

REVENUE: No revenue impact.

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass with Different Amendments to the A-Eng. Measure (Printed B-Eng.)
Signers of the Report: Sen. Atkinson and Sen. Ferrioli
Prepared By: Erin Seiler, Administrator
Meeting Dates: 6/3

WHAT THE MINORITY REPORT DOES: Approves recommendation by Land Conservation and Development Commission (Commission) that Metolius River Basin be designated an area of critical state concern. Adopts Commission's management plan (plan) with certain changes. Prohibits plan from limiting small-scale recreation oriented development within Jefferson County and located in township 13 south, range 8 east, section 13. Requires plan limit development of small-scale recreation community so all units are sited within clusters of 25 in township 13 south, range 10 east, sections 20, 21, 28, and 29. Requires future plan amendments in addition to plan's limitations not result in negative impacts to water, fish or wildlife. Prohibits siting a destination resort within Metolius River Basin.

Establishes that county may authorize sustainable eco-community on land located in township 13 south, range 8 east, section 13 within Jefferson County. Establishes that eco –community must be developed with certain standards including: minimum and maximum acres; monetary minimums spent on off-site resource enhancement and on-site recreation facilities; fewer than 45 units of overnight lodging and 95 residential units for sale; and housing for 50 percent of peak season employees. Establishes criteria for eco-community including: community use reclaimed water as primary source of irrigation water; 50 percent of land be dedicated to contiguous open space; significant natural resource functions be preserved; impervious surfaces not exceed 35 percent of total site area; infrastructure use highest quality and lowest energy water treatment systems, developers achieve 20 percent potable water reductions; stormwater be managed on-site and off-site run-off be limited; and buildings be constructed according to sustainable design standards. Requires eco-community to develop environmental operations manual; establish conservation stewardship organization; and develop baseline study on current condition of local environment. Declares an emergency; effective upon passage.

ISSUES DISCUSSED:

- Timeline of process
- Proposed development plan
- Potential for fiscal impact related to compensation for Measure 49 claim

EFFECT OF MINORITY AMENDMENT: Replaces measure.

BACKGROUND: The legislation that created Oregon's land use planning program, Senate Bill 100 (1973), authorizes designation of areas of critical state concern. Since its passage, areas considered appropriate for such designation, like the Columbia River Gorge, have been protected instead through the use of special statewide land use planning goals, by the federal government, and through other specialized state and federal designations. The Commission amended Goal 8 in 1984 to allow the development of destination resorts.

The Metolius River Basin is located mostly in Jefferson County with a small part in Deschutes County. In 2006, Jefferson County amended its comprehensive plan to make two sites available to destination resorts: The Ponderosa and The Metolian. The siting of a destination resort is an issue of statewide concern under ORS 197.440(4), and the action is pending appeal before the state's Supreme Court. On April 2, 2009, the Commission recommended to the Legislative Assembly that the Metolius River Basin be designated an area of critical statewide concern.

6/10/2009 1:58:00 PM

This summary has not been adopted or officially endorsed by action of the committee.