

A-Engrossed
Senate Bill 741

Ordered by the Senate May 5
Including Senate Amendments dated May 5

Sponsored by COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

[Declares Metolius River Basin and area of influence to be] **Approves recommendation of Land Conservation and Development Commission that Metolius River Basin be designated** area of critical state concern. *[Directs Department of Land Conservation and Development to review land in area and recommend management plan.]* **Approves management plan included in commission's recommendation. Makes certain changes to plan.**

Restricts new developments in Metolius River Basin. Restricts siting of destination resort in Metolius River Basin.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to protection of Metolius River Basin; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) As used in this section, "Metolius River Basin" means the portions of the**
5 **basin identified as Area 1 and Area 2 in the management plan recommended by the Land**
6 **Conservation and Development Commission.**

7 **(2) Pursuant to ORS 197.405 (4), the Legislative Assembly hereby approves the recom-**
8 **mendation of the commission, submitted to the Legislative Assembly on April 2, 2009, that**
9 **the Metolius River Basin be designated an area of critical state concern.**

10 **(3) The Legislative Assembly approves the management plan included in the commission's**
11 **recommendation pursuant to ORS 197.405 (1)(c) and directs the commission to adopt the**
12 **management plan, by rule, without change except that the commission shall:**

13 **(a) Amend section 1.2.4 of the management plan by deleting the following text: "If the**
14 **2009 Legislative Assembly enacts a bill that provides for an owner, or affiliate of an owner,**
15 **of the property described in this section to carry out a pilot project to develop a sustainable**
16 **eco-community outside of Area 1 and Area 2, then the development authorized by this sec-**
17 **tion is limited to two forest dwellings."**

18 **(b) Substantively limit development authorized in section 2.2.3 of the management plan,**
19 **or define "contiguous," as used in section 2.2.3 of the management plan, so that the devel-**
20 **opment of units can occur on up to 25 clusters that may be connected only by a road system.**

21 **(4) The commission may amend the management plan only as provided in the manage-**
22 **ment plan and only pursuant to applicable rulemaking procedures.**

23 **(5) In addition to limitations on development that are contained in the management plan,**
24 **new development allowed by amendment of the management plan may not result in:**

25 **(a) Negative impact on the Metolius River, its springs or its tributaries;**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **(b) Negative impact on fish resources in the Metolius River Basin; or**

2 **(c) Negative impact on the wildlife resources in the Metolius River Basin.**

3 **(6) A county may not approve siting a destination resort in the Metolius River Basin.**

4 **SECTION 2.** **This 2009 Act being necessary for the immediate preservation of the public**
5 **peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect**
6 **on its passage.**

7
