturnerranches.com>
To: HOWARD Lisa <Lisa.Howard@state.or.us>
Date: 02/09/2009 1:50 PM
Subject: Metolius Resorts

Ted Kulongoski consistently shows a total disregard for those Oregonians not born and raised within the I-5 corridor. His statement was classic when he announced that he has been taking his family camping on the Metolius for 40 years. For those of us born in Central and Eastern Oregon and who try to make our livings east of the Cascades, this is more than a campground for valley trash. We've watched as our timber industry assassinated by eco-nazi backed politicians. Ranching is now on the edge of extinction. Those that try to live on wages from tourism find themselves among the working poor.

Let the resorts complete the permitting process through the county and create jobs locally in construction and supply that will, hopefully, not be filled by illegals. I lived at Camp Sherman and my son and daughter attended class in the 2 room school there. Up until 1990, we lived a happy life and I supported a family by logging. The current laws will be safe guard the river. For the sake of our environment, limit the number of non-residents coming over the mountains each week to toss beer bottles, trespass, vandalize private property and public campgrounds and leave trash. Speaking of which, try to keep Kulongoski in the valley.

Steve Turner
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Powell Butte, OR 97753
P: (541) 548-9600
F: (541) 548-9604
E: steve@steveturnerranches.com



City of Sisters

February 6, 2009

Oregon Land Conservation and Development Commission

Re: Proposed Area of Critical Concern (ACC) Designation for the Metolius Basin

Dear Members of the Commission,

On behalf of the Sisters City Council, first I would like to thank the Department of Land Conservation and Development and the Commission for scheduling a public hearing on this matter in Sisters. We appreciate the opportunity for our residents to comment about this proposed designation in a convenient public forum.

On May 24, 2007, the Sisters City Council adopted Resolution 2007-07 in support of SB 30 which was considered by the 2007 Legislative Assembly. The resolution put forth concerns about the impact of destination resorts in and around the Metolius basin on our community. While the potential for such impact remains, the current City Council would like to discuss whether and how such impacts can be minimized and mitigated, and revisit the resolution in connection with this current process.

Unfortunately, due to the compressed time schedule, the City Council will not have the opportunity to revisit Resolution 2007-07 before the Sisters hearing on February 11th. In fact, all of the remaining hearing dates conflict with our City Council meeting schedule. Nevertheless, we will schedule this topic for an upcoming Council meeting and provide further input in connection with one of the future hearing dates.

Respectfully,

Lon Kellstrom
Mayor

Cc: Sisters City Council
Representative Gene Whisnant
Senator Chris Telfer

City of Sisters
Resolution No. 2007-07

A RESOLUTION IN SUPPORT OF SB 30

WHEREAS, SB 30 was introduced during the 2007 Oregon Legislature by Senator Westlund; and

WHEREAS, the purpose of this legislation is to protect the Metolius River watershed, scenic and environmentally sensitive areas by prohibiting the siting of destination resorts in or within three miles of the Metolius River Basin; and

WHEREAS, destination resorts proposed for this basin under the Jefferson County Destination Resort Map will have a significant impact on Sisters, primarily due to increased traffic congestion and local services such as public safety and schools; and

WHEREAS, additionally these resorts pose numerous risks to the region's natural resources and overall character of the Metolius Basin which is integral to the identity and livelihood of the Greater Sisters Country; and

WHEREAS, the City's economic future is enhanced not by the creation of new destination resorts, but by the preservation of the natural and scenic qualities of the Metolius Basin for which it is world renowned; and

WHEREAS, the Metolius River is a precious asset to the State of Oregon, and protection of the qualities and values within the Metolius Basin should be a matter of statewide concern,

NOW, THEREFORE BE IT RESOLVED by the Common Council of the City of Sisters that the City of Sisters supports SB 30 in its original intent and encourages the Oregon Legislature to adopt this legislation.

Adopted by the Common Council of the City of Sisters this 24th day of May, 2007, by the following vote:

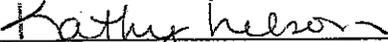
Mayor Brad Boyd	<u> Yes </u>	Councilor William Merrill	<u> Yes </u>
Councilor Shawna Bell	<u> Yes </u>	Councilor Lon Kellstrom	<u> No </u>
Councilor Sharlene Weed	<u> Yes </u>		

Approved by the Mayor this 24th day of May, 2007.



Brad Boyd, Mayor

ATTEST:



Kathy Nelson, City Recorder

Douglas Hancock
P.O. Box 146
Camp Sherman, Oregon 97730

phone: 541-549-4942
email: Hancock.doug@gmail.com

February 6, 2006

Via email to: lisa.howard@state.or.us
Oregon Department of Land Conservation and Development
635 Capitol Street
Suite 150
Salem, Oregon 97301

Re: Testimony regarding Designating the Metolius Basin as an
Area of Critical State Concern

Dear Friends,

This testimony is prepared for the hearing scheduled for February 11, 2009 at Sisters High School. I hope to attend the meeting and present oral testimony.

In this letter I address the three objectives and issues the DLCD has identified for the Metolius ACSC designation:

1. To determine whether destination resorts and other large-scale uses should be prohibited, and if so, within what specific area. In addition, the ACSC could include a buffer or transitional area where resorts are allowed, but only if they meet standards that protect resources within the basin and that avoid significant effects on surrounding areas.
2. To provide some means for resort development to move forward in Jefferson County, recognizing that Jefferson County has not benefited from resorts (in terms of jobs and tax base) in the way that neighboring counties have; and
3. To provide some relief for the owners of the two sites that have been identified as eligible for resort siting, to the extent that they are not allowed to proceed.

The proposed management plan has not been posted as of the time I am submitting these comments, but I will address the issues raised by the plan during oral testimony.

1. Should destination resorts and other large scale developments be prohibited?

- A. No large scale development or DRs should be allowed in the Metolius

There exist in Oregon a handful of places that should be preserved for all future generations. The Metolius River, basin and the surrounding watershed (referred to

herein collectively as the “Metolius”) is one of those places. In addition to the Warm Springs tribes, many Oregonians speak reverentially about the Metolius. The reasons are plain once you visit the area: it is the environmental jewel in Oregon’s crown. Destination resorts (“DRs”) and any other large scale development would quickly wreck environmental havoc on the Metolius and would have devastating adverse environmental impacts:

- I. DRs would add thousands of homes to the Metolius basin, where there are currently around 300 homes. The population of Sisters is just over 1,000. The added homes would destroy habitat necessary for wildlife and rare and endangered plants, and the boom in population and traffic would result in habitat destruction. Green Ridge is a mule deer herd migration path -- they drift through the Metolius valley in October/November and migrate east over Green Ridge toward the east and "low desert" where they can escape deep winter snow. There is a large herd of elk that winter in the Metolius basin.
- II. The Metolius contains a thriving population of federal ‘threatened’ bull trout. Wild, pure-native redband trout are present in Fly Creek and Wychus Creek. Metolius tributaries such as First and Lake Creeks are important for spawning. Large scale development such as these DRs will adversely effect public investment already underway for re-introduction of steelhead and salmon. As a result of the recent Pelton-Round Butte Agreement, the reintroduction of Chinook salmon and the reverting of the landlocked kokanee to their original sockeye salmon are planned for the Metolius, Wychus Creek and Crooked River at a cost that could approach \$300 million.
- III. In response to the Governor’s questions to state agencies about how the Metolius can be protected, the Oregon DEQ, ODFW, Water Resources Dept. and the US Forest Service and US Geologic Survey have stated that development will likely result in adverse impacts to the Metolius, including:
 - i. Diminished stream flows. Groundwater pumping will cause diminished discharge at principal spring complexes found at the head of the Metolius, along the main stem, along many of the tributaries, and near the confluence of the Metolius and Deschutes Rivers.
 - ii. Significant risk to water quality and water temperature. DRs are significant sources of pollutants that are comparatively uncontrolled, and the potential effects of these discharges, along with the potential decreases in instream flow from developments could have a measurable impact on the quality and temperature of the Metolius River.
- IV. The population resulting from these destination resorts would be many times the size of nearby Sisters, which would bear much of the burden caused by the increase in population and which would not share in tax revenue created by the resorts. School aged children living in these DRs

would *not* attend the Culver School district—they would attend Sisters' schools, which are just a 15 minute drive (children living in Camp Sherman attend Sisters middle and high schools). However, Jefferson County and Culver would reap the property tax revenue.

B. From what specific areas should DRs be banned?

There should be at least a 3 mile buffer zone around the Metolius and its watershed in order to prevent devastating environmental destruction. This number is not derived without basis; scientific studies indicate that ground water pumping within this area would result in diminished stream flow in the Metolius.

2. Should Jefferson County be given some means to expedite development elsewhere?

If the county can map DRs elsewhere within its borders and comply with all rules, laws and regulations that will protect Oregon's rural lands and environment, then the DLCDC should consider some method of expediting the process. One possibility is allowing a re-mapping process before the 30 month waiting period arrives.

That said, there is no reason that any county necessarily needs DRs. Granted, they do result in large increases in property tax revenues for the counties. However, they also place enormous burdens on local infrastructure that are largely paid for by the county and the state, without specific compensation. Moreover, they forever change the rural character of areas where they are built.

Only a handful of counties in Oregon have DRs. All counties in Oregon are struggling in this economy, regardless of whether they have DRs. The point is this: DRs are not a necessary part of a county's survival.

3. Should the property owners be given "relief"?

No. There has been a fair amount of talk by Jefferson County, the media, and by the owners of the two parcels of land that are mapped as eligible for DRs about how legislation that would prevent destination resorts in the Metolius Basin would amount to taking a property right from the owners. These arguments are nonsense.

The parcels that would be developed into destination resorts were zoned as Forest Management lands when they were purchased—they had been zoned that way for many, many decades. Despite overwhelming opposition, the county revised its comprehensive plan to map these parcels as appropriate for destination resorts. The county's actions are being challenged in the courts and other venues. But it is not right to say that if the state steps in now to protect one of the most environmentally sensitive areas in Oregon, the state has taken anything from the owners—they will continue to have just what they bought: Forest Management land.

An example helps make my point. Consider that I purchase a parcel of land that is zoned for residential single family homes, with the speculation that I can build an apartment complex on the land. I go to the county to get a zoning variance that allows me to build the apartments. But, neighbors step in and challenge the county's decision to grant the variance, and ultimately the neighbor's challenges are successful and I

cannot build the apartments. I have not lost anything and the neighbors have not taken anything. I may have lost a speculative opportunity, but that was the risk I decided to take when I purchased the land. Most importantly, I continue to own exactly what I bought: land on which I can build a single family home.

The same applies here and it would be wrong to provide "relief". Moreover, these land owners should not claim relief under Measures 37 / 49 (which appear unlike to apply to these facts in any event).

While I appreciate that "relief" might be a politically expedient thing to seek, if the form of any "relief" cost Oregon taxpayers anything, that would be entirely unjustified.

Finally, as noted above, hundreds of millions of dollars are being spent to reintroduce salmon into the Metolius and other waterways. The Warm Springs tribes are spending millions of dollars on these efforts. Will the tribes and taxpayers be given any "relief" if their private investments and tax dollars are wasted because the state allows these developments?

Sincerely,



Douglas D. Hancock

January 28, 2009

We are writing to URGE your support for protection of the Metolius River and its Basin from destination resort development. We understand a decision like this is complex and combines many factors that must be researched and analyzed. There are countless compelling environmental and societal arguments against a resort rezone (we know you have received numerous letters on these matters). But there are also extremely critical **economic factors** to consider - how will the development of up to 3,500 homes and two golf courses built within three miles of the Metolius River Basin and in the middle of the Deschutes National Forest affect counties, taxpayers and Oregonians who do not reside, vote or have a voice in decisions made by Jefferson County? This letter focuses on just one potentially staggering public cost - **the cost of catastrophic wildfire.**

SUMMARY OF FINDINGS:

- * **The September/October 2008 Wizard Fire which raced up Green Ridge and surrounded the Metolius River (a prescribed and controlled burn by the US Forest Service which escaped their control) cost various agencies and taxpayers a reported \$3,849,914.00 and used efforts of nearly 500 firefighters to control it.**
- * **The 2003 B&B complex fire (burning the same land area the proposed resorts are slotted for) cost taxpayers \$43 million dollars to suppress.**
- * **The 2002 Biscuit fire in Southern Oregon cost taxpayers in excess of 150 million dollars to suppress.**
- * **The Sister's Wildfire Plan provides that a several mile-long band of high fire hazard land runs north from the east side of Camp Sherman *along Green Ridge (where the resorts will be built)* to the northern boundary of the plan area.**
- * **A November 2006 audit conducted by the US Department of Agriculture, Office of the Inspector, General Western Region concluded that the Forest Service's wildfire suppression costs have exceeded \$1 billion in 3 of the past 6 years (2003-2006). It also concluded the escalating cost to fight fires is largely due to its efforts to protect private property in the WUI (Wilderness Urban Interface) bordering Forest Service Lands. (The proposed rezoned resorts fall into this category).**
- * **WUI protection is the major component of Forest Service's escalating fire suppression expenditures, with some estimating that between 50-95% of large wildfire costs are directly related to protecting private property and homes in the WUI.**

- * **Chris Hoff, Interagency Fire Management Officer for Central Oregon Fire Management Service, NIPC and several other sources confirmed that fighting fires in a WUI area is much more complex and expensive and dangerous than fighting fires in the forest because fire fighters have to work around structures, bringing in expensive equipment they wouldn't necessarily use if they were not protecting structures. In the natural forest, fire fighters have the flexibility of letting the fire burn through areas, this is not considered permissible in developed or WUI areas.**
- * **US Department of Agriculture Office of the Inspector audit suggests assigning more financial responsibility to STATE and LOCAL government for WUI wildfire protection because Federal agencies do not have the power to regulate WUI development. Homeowner reliance on State and Federal Government to provide wildfire suppression services places an enormous financial burden on the Forest Service, as the lead Federal agency providing such services.**
- * **An Idaho Statesman article (5/11/07) ("Statesman Article") explains "in nearly all (WUI Zones) a fire sparked on a dry and windy day could rapidly grow to catastrophic proportions (USA Today analysis). It further states that the increased WUI development propelled the federal governments cost for battling wildfires to nearly \$2 billion last year, more than six times the price a decade ago. The article states, "It's driving cities and counties across the West to rethink how and where people should build their homes, and in the most extreme cases, it puts more homeowners and firefighters in danger."**
- * **As noted above, development in WUI zones dramatically increases the risk, complexity and expense of fire suppression, yet the private parties who benefit economically from the development do not shoulder the burden of this increased risk and expense. It will be passed along to the federal and state tax payers.**

FACTS, FINDINGS AND RESEARCH:

The advancement of **private developer's profits** and **limited county fiscal interests** is at **great public cost and expense**. There are countless categories of public costs (lost wild area, increased pollution, devastated ecosystems, increased traffic, 35,000 increased car trips a day when we should be *decreasing* emissions due to global warming). However this letter focuses on just one potentially staggering public cost— **the cost of catastrophic wildfire** - a virtual certainty in this area, and even more so with the development of 3,500 homes inappropriately located in the middle of the Deschutes National Forest.

The cost of catastrophic wildfire is staggering! Most recently, the September/October 2008 Wizard Fire (burning in the same area as the proposed resorts), a controlled and prescribed burn by the US Forest Service (which escaped their control) cost **\$4 million** to suppress. The 2003 B & B complex fire (burning in the same area as the proposed resort) cost taxpayers **\$43 million dollars** to suppress. The 2002 Biscuit fire in southern Oregon burning 500,000 acres cost taxpayers more than **\$150 million dollars** to suppress. All are sobering recent and historical predictions of future wildfire costs. Human imprint dramatically increases the chance of wildfire and if one occurs, the **state of Oregon** and the federal government **will bear the greatest burden** of suppression costs **with the developers and county walking away from such liability, their profits in their pockets**. This constitutes a **shocking and absolutely indefensible public subsidy** of private and limited county interests.

1. Wildfires - a Certainty in the Region.

According to Ken Frederick, spokesperson for the U.S. Department of Interior Bureau of Land Management and National Interagency Fire Center (“NIFC”), **wildfire is inevitable, not just possible** in this area. One only needs to go back four years to see this evidence. In 2003 the B & B Complex fire whipped through this same area and burned approximately 90,000 acres (42,248 of which were in the non wilderness Deschutes National Forest).

According to Chris Hoff, Interagency Fire Management Officer for Central Oregon Fire Management Service, **Central Oregon has over 400 fires a year and contains some of the most flammable and dangerous fuel conditions within the Pacific Northwest**. The increase in fuel concentrations, global warming and weather patterns have made fires increase in intensity and duration presenting a high risk of future catastrophic fires in the area.

The Greater Sisters Country Community Wildfire Protection Plan (Executive Summary) (“**Sister’s Wildfire Plan**”) confirms that **wild land fire is a natural part of the ecology of Central Oregon**. The Sister’s Wildfire Plan provides that **a several mile-long band of high fire hazard lands runs north from the east side of Camp Sherman along Green Ridge to the northern boundary of the plan area**. Pockets of high/extreme and extreme wild fire hazard appear on the west side of Camp Sherman and immediately north of the community boundary.

2. Wildfires Are Increasingly More Intense, Complex and Catastrophic.

Chris Hoff stated that **fires in Central Oregon are becoming increasingly larger and of longer duration every year**. A great example of this is the B & B Complex Fires which took over a month to suppress. The Sister’s Wildfire Plan also confirms that fires burn more intensely now than in the past due to build up of forest fuel and other factors with most observers agreeing that wild land fires have recently been **burning hotter, moving faster, and scorching more acres** than the historical pattern. NIPC also

describes **wildfires are much more catastrophic now than they used to be** due to the increased buildup of fuels in forests.

3. WUI Development Increases Occurrence, Complexity and Cost of Wildfires.

As more of the public moves into wild urban interface areas (where human development asserts itself in naturally wild areas) (“WUI”) the likelihood of a major catastrophic wildfire increases. The National Database of Wildfire Mitigation Programs: (State, County and Local Efforts to Reduce Wildfire Risk) provides that “**The growth of residential communities within forested areas has increased the danger to life and property from uncontrolled wildfire.**” An article in Science Direct¹ states that “**The dramatic expansion into the WUI places property, natural assets and human life at risk from wildfire destruction.**”

According to NIFC most fire experts agree that **increasing the number of people in WUI zones will increase the risk of fire occurrence.** The reasons are obvious. Human imprint leads to more opportunities for fire to start - barbeques, kids playing with matches, smoking, camp fires, home fires, sparks from cars, gasoline igniting are just a few examples of the many human causes of wild fires.

NIPC affirms that WUI wild land fires are **more complex** and sometimes **more dangerous**, both for firefighters and the public in WUI zones because more people and structures are involved in the fire fighting equation. Chris Hoff, NIPC and several other sources confirmed that fighting fires in a WUI area is **much more complex and expensive** than fighting fires in the forest because fire fighters have to work around structures, bringing in expensive equipment they wouldn’t necessarily use if they were not protecting structures. In the natural forest, fire fighters have the flexibility of letting the fire burn through areas, which they don’t in built up areas. NIPC affirmed that agencies in all levels of government have **finite resources for firefighting**, combined with increasing demands for responses, which means **managers are being forced to evaluate priorities** and sometimes make **hard decisions on where resources will be used and not used.**

The USDA Forest Service – USDI Department of Interior National Association of State Foresters Large Fire Cost Reduction Action Plan of March 2003 (“**State Forester’s Plan**”) states, “During the past decade, frequent and prolonged wild land fire suppression operations in the Wild land Urban Interface (WUI) have become increasingly common. These (WUI) operations have resulted in a dramatic increase in costs as Agency Line Officers and Incident Management Teams employ extraordinary efforts to protect communities and associated infra structure. “

An Idaho Statesman article (5/11/07) (“**Statesman Article**”) explains that “**in nearly all (WUI Zones) a fire sparked on a dry and windy day could rapidly grow to**

¹ “Goals, Obstacles and Effective Strategies of Wildfire Mitigation Programs in the Wildland-Urban Interface”

catastrophic proportions (USA Today analysis). It further states that the increased WUI development propelled the federal governments cost for battling wildfires to nearly \$2 billion last year, **more than six times the price a decade ago**. The article states, **“It’s driving cities and counties across the West to rethink how and where people should build their homes, and in the most extreme cases, it puts more homeowners and firefighters in danger.”**

Tom Harbour, the head of firefighting for the U.S. Forest Service is quoted in the article as stating **“The fact of the matter is that this is a lesson that’s been learned in the blood of our firefighters for many years. We need to be telling people with even more clarity that just because you built something here, we’re not going to die for it.”**

According to the article “Wildfires scorched a record 10 million acres last year, and the federal government predicts this will be another bad year. The years ahead could be worse: Climate studies suggest even warmer and drier weather could turn Western forests clogged with dead and dying trees to tinder, ideal conditions for fire.

4. WUI Wildfire vs. Non-WUI Wildfire Cost Suppression Comparison.

The cost implications of continuing to protect the WUI from wildfire are enormous. Two different fires on the Bitterroot National Forest in 2000 illustrate how much more costly it is to fight a fire to protect property. The first fire, fought to protect structures located within the WUI, burned 64,000 acres and cost Forest Service \$7.2 million. The second fire, which burned roughly the same number of acres, was fought in a wilderness area of the forest and cost only \$710,000 to suppress. With the increasing development in the WUI, more houses and more people will be threatened by wildfire and Forest Service's protection of them will likely result in the continued escalation of its fire suppression costs as well as the Government’s loss of natural resources. The 2003 B & B Complex fire cost approximately **Forty-Three Million Dollars** to suppress. This fire occurred **in the very same region that was rezoned to resort**. It is a strong historic predictor of the type of fire that would occur in this area and the price tag would be substantially greater if firefighters had to work around a resort which could include up to or more than 3,500 homes.

A November 2006 audit conducted by the U.S. Department of Agriculture, Office of the Inspector, General Western Region concluded that the Forest Service’s wildfire suppression costs have exceeded \$1 billion in 3 of the past 6 years (2003-2006). Forest Service’s escalating cost to fight fires is largely due to its efforts to protect private property in the WUI bordering Forest Service lands. **Homeowner reliance on the Federal government to provide wildfire suppression services places an enormous financial burden on the Forest Service, as the lead Federal agency providing such services.**

The same November 2006 audit **suggests assigning more financial responsibility to State and local government for WUI wildfire protection because Federal agencies do not have the power to regulate WUI development.** Zoning and planning authority rests

entirely with State and local governments. **"We found that the majority of Forest Service large fire suppression costs are directly linked to protecting private property in the WUI."** The audit continues to provide that in fiscal years (FY) 2003 and 2004, about 87 percent of large wildfires that were reviewed protected private property as a major strategy for the suppression effort. Forest Service managers and staff generally agreed that **WUI protection is the major component of Forest Service's escalating suppression expenditures, with some estimating that between 50 to 95 percent of large wildfire costs are directly related to protecting private property and homes in the WUI."**

5. The State Bears a Substantial Burden of Wildfire Costs.

The state normally bears a substantial burden of wildfire suppression costs because research indicates that **the state pays the costs of fire suppression on state and private land.** According to NIPC, there are Cost Sharing Agreements between the federal and state government that allocate the costs between the two entities based on where the fire starts. So, a fire caused by development can result in the depletion of state funds, with the developer not shouldering any of the expense and walking away with the profit. The cost sharing agreements are detailed and complex but all sources affirm that the state has enormous responsibility depending on where the fire starts and burns.

6. The State's and Federal Government's Burden of Wildfire Suppression Costs results in Shocking Subsidy of Private and County Interests.

As noted above, development in WUI zones dramatically increases the risk, complexity and expense of fire suppression, **yet the parties who benefit economically from the development do not shoulder the burden of this increased risk and expense. This translates to taxpayer dollars grossly subsidizing private developer and county profits.**

Furthermore, independent research by the National Academy of Public Administration has found that the majority of landowners moving into WUI take no actions to reduce their home's vulnerability to wildfire and that many local governments do not require homeowners to implement wildfire mitigation activities or regulate growth in these areas.

We urge you to responsibly consider the wild fire costs in the economic balance sheet for Oregonians. There is a tremendous cost side and virtually no benefits derived to Oregonians as a result of the rezone of Forest Management land to land rezoned for Destination Resort Development. The Governor's request to designate the Metolius River Basin as an Area of Critical Concern is a heroic effort to draw the line where it needs to be drawn; to look at the hard dollars and say no to unjustified private subsidies. Thank you and Sincerely,

Rebecca Hardesty Wood
Boise, Idaho

Kathy Krause
Portland, Oregon / Camp Sherman, Oregon

Patricia Krause
Portland, Oregon

February 5, 2009

Oregon Department of Land Conservation and Development
(via email to Ms. Lisa Howard, DLCD)

RE: Metolius Destination Resorts

Dear DLCD,

I am a resident of Bend, but more importantly I a citizen of Oregon. I grew up here in Oregon, graduated from College from a state school, and have worked my entire career in this great state. I grew up on Oregon stories too, like the ones with Gov. Tom McCall's impassioned speech on Senate Bill 100 in 1973, and ones with Wayne Morse battling for the Beach Bill. These were visionary times, bold times, and times that have shaped and crafted an Oregon of today that is the envy of not just the country, but much of the world.

It is plain to me that I have been the beneficiary of that era. My interests have always run to the out-of-doors and natural resources. I went to work the day after completing my Master's thesis defense, and for the next seven years in the private-sector learned alongside state and federal regulatory and resource agency officials the intricacies of the Clean Water Act, wetland science, and wetland and water policy. Time after time, in multi-agency efforts public-private partnership solutions were found that fit our excellent, sensible, and evolving land use system, so prophetically crafted these many years ago.

And, time after time, I was asked by developer-clients to "just get me a permit." I and my agency counterparts were so often struck by the fact that despite our hard work in insuring compliance with wetlands, land use or water laws and rules, we never got to see the project through or even to see if those "black hat" developers did what they said they would do. So, I became one.

For 13 years through 2007 I focused my professional career on one elemental and personal goal – to find out if a development could ever maximize the intent of SB 100 and have real benefit to natural resources, in both the short term and in the long term. I proved that they can. I also proved it is really hard work. For ten years I was Project Director for *Fairview Village*, a mixed-use, pedestrian-friendly development in east Multnomah County. Yes, housing values rose with maturation of the vision, shops in the neighborhood opened, schools were built, and within the \$140 million dollar project many, many people found jobs. But, trails through the woodland were constructed, nine parks, alleys that forced people to pay attention to the front of their home and to their neighbors were built, collaborative deals were struck where forested wetlands were traded and aggregated to create a regional wetlands reserve and interpretive area, a 35 percent reduction in Vehicle Miles Traveled occurred as people found they liked to walk and parked

their cars, and a much degraded “blue-ribbon” trout stream was restored where in one year kingfisher and blue herons were again fishing themselves and the native red band and cutthroat trout increased 800 percent in four years.

Professional planning staff visitors came from Sydney and Perth, Tokyo, Berlin, Indianapolis, Brasilia, University of British Columbia, B.C., and the London School of Economics to see how Oregon’s land use laws translated on the ground for people and places. A common comment was “how do you do this, this kind of land use?” and “I thought this was like 300 acres [not just 87].” Today, in these uncertain economic times, housing values at *Fairview Village*, much like other great traditional neighborhoods in Portland, such as Irvington and Ladd’s Addition, have been more stable than their conventional neighbor-subdivisions. Ideas have expanded and have been shared, so that even older adjacent neighborhoods have borrowed sidewalk and cross-walk themes, streetlights, and park strategies. I was proud to see *Fairview Village* win the 2001 “Best in American Living, Gold Award” from the National Association of Homebuilders, the 1000-Friends of Oregon *Builders Award*, and the 1998 *Governor’s Livability Award*.

These experiences in applying Oregon’s land use laws in combination with natural resources science led me to Prineville, where fears of change and the future of this oldest of Central Oregon cities was squarely answered with responsible, fitting, adaptive, and respectful land designs in *IronHorse* that predict great things for managing growth, even here on the edge of the high desert. Here where our state-wide land use laws mean at least as much as our urban centers.

The economics of these land development projects have been a significant element in getting natural resources enhancement, restoration, preservation, and education done – without state or federal grants to do so. The public debacle of Measure 37 and its poor second cousin Measure 49 have shamed us, in my opinion, and the original crafters of SB 100 who gave us the means and the motives to use our land resources wisely and in a context where local land use decisions actually means something to the people that live there.

Now we have a state leader – who I voted for and have supported – attempting to crush this cornerstone of Oregon Land Use, using political persuasion with our host of natural resource agencies to do so. As an Oregon professional, taxpayer, and as a citizen passionate about our land use laws and resources, I strenuously object. I am no free-marketeer, or a conservative siren for private property rights, nor have I ever actually worn that “black hat.” To create “spot zoning” at the scale envisioned by the governor’s office – most of an entire river basin – using such an award-winning department such as DLCD is unconscionable and is a precedence that will create an inescapable slippery slope to the demise of SB 100 in Oregon.

If state rules and local codes for Destination Resorts, in the public’s opinion, don’t adequately result in forms or functions that fit the context of a place, then the people (we) ought to insist appropriate standards are in-place – yes, buffer areas, yes, preventing significant avoidable

impacts, and yes, even to limit the scale at which resorts can be built. That dialogue, to my knowledge has not been had yet. Nor have we broadly discussed the impact Destination Resorts have on local government revenues. The two projects proposed in the Metolius Basin have yet to even demonstrate in public forum before Oregonians what they intend.

Nor have we had significant dialogue about the significance their respective economics might have on natural resource protection, enhancement, and education. That is, a discussion that might just provide a meaningful outcome that could balance impact with avoidance, restoration, real local planning participation, and especially considerations for the long-term livability of a region or a locale. Surely we are clever enough, thoughtful enough, and patient enough to achieve an outcome that can satisfy the hopeful resort home owner and the visiting fly fisherman, the local shopkeeper and the naturalist from the Valley. Surely, the desires of those simply interested in heritage values are the same as those that have visited the basin before and look forward to coming back for the same reasons.

“To promote coordinated administration of land uses consistent with comprehensive plans adopted throughout the state, it is necessary to establish a process for the review of state agency, city, county and special district land conservation and development plans for compliance with state-wide planning goals and guidelines,” states item 2 of the SB 100 preamble. DLCD and the Governor’s office, on behalf of citizens must also recall item 3 of the preamble, “Except as otherwise provided...cities and counties should remain as the agencies to consider, promote, and manage the local aspects of land conservation and development for the best interests of the people within their jurisdictions.”

I implore DLCD and the governor’s office, as one who has worked with and in our much-envied land use system, to cease efforts to truncate our incredibly valuable land use laws and process we have, and let the public process move forward with regard to Destination Resorts in the Metolius basin fettered only by passionate, considered public dialogue and debate. I certainly don’t want to hang my Oregonian hat on a future of paying taxes that went to reimburse land owners, Jefferson County, or our local communities for losses in income and revenues that stem from preemptive Salem politics.

Sincerely,

Randall A. Jones
287 NW Outlook Vista Drive
Bend, Oregon 97701

INTRODUCTION:

I'M PRIVILEGED TO HAVE THE OPPORTUNITY OF SPEAKING WITH YOU TODAY.

IT SEEMS OUR TESTIMONY TOPIC COULD NOT BE MORE TIMELY AND FITTING:

THE PROPOSED DESIGNATION OF A METOLIUS RIVER BASIN ACSC

WE ARE AT A REMARKABLE MOMENT IN HISTORY, A CULTURAL CROSSROADS OF CHALLENGE AND IMMENSE OPPORTUNITY.

I HEARD A PART OF AN AD THE OTHER NIGHT, PERHAPS IT WAS TOYOTA'S

LESS ME, MORE WE
(IT'S ALL ABOUT THE FUTURE!)

- Large-scale development should be prevented both inside the entire Metolius basin, and in a three-mile buffer area around the basin.
- Resorts and subdivisions should be limited.
- Only very low water use should be allowed (no golf courses).
- No adverse effects on water quantity or quality in the (upper/lower) Metolius should be allowed.
- No adverse effects on water quantity or quality in other watersheds should be allowed (Fly Creek, Whychus Creek, others).
- No adverse effects on deer winter range in or around the Metolius should be allowed.
- No significant adverse effects should be allowed on local roads or state highways.

WE MUST BE LOOKING TO RESTORE AND PRESERVE THE BOUNTY WE HAVE INHERITED SO OUR CHILDREN'S CHILDREN CAN MARVEL AT THE SAME WONDERS THAT HAVE BEEN HERE MILLINEA BEFORE US.

ONCE DESTROYED, NATURE'S BEAUTY CANNOT BE RESTORED AT ANY PRICE.

WE HAVE SQUANDERED OUR BIRTHRIGHT.

IN MY 20'S I WATCHED, ONE AFTER ANOTHER, CHINNOOK SALMON LEAPING TO CLEAR THE ROARING SOUTH UMPQUA FALLS... A DRASTICALLY REDUCED RUN THAT WILL ALMOST CERTAINLY BE EXTINCT WITHIN 100 YEARS.¹

IN MY TEENS MY PARENTS TOOK ME AND MY BROTHERS TO WATCH NATIVE AMERICANS PERCHED OVER THE THUNDEROUS FALLS AT CELILO, NETTING NATIVE SALMON FOR THEIR LIVELIHOOD AS THEIR ANCESTORS HAD DONE FOR THOUSANDS OF YEARS. THOSE ANCIENT FISHING GROUNDS, TIMELESS TREASURES, WERE INUNDATED BY THE BACKWATER OF THE DALLES DAM IN 1956.

WE HAVE DESTROYED, AND ARE CONTINUING TO DESTROY NATURAL TREASURES IN THE NAME OF PROGRESS THAT WILL DIMINISH BY THEIR ABSENCE THE LIVES OF THOSE THAT FOLLOW.

WE ARE AT A TIME OF REFLECTION, A TIME WHERE WE MUST TAKE STOCK OF HOW WE HAVE GOTTEN TO BE WHERE WE ARE;

WE ARE IN ONE OF THE HIGHEST UNEMPLOYMENT PERIODS THIS STATE HAS EVER SEEN WITH NO SIGN OF LETTING UP.

STOCK MARKETS ARE TANKING AND MANUFACTURING HAS FALLEN OFF A CLIFF.

ANYONE WHO IS PAYING ATTENTION KNOWS, WITHOUT A DOUBT, THAT WE CANNOT AS A CIVILIZATION CONTINUE ON THE COURSE WE SET MANY YEARS AGO.

IT IS TIME FOR US TO REVERSE THE STUPIDITY OF OUR THINKING THAT WE CAN TAKE, MAKE AND WASTE AS MUCH AS WE WANT, SIMPLY BECAUSE WE HAVE THE LEGAL RIGHT TO.

TO EFFECT THE QUALITY OF THE DAY, THAT IS HIGHEST OF ARTS
HENRY DAVID THOREAU

PAUL HAWKEN IN HIS BOOK, THE ECOLOGY OF COMMERCE CAME TO HIS 'INEVITABLE CONCLUSION':

¹ Susan Ratner ¹, Russell Lande ¹ & Brett B. Roper ²
¹ Department of Biology, University of Oregon, Eugene, OR 97403-1210, U.S.A., ² USDA Forest Service, Tiller Ranger District, Tiller, OR 97484, U.S.A.

“BUSINESS PEOPLE MUST EITHER DEDICATE THEMSELVES TO TRANSFORMING COMMERCE TO A RESTORATIVE UNDERTAKING OR (CONTINUE TO) MARCH SOCIETY TO THE UNDERTAKER.”

ALBERT EINSTEIN ONCE PREDICTED THAT IF BEES WERE TO DISAPPEAR, MAN WOULD FOLLOW ONLY A FEW YEARS LATER.

THAT HYPOTHESIS COULD SOON BE PUT TO THE TEST, AS A MYSTERIOUS CONDITION THAT HAS WIPED OUT HALF OF THE HONEY BEE POPULATION THE UNITED STATES OVER THE LAST 35 YEARS APPEARS TO BE REPEATING ITSELF IN EUROPE AT A MUCH MORE RAPID PACE.

OUR AGRICULTURE IS DEEPLY DEPENDENT ON HONEY BEES.

GERMAN BEE EXPERT PROFESSOR JOERGEN TAUTZ FROM WURZBURG UNIVERSITY SAID: "BEES ARE VITAL TO BIO DIVERSITY. THERE ARE 130,000 PLANTS FOR WHICH BEES ARE ESSENTIAL TO POLLINATION... "BEES ARE NOT ONLY WORKING FOR OUR WELFARE, THEY ARE ALSO PERFECT INDICATORS OF THE STATE OF THE ENVIRONMENT. WE SHOULD TAKE NOTE."

THESE TIMES REMIND ME OF THE ADAGE: “IF WE DON’T CHANGE DIRECTION WE’RE LIKELY TO END UP WHERE WE’RE HEADED.”

WE HAVE THE OPPORTUNITY TO LEVERAGE AND SHAPE THE FUTURE, TO SHAPE THE COURSE OF ACTION RIGHT NOW FOR FUTURE GENERATIONS. I WANT YOU TO BE LEFT INSPIRED BY THE ROLE YOU PLAY IN BRINGING ABOUT THAT FUTURE.

I’VE BEEN FORTUNATE TO LIVE IN OREGON, A CULTURE OF CONSCIOUSNESS; A FAIRLY EVOLVED RESPECT FOR OUR PRISTINE ENVIRONMENT, NATIVE PLANTS & ANIMALS, CLEAN WATER AND CLEAR SKIES.

IF YOU WANT TO ESCAPE "SAGEBRUSH SUBDIVISIONS, COASTAL CONDOMANIA AND THE RAVENOUS RAMPAGES OF SUBURBIA," AS FORMER OREGON GOVERNOR TOM MCCALL SO ELOQUENTLY DESCRIBED URBAN SPRAWL IN 1973, CONSIDER CORVALLIS.²

² <http://www.motherearthnews.com/Sustainable-Farming/2002-10-01/Greener-Pastures-Corvallis-Oregon.aspx>

HE WAS ALSO OUR GOVERNOR WHO FAMOUSLY SAID, “WELCOME TO OREGON, YOU’RE WELCOME TO VISIT, BUT PLEASE DON’T STAY.” THE SIGN STOOD FOR YEARS AT ALL OUR BORDERS.

HIS PLAN BACKFIRED; ESPECIALLY SINCE CALIFORNIANS HAD TO FIND OUT WHAT WAS SO SPECIAL UP THERE!

RIGHT NOW CALIFORNIA, THE PARADISE OF SUN, SURF, FERTILE SOIL WITH YEAR-ROUND CROPS, IS LOSING IT’S POPULATION MORE RAPIDLY THAN ANY OTHER STATE IN THE UNION. THEY’VE DESTROYED THE PERFECTION AND NO LONGER WANT TO LIVE IN THE AFTERMATH.

MANY ARE HEADED TO OREGON TO REPEAT THE CYCLE!

35 YEARS AGO THE STATE OF OREGON ESTABLISHED THE LAND CONSERVATION DEVELOPMENT COMMISSION TO HELP PRESERVE FARMLAND AND FORESTS AROUND THE CITIES, AND TO ESTABLISH URBAN GROWTH BOUNDARIES TO STYMIE SPRAWL. THIS PROGRESSIVE PLANNING PROGRAM HAS BEEN A SMASH SUCCESS, AND OREGON IS A PRIME BENEFICIARY.³

OREGON HAS ALWAYS BEEN A LEADER AND AN INNOVATOR WITH REGARDS TO DOING WHAT WORKS; THE COUNTRY’S FIRST BOTTLE BILL, EGALITRAIAN LEGISLATION THAT ALLOWS FREE PUBLIC ACCESS TO ALL OREGON’S BEACHES, THE MOST ‘GREEN’ OR ENVIRONMENTALLY RESPONSIBLE STATE IN THE UNION ACCORDING TO LEADING INDICATORS, AND THE LEADING PRODUCER OF SOLAR COLLECTOR ARRAYS IN THE NATION.

TIM MCCABE, WHO IS THE DIRECTOR OF THE OREGON ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT, SAYS THAT OREGON IS FOCUSING RESOURCES ON “ALL THINGS RENEWABLE.”⁴

I’M PROUD TO BE FROM OREGON; PEOPLE AROUND THE COUNTRY ENVY OUR STATE, THEY ALL SPEAK ABOUT HOW BEAUTIFUL AND NATURAL IT IS, THEY RESPECT OUR PRESERVATION-MINDEDNESS AND MANY STATE THEY WISH THEIR STATE COULD BACK UP 50 YEARS AND DO THINGS MORE LIKE WE DO IN OREGON.

LET’S NOT HAVE THE SITEING OF THESE RESORTS BE ANOTHER OF OUR AVOIDABLE MISTAKES WE REGRET FOREVER.

PLEASE VOTE TO DENY THESE RISKS TO A TREASURE THAT WILL NEVER BE AVAILABLE AGAIN IF WE’RE WRONG.

³ ibid

⁴ <http://www.alternative-energy-news.info/oregon-to-lead-nation-in-solar-production/>

THANK YOU FOR YOUR ATTENTION AND LISTENING.

TOBY POMEROY

2/6/09



JOHN E. HUFFMAN
State Representative - House District 59
Oregon House of Representatives

February 11, 2009

Mr. Richard Whitman
Director
Dept. of Land Conservation & Development
635 Capitol St, NE, Suite 150
Salem, Oregon 97301-2540

Re: Metolius River Basin

Dear Mr. Whitman:

I am not able to attend in person, because of my schedule in Salem, the public hearings on the Metolius River Basin in Sisters and Madras today and tomorrow. I am attaching a copy of my statement which I also sent to the Jefferson County Commissioners, for the official record of the public hearings you are conducting in my district. It is not necessary to read into the record unless protocol requires it. It is just my desire to get this into the official record of these hearings.

Please let me know if you have any questions regarding my position on the matter.

Sincerely,

A handwritten signature in black ink, appearing to read "John E. Huffman", written over a horizontal line.

REP. JOHN E. HUFFMAN
House District 59

JEH:kh

Cc: Jefferson County Commissioners



JOHN E. HUFFMAN
State Representative - House District 59
Oregon House of Representatives

STATEMENT REGARDING METOLIUS

The Metolius River Basin and the State's legal process is of great concern to me. Here are some facts on the history and the process surrounding the destination resort mapping of the Metolius River area.

The option of "Area of Critical Concern" was established in land use rules in 1973. Since that time, the ACC has never been invoked. I would also note that the ACC was never proposed during the county planning mapping process or during the DLCD reviewing process.

Jefferson County worked on mapping and zoning from January 2006 to December 2006. Thereafter, Jefferson County's destination resort plan was submitted to DLCD on December 28, 2006. DLCD then remanded the plan back to Jefferson County with questions regarding the traffic and roadway improvements and their impact on big game habitat and migration.

Senate Bill 30 was introduced in the 2007 Regular Session and was still in committee upon adjournment and did not go the Senate or House for a vote. Appeals were filed with LUBA and subsequently with the Court of Appeals and Jefferson County's position was upheld by both. It has now been appealed to the Oregon Supreme Court where it currently is pending. Though the process has so far taken years, it is still on going.

Jefferson County officials have done everything within the frame work designated by law, have gone through all the necessary avenues prescribed by the rules, laws or agencies and it is inappropriate and alarming that at this juncture in the process, the State wants to attempt to change the rules/zoning and invoke the ACC option.

I strongly urge everybody to allow the public process to continue under current statute without further interruption.

REP. JOHN E. HUFFMAN
District 59

JEH:kh