



Oregon

Theodore R. Kubongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

12/28/2012

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: Crook County Plan Amendment
DLCD File Number 002-12

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Due to the size of amended material submitted, a complete copy has not been attached. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Friday, January 11, 2013

This amendment was submitted to DLCD for review prior to adoption with less than the required 35-day notice. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE:** The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Phil Stenbeck, Crook County
Jon Jinings, DLCD Community Services Specialist

Karen Swirsky, DLCD Regional Representative
Amanda Punton, DLCD Natural Resources Specialist

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FORM 2

DLCD

Notice of Adoption

In person electronic mailed

DEPT OF

DEC 24 2012

LAND CONSERVATION AND DEVELOPMENT

For Office Use Only

This Form 2 must be mailed to DLCD within **20-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: **Crook County**

Local file number: **AM-12-0086**

Date of Adoption: **12/19/2012**

Date Mailed: **12/21/2012**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: 7/3/2012

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other: **Big Game Habitat map**

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Adoption of Antelope, Deer, and Elk habitat maps from ODFW, clarification of regulations for calculating dwelling density in habitat areas and adjustments to dwelling density requirements in Big Game Habitat areas

Does the Adoption differ from proposal? Yes, Please explain below:

Proposed language about renewable energy projects in Big Game Habitat areas has been deleted from the proposal.

Plan Map Changed from: **n/a**

to: **n/a**

Zone Map Changed from: **n/a**

to: **n/a**

Location: **n/a**

Acres Involved: **0**

Specify Density: Previous: **n/a**

New: **n/a**

Applicable statewide planning goals:

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

35-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD file No. 002-12 (19403) [17295]

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

DLCD, ODFW and Crook County.



Local Contact: **Bill Zelenka or Phil Stenbeck**

Phone: **(541) 447-8156** Extension:

Address: **300 NE 3rd Street, Room 12**

Fax Number: **541-416-3905**

City: **Prineville, Oregon**

Zip: **97754-**

E-mail Address: **phil.stenbeck@co.crook.or.us**

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 20 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light **green paper if available**.
3. **Send this Form 2 and one complete paper copy** (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information ([ORS 197.615](#)).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption ([ORS 197.830 to 197.845](#)).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. ([ORS 197.615](#)).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on **8½ -1/2x11 green paper only if available**. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.

<http://www.oregon.gov/LCD/forms.shtml>

Updated December 6, 2012

Crook County Community Development Department
300 NE Third Street, Room 12
Prineville, OR 97754
Phone: (541) 447-8156
Affidavit of Mailing

IN THE MATTER OF A NOTICE

Permit No.: AM-12-0086 CROOK COUNTY, COMMUNITY DEVELOPMENT DEPARTMENT.

I, Colleen Ferguson, do hereby certify that Form 2 and the required information for the matter of the subject land use action identified above, was sent by first class mail on the **21st DAY OF DECEMBER 2012** to the Oregon Department of Land Conservation and Development. A copy of said notice is attached hereto.

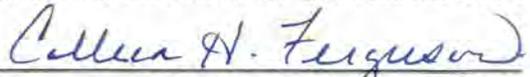
So certified this **21st DAY OF DECEMBER 2012**
Department Staff Member Sign:



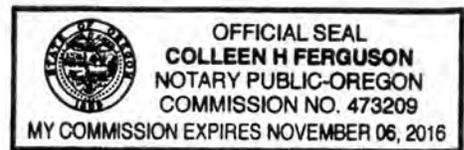
Phil Stenbeck, CFM
Assistant Planning Director
Crook County
Community Development Department

STATE OF OREGON))ss,
County of Crook)

SUBSCRIBED and SWORN to me,
by Phil Stenbeck, on this **21st DAY OF DECEMBER 2012**


Notary Public for Oregon

My Commission Expires: 11-06-2016
Comm. # 473209



IN THE COUNTY COURT OF THE STATE OF OREGON
FOR THE COUNTY OF CROOK

AN ORDINANCE AMENDING TITLE 18 of the
Crook County Code and Chapter IX - Natural
Resources/Hazards and Development Limitations of
the Crook County Comprehensive Plan

ORDINANCE 259

WHEREAS, Crook County finds that there is a need to update the Crook County Code and update the Crook County Comprehensive Plan; and

WHEREAS, Crook County has publicly reviewed the proposed Legislative Amendments to the Crook County Code and the Crook County Comprehensive Plan; and

WHEREAS, the Crook County Planning Commission has recommended adoption of the proposed Legislative Amendments to the Crook County Court;

NOW, THEREFORE, the Crook County Court hereby ordains as follows:

SECTION ONE: The Crook County Comprehensive Plan is amended to read as follows:

Crook County Comprehensive Plan
IX. Natural Resources/Hazards and Development Limitations (Page 153)
Delete the following:

Wildlife Policy

~~2. Density within Crucial Wintering Areas for deer shall not be greater than one residence for each 160 acres and for the General Winter Range, not more than one residence for 80 acres, except in the EFU-3 zone in which 40 acres may be allowed per residence. (Ordinance No. 71; 7/28/92)~~

~~3. Elk wintering areas shall not have more than one residence per 320 acres.~~

~~4. To preserve valuable upland game bird habitat, urban sprawl and scattered residential use on agricultural lands shall be prohibited.~~

SECTION TWO: Crook County Comprehensive Plan is amended to read as follows:

Amend the Crook County Comprehensive Plan, IX - Natural Resources/Hazards and Development Limitations as found in Exhibit A.

SECTION THREE: Crook County Code Title 18 is amended to read as follows:

Amend the Crook County Code Title 18 as found in Exhibit A.

First Reading: 11-19-, 2012 *Continuation*
12-5-, 2012 *12-5-2012*

Second Reading: 12-5-, 2012 *Continuation to*
12-19-, 2012

DATED this 19 day of Dec, 2012.

CROOK COUNTY COURT

Mike McCabe
Judge Mike McCabe

Ken Fahlgren
Commissioner Ken Fahlgren

Seth Crawford
Commissioner Seth Crawford

Exhibit A

(Ordinance 259)

Legislative Amendments to the

CROOK COUNTY CODE

AND THE

CROOK COUNTY COMPREHENSIVE PLAN

July 3, 2012

Planning Commission

August 8, 2012

August 22, 2012

September 26, 2012

October 24, 2012

County Court

November 19, 2012

December 5, 2012

(Amended - October 24, 2012)

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PART 1

AMENDMENTS TO THE CROOK COUNTY COMPREHENSIVE PLAN

CHAPTER IX - NATURAL RESOURCES/HAZARDS AND DEVELOPMENT
LIMITATIONS

FISH AND WILDLIFE AREAS AND HABITATS;

AND

AMENDMENTS TO THE CROOK COUNTY CODE

TITLE 18

SECTIONS 18.16.081, 18.20.081, 18.24.081, 18.112.081, AND 18.28.060

Introduction

The following are proposed changes to the Crook County Comprehensive Plan and Zoning Code pertaining to dwelling density requirements for new non-farm dwellings and when land is converted to a non-resource designation. Also included in the proposed changes are 1) a diagram and text pertaining to performing a dwelling density calculation and 2) information about Crook County's proposed Greater County and West County Areas. The proposed changes do not change the minimum parcel size requirements or, in general, the number of potential dwelling opportunities in Crook County.

Crook County Comprehensive Plan

IX. Natural Resources/Hazards and Development Limitations

Page 174

Add the following:

Proposed Big Game Habitat (BGH) Program Design

To implement the proposed BGH Program Goals, and due to the size of the County (1,911,680 acres), the BGH Program lends itself to the creation of two "Sub-Area's." One is called the West County Area; the other is the Greater County Area. Each Sub-Area created is designed based on its unique characteristics. The proposed BGH Program then identifies and tailors requirements for each Sub-Area to meet the needs of the County, the State, and which are consistent with Oregon Statewide Planning Goal 5. Statistics for the two Sub-Area's, Sub-Area 1 and Sub-Area 2, are described in the Table 1 found on page 10. Table 1 highlights the differences between the Sub-Areas, and provides justification for differences in how the County implements the BGH Program in each Sub-Area. In addition to Sub-Area Statistical differences identified in Table 1, the history of Antelope, Deer, and Elk in the County is used when determining how to update the BGH Program. The historical data found in the Crook County Comprehensive Plan and Big Game Management Plans from the Oregon Department of Fish and Wildlife (ODFW) is considered when making decisions. Crook County will follow requirements found in the Oregon Statewide Planning Goals, Oregon Administrative Rules (OAR's), and in Oregon Revised Statutes (ORS's) in updating the BGH Program.

GREATER COUNTY AREA

Part 1 - Proposed Comprehensive Plan Findings

Findings

1. The County finds the average annual rate of non-farm dwelling approvals over the past twenty years has not destabilized farming practices in Crook County and, as the result of the application of law, the opportunities for new parcels and dwellings have decreased.
2. The County also finds that this average annual rate of non-farm approvals, if continued into the next 10 years, is unlikely to destabilize farming practices in Crook County.

Add definition for destabilization

Destabilize – To destabilize an activity means: any action taken whereby a level of activity affects the normal pattern of activity in a negative manner. In reference to farming activities, destabilization is an action which exceeds historic rates and negatively impacts farming in an identified study area.

Add definition for Greater County Area

Greater County Area - is that part of the county containing approximately 85% of the land mass and where population is sparse and parcel sizes tend to be large, wherein continued wildlife protection is likely to produce results beneficial to wildlife and not incrementally detrimental to the interests of landowners. The boundary line between West County and Greater County Area has been developed by ODFW and the Planning Commission, and runs north-south, with the Greater County area including the area to the east of the Prineville UGB. Please see the map and legal description on page 14 and 15 and Table 1 on page 16 for further details.

Part 2 - Proposed Comprehensive Plan Policies

Policies

1. Density calculations for Big Game Habitat shall utilize the same study area as used for a non-farm dwelling approval.

2. Dwelling approvals other than non-farm dwellings shall use the study area criteria found in OAR 660-033-0130(4)(D)(i) to calculate dwelling density in a Big Game Habitat area as provided in law.
3. Dwelling fractions calculated when determining the potential number of dwellings in an area shall be rounded down to the nearest whole number.
4. The diagram and exemptions found in Crook County Code shall be used when calculating density in a Big Game Habitat Study area.
5. The Big Game Habitat Study area shall exclude areas within Urban Growth Boundary areas, Committed Land Sites, Goal 14 Exception Areas, and areas with a non-farm Comprehensive Plan and/or Non-farm Zoning designation.
6. When portions of a parcel are within both the West County and Greater County Areas, the area that the proposed dwelling site is located within shall be the applicable area for determining which regulations to apply; ie., West County Area or Greater County Area.
7. Non-farm dwelling approvals shall require the applicant to sign a release of claims and a waiver of remonstrance against farm uses on adjacent lands.
8. Parcel sizes for non-farm dwelling approvals in Paulina Ranches and Riverside Ranches Units 1, 2, and 3 shall be a minimum of 20 acres in size. Reference LUBA No. 2007-250.
9. The current maximum number of dwellings allowable in:
 - a.) Paulina Ranches is 24 dwellings;
 - b.) Riverside Ranches Unit 1 is 34 dwellings;
 - c.) Riverside Ranches Unit 2 is 27 dwellings;
 - d.) Riverside Ranches Unit 3 is 31 dwellings.
10. If development is to occur in the Deer Ranges, the County finds development to be more appropriate in the General Deer Range than in the Critical Deer Range.

11. With respect to new non-farm dwelling approvals in the Greater County Area, dwelling density within the EFU-1 or F-1 zones and within the Big Game Habitat area (Antelope, Deer, and Elk) shall not exceed 1 dwelling per 160 acres.
12. With respect to new non-farm dwelling approvals in the Greater County Area, dwelling density within the EFU-2 zone and within the Big Game Habitat area (Antelope, Deer, and Elk) shall not exceed 1 dwelling per 80 acres.
13. There are no EFU-3 or EFUJA lands within the Greater County Area. See West County Area findings and policies for EFU-3 and EFU-JA zones.
14. Greater County and West County Area boundaries are described by the map and legal description of the boundary on page 14 and 15.
15. The County shall update the Big Game Habitat Program every ten years. The Big Game Habitat Program update process shall begin eight years following county court adoption of the most recent plan revisions and be complete by the end of the tenth year.

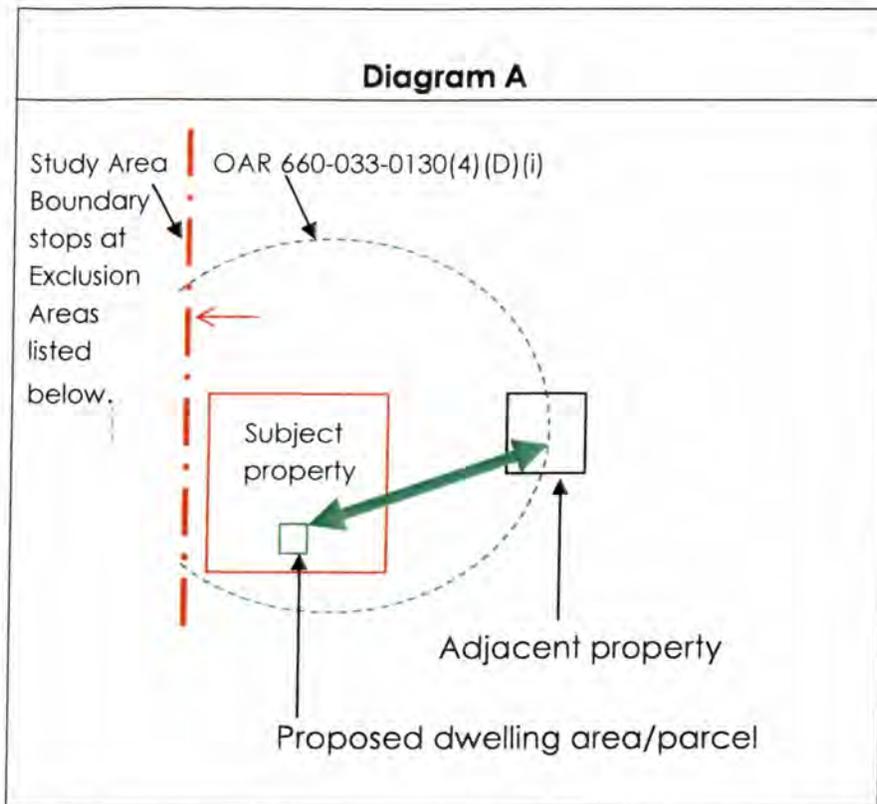
Part 3 – Code Amendments

Crook County Code Title 18

18.16.081, 18.20.081, 18.24.081, 18.112.081 and 18.28.060.

Add the following:

1. The Big Game Habitat study area for dwelling density calculations shall be the same as the study area identified for a non-farm dwelling approval and shall be consistent with Diagram A on the next page and the list of Exclusion Areas.
2. Density calculations for non-farm dwelling approvals shall use a study area which is consistent with criteria found in OAR 660-033-0130(4)(D)(i), Diagram A and the list of Exclusion Areas.



Exclusion Areas:

The Big Game Habitat study area shall exclude the following areas:

- 1) Destination Resorts;
- 2) City Limits;
- 3) Urban Growth Boundary areas;
- 4) Goal 14 exception areas;
- 5) Areas with a non-resource Comprehensive Plan designation and/or a Rural Residential Zoning designation;
- 6) When a property is in both the West County and Greater County Areas, the property shall be regulated by the requirements of the area which it is predominantly within (51% or more).
- 7) Committed Lands Site.

WEST COUNTY AREA

Part 1 - Proposed Comprehensive Plan Findings

Findings

1. The County finds the average annual rate of non-farm dwelling approvals over the past twenty years has not destabilized farming practices in Crook County and, as the result of the application of law, the opportunities for new parcels and dwellings have decreased.
2. The County also finds that this average annual rate of non-farm approvals, if continued into the next 10 years, is unlikely to destabilize farming practices in Crook County.

Add definition for destabilization

Destabilize – To destabilize an activity means: any action taken whereby a level of activity affects the normal pattern of activity in a negative manner. In reference to farming activities, destabilization is an action which exceeds historic rates and negatively impacts farming in an identified study area.

Add definition for West County Area

West County Area - includes approximately 15% of the County area, where 90% of the County's population lives. It is that part of the county where significant development has already occurred, wherein the imposition of rigid wildlife protection provisions is unlikely to be effective. The boundary line between West County Area and the Greater County Area has been developed by ODFW and the Planning Commission, and runs north-south, with the West County Area including the Prineville UGB and Powell Butte. Please see the map and legal description on page 14 and 15, and Table 1 on page 16 for further details.

Part 2 - Proposed Comprehensive Plan Policies

Policies

1. Density calculations for Big Game Habitat shall utilize the same study area identified for a non-farm dwelling approval when calculating density.
2. Dwelling approvals other than non-farm dwellings shall use the study area criteria found in OAR 660-033-0130(4)(D)(i) to calculate dwelling density in a Big Game Habitat area.
3. Dwelling fractions found when calculating the potential number of dwellings in an area shall be rounded down to the nearest whole number.
4. The diagram and exemptions found in Crook County Code shall also be used when calculating density in a Big Game Habitat Study area.
5. The Big Game Habitat Study area shall exclude areas in City Limits, Urban Growth Boundary areas, Destination Resorts, Committed Land Sites, Goal 14 Exception Areas, and areas with a non-resource Comprehensive Plan designation and/or a Rural Residential Zoning designation.
6. When portions of a parcel are within both the West County and Greater County Areas, the area that the proposed dwelling site is located within shall be the applicable area for determining which regulations to apply; ie., West County Area or Greater County Area.
7. Non-farm dwelling approvals shall require the applicant to sign a release of claims and a waiver of remonstrance against farm uses on adjacent lands.
8. If development is to occur in the Deer Ranges, the County finds development to be more appropriate in the General Deer Range than in the Critical Deer Range.
9. In the West County Area, where an area of land has changed from a resource comprehensive plan and zone designation to a non-resource

comprehensive plan and zone designation and is within a Big Game Habitat area, dwelling density shall not exceed 1 dwelling per 20 acres.

10. Greater County and West County Area boundaries are described by the map and legal description of the boundary on page 14 and 15.
11. The dwelling density threshold for the EFU-JA zone has been met. No new additional dwellings are allowed in the EFU-JA zone.
12. The County shall update the Big Game Habitat Program every ten years. The Big Game Habitat Program update process shall begin eight years following county court adoption of the most recent plan revisions and be complete by the end of the tenth year.

Add and delete the following:

1. All crucial wildlife areas indicated on the inventory map shall be classified as exclusive agriculture, grazing, forest or open space. No major land use change shall be permitted without a conditional use permit.

~~2. Density within Crucial Wintering Big Game Winter Range Areas for deer, antelope and elk shall not be greater than one residence for each 160 acres and for the General Winter Range in the EFU-1 and F-1 zones, except within the Impacted Area where there is no protection of antelope range.~~

2. Non-Farm Dwelling Density requirements in the Greater County and West County Area's are found in the following table:

Wildlife Habitat Policy 2 - Dwelling Density by Range Table (DU = Dwelling Unit) (AC = Acres)							
Greater County Area				West County Area			
Dwelling Density by Range and Zone combined				Dwelling Density by Range and Zone combined			
	Antelope Range	Deer Range	Elk Range		Antelope Range	Deer Range	Elk Range
Zone				Zone			
EFU-1	1DU/160AC	1DU/160AC	1DU/160AC	EFU-1	No Requirement.	1DU/80AC	Not Applicable.
EFU-2	1DU/80AC	1DU/80AC	1DU/80AC	EFU-2	No Requirement.	1DU/80AC	1DU/80AC
EFU-3	Not Applicable.	Not Applicable.	Not Applicable.	EFU-3	No Requirement.	1DU/40AC	Not Applicable.
F1	1DU/240AC	1DU/240AC	1DU/240AC	F1	Not Applicable.	Not Applicable.	Not Applicable.
EFU-JA	Not Applicable.	Not Applicable.	Not Applicable.	EFU-JA	No Requirement.	No new dwellings allowed.	No new dwellings allowed.

~~3. Elk wintering areas shall not have more than one residence per 320 acres.~~

~~4. To preserve valuable upland game bird habitat, urban sprawl and scattered residential use on agricultural lands shall be prohibited.~~

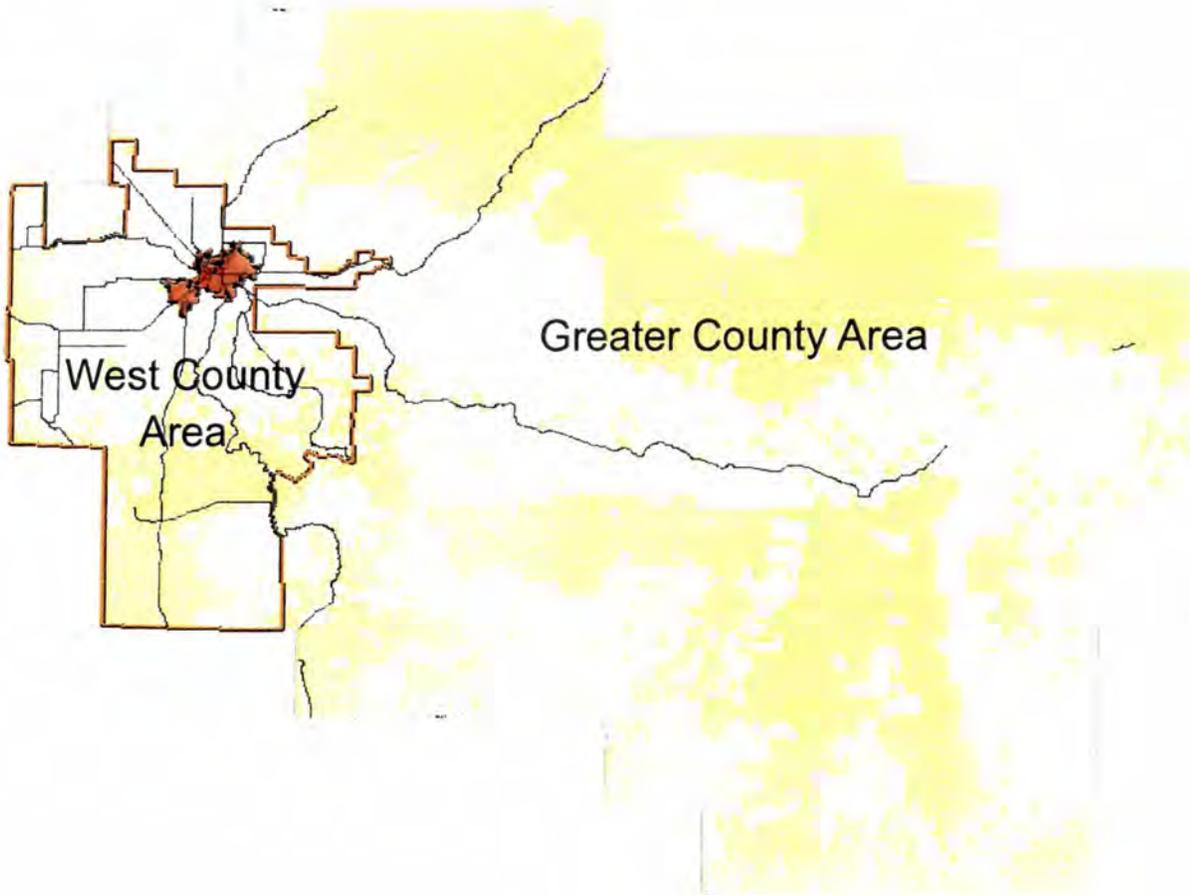
3. The county's existing settlement pattern makes it reasonable to identify the presence of two wildlife sub-areas – the West County Area and the Greater County Area.

4. The county recognizes that, due to the presence of development, the habitat quality of the West County Area has been diminished.

Add the following:

**Big Game Habitat Map showing
West County and Greater County Areas**

To implement the proposed BGH Program Goals, and due to the size of the County (1,911,680 acres), the BGH Program requires creation of "Sub-Areas". Each Sub-Area created is designed based on its unique characteristics. The proposed BGH Program then identifies and tailors requirements for the Sub-Area to meet the needs of the County, the State, and which are consistent with Oregon Statewide Planning Goal 5. To this end, the Crook County BGH Program has identified two Sub-Area's. Statistics for the two Sub-Areas, are described in Table 1 found on page 16. Table 1 highlights the differences between the Sub-Areas and provides justification for differences in how the County implements the BGH Program in each Sub-Area. In addition to Sub-Area Statistical differences identified in the Table, the history of Antelope, Deer, and Elk in the County is used when determining how to update the BGH Program. The historical data found in the Crook County Comprehensive Plan and Big Game Management Plans from the Oregon Department of Fish and Wildlife (ODFW) is considered when making decisions. Crook County's BGH Program is designed to follow requirements found in the Oregon Statewide Planning Goals, Oregon Administrative Rules (OAR's), and in Oregon Revised Statutes (ORS's).



Legal Description for the West County Area

Beginning at the northwest corner of Section 6 in Township 14S, Range 14E; then south along the westerly line of Section 6 to the southwest corner of Section 32 in Township 15S; then east along the southerly edge of Section 31 in Township 15S, R14E approximately 1,320 feet; then south along the westerly edge of Township 16S, Range 14E to the southwest corner of Section 32, Township 16S, Range 14E in Crook County, Oregon; then east along the southerly edge of Township 16S, Range 14E to the northwest corner of Section 6, in Township 17S, Range 15E; then south along the westerly line of Township 17S, Range 15E and Township 18S, Range 15E to the southwest corner of Section 32 in Township 18S, Range 15E; then east along the southerly line of Township 18S, Range 15E and Township 18S, Range 16E to the southeast corner of Section 35; then north along the easterly line of Sections 35, 26, 23, 14, 11, and 2 in Township 18S, Range 16E; and continuing north along the easterly line of Section 35 in Township 17S, Range 16E to the southwest side of the South Crooked River Highway right-of-way; then north along the westerly line of the South Crooked River Highway right-of-way to a point due west of the southerly shoreline of Prineville Reservoir; then east along the southern shore of Prineville Reservoir to that point where the Reservoir intersects the western edge of Section 3 in Township 17S, Range 17E; then northward along the western edge of Section 3 in Township 17S, Range 17E and continuing northward in Township 16S, Range 17E to the northwestern corner of Section 15; then easterly along the northern edge of Section 15 in Township 16S, Range 17E to the northeasterly corner; then due north along the easterly edge of Section 10 in Township 16S, Range 17E to the northeast corner of Section 10; then westerly along the northern edge of Section 10 in Township 16S, Range 17E to the northwest corner of Section 10; then due north along the westerly edge of Section 3 in Township 16S, Range 17E and continuing northward along the eastern edge of Section 33 in Township 15S, Range 17E to the northeast corner of Section 33; then due west along the northern edge of Section 33 in Township 15S, Range 17E to the northwest corner of Section 33; then northerly along the eastern edge of Section 29 in Township 15S, Range 17E to the northeast corner of Section 29; then westerly along the northern edge of Sections 29 and 28 in Township 15S, Range 17E and continuing along the northern edge of Sections 24, 25 and 26 in Township 15S, Range 16E to the northwest corner of Section 26; then northward along the eastern edge of Sections 21, 16 and 9 in Township 15S, Range 16E to the northeast corner of Section 9; then easterly along the northern edge of Sections 10, 11 and 12 in Township 15S, Range 16E and continuing easterly along the northern edge of Sections 7, 8 and 9 in Township 15S, Range 17E to the northeast corner of Section 9; then northward along the western edge of Section 3 in Township 15S, Range 17E to the northwest corner of Section 3; then easterly along the northern edge of Section 2 and 3 to the northeast corner of Section 2 in Township 15S, Range 17E; then northward along the eastern edge of Section 35 in Township 14S, Range 17E to the northeast corner of Section 35; then westerly along the northern edge of Section 35 in Township 14S, Range 17E to the northwest corner of Section 35; then northward along the eastern edge of Section 27 in Township 14S, Range 17E to the half section line; then due west on the half section line to the western edge of Section 27 in Township 14S, Range 17E; then south along the western edge of Section 27 in Township 14S, Range 17E to the southwest corner of Section 27; then westerly along the northern edge of the non-resource lands in Section 33 Township 14S, Range 17E to the southwest corner of Section 33; then westerly along the southern edge of Section 31 and 32 in Township 14S, Range 17E to the southwest corner of Section 31; then northward along the east edge of Section 36 in Township 14S, Range 16E to the northeastern corner of Section 36; then westerly along the northern edge of Section 36 in Township 14S, Range 16E to the northeastern corner of Section 36; then westerly along the northern edge of Section 36 in Township 14S, Range 16E to the northwestern corner of Section 36; then northerly along the eastern edge of Section 26 in Township 14S, Range 16E to the northeast corner of Section 26; then westerly along the northern edge of Section 26 in Township 14S, Range 16E to the northwest corner of Section 26; then northward along the eastern edge of Section 22 in Township 14S, Range 16E to the northeast corner of Section 22; then westerly along the northern edge of Sections 20, 21 and 22 in Township 14S, Range 16E to the northwest corner of Section 20; then northward along the eastern edge of Section 18, 7 and 6 in Township 14S, Range 16E to the northeastern corner of Section 6; then westerly along the northern edge of Section 6 in Township 14S, Range 16E and continuing along the northern edge of Sections 1 and 2 in Township 14S, Range 15E to the northwest corner of Section 2; then northerly along the eastern edge of Section 34 in Township 13S, Range 15E to the northeast corner of Section 34; then westerly along the northern edge of Section 33 and 34, continuing to the half section line in Section 32 all in Township 13S, Range 15E; then northward along the half section line in Sections 20 and 29 in Township 13S, Range 15E to the northern edge of Section 20; then westerly along the northern edge of Section 19 and 20 in Township 13S, Range 15E to the northwest corner of Section 19; then southerly along the western edge of Sections 19, 30 and 31 in Township 13S, Range 15E to the southwest corner of Section 31; then easterly along the southern line of Section 31 in Township 13S, Range 15E to the southeastern corner of Section 31; then southward along the eastern section lines for Sections 6, 7, 18 and 19 in Township 14S, Range 15E to that point where the eastern edge of Section 19 intersects with the north side of the O'Neil Highway right-of-way; then westerly along the north side of the O'Neil Highway right-of-way to that point where it intersects with the eastern edge of Section 29 in Township 14S, Range 14E; then northward along the eastern edge of Sections 5, 8, 17, 20 and 29 in Township 14S, Range 14E to the northeast corner of Section 5; then westerly along the northern edge of Sections 5 and 6 in Township 14S, Range 14E to the point of beginning in the north western corner of Section 6.

Legal Description for the Greater County Area

That area of Crook County not found in the West County Area described above.

Table 1. Information about Crook County that supports two Sub-Areas.

Item	Sub-Area 1 Data (West County Area)			Sub-Area 2 Data (Greater County Area)		
	Subject	Number	% of Total in County	Subject	Number	% of Total in County
1.	Acres in Sub-Area 1	*281,031	15%	Acres in Sub-Area 2	1,630,649	85%
2.	Population (Sub-Area)	20,577	90%	Population (Sub-Area)	2,283	10%
3.	City limits	1	100%	City limits	0	0%
4.	City acres	*7,007	100%	City acres	0	0%
5.	City UGB boundaries	1	100%	City UGB boundaries	0	0%
6.	City UGB acres	*2,451	100%	City UGB acres	0	0%
7.	Urban airports	1	100%	Urban airports	0	0%
8.	Rural/Private airstrips	2	40%	Rural/Private airstrips	3	60%
9.	Destination/Recreation Resorts	6	100%	Destination/Recreation Resorts	0	0%
10.	Aggregate sites	11	22%	Aggregate sites	39	78%
11.	Wind projects	1	100%	Wind projects	0	0%
12.	EFU-1 acres	*71,138	7%	EFU-1 acres	950,829	93%
13.	EFU-2 acres	*56,008	32%	EFU-2 acres	120,302	68%
14.	EFU-3 acres	*83,044	100%	EFU-3 acres	0	0%
15.	EFU-JA	*4,993	100%	EFU-JA	0	0%
16.	Addresses in Sub-Area	*10,445	90%	Addresses in Sub-Area	*1,159	10%
17.	Addresses in Sub-Area (outside City limits/UGB)	*4,539	80%	Addresses in Sub-Area (outside City limits/UGB)	*1,159	20%
18.	Addresses in Paulina Ranches	n/a	0%	Addresses in Paulina Ranches	*4	100%
19.	Addresses in Riverside Ranch Unit 1	n/a	0%	Addresses in Riverside Ranch Unit 1	*22	100%
20.	Addresses in Riverside Ranch Unit 2 and 3	n/a	0%	Addresses in Riverside Ranch Unit 2 and 3	*24	100%
21.	Railroad	16 miles	94%	Railroad	1 mile	6%
22.	Main Electrical Transmission Line Route	153 miles	91%	Main Electrical Transmission Line Route	15 miles	9%
23.	Main Gas Lines	10 miles	100%	Main Gas Lines	0 miles	0%
24.	BLM ATV area and trails	1	100%	BLM ATV area and trails	0	0%
25.	BLM ATV trail miles	80 miles	100%	BLM ATV trail miles	0	0%
26.	County Fairgrounds	1	100%	County Fairgrounds	0	0%
27.	Exception Areas	17.5	76%	Exception Areas	5.5	24%
	10/6/11.			Total acres in County		
				1,911,680		

Chapter 18.16
EXCLUSIVE FARM USE ZONE, EFU-1 (POST-PAULINA AREA)

Sections:

18.16.005	Regulations designated.
18.16.010	Uses permitted outright.
18.16.020	Conditional uses permitted.
18.16.025	Commercial and noncommercial energy criteria.
18.16.030	Goal 5 conditional mining uses subject to hearing authority review.
18.16.040	Limitations on conditional uses.
18.16.050	Use limitations.
18.16.060	Farm dwelling.
18.16.070	Land divisions.
18.16.080	Limitations on nonfarm residential uses.
18.16.081	Wildlife policy applicability.
18.16.082	West County Area
18.16.083	Greater County Area
18.16.090	Dimensional standards.
18.16.100	Yards.
18.16.110	Signs.
18.16.120	Special nonfarm parcel criteria.
18.16.130	Parcel size exception.

18.16.005 Regulations designated.

In an EFU-1 zone, the following regulations shall apply. (Ord. 18 § 3.010, 2003)

18.16.010 Uses permitted outright.

In an EFU-1 zone, the following uses and accessory uses thereof are permitted outright: all uses authorized under ORS 215.283(1), in conjunction with any other applicable provisions of this chapter. (Ord. 231 § 1 (Exh. A), 2010; Ord. 190 § 1, 2007; Ord. 18 § 3.010(1), 2003)

18.16.020 Conditional uses permitted.

In an EFU-1 zone, the following uses and their accessory uses are permitted when authorized in accordance with the requirements of Chapter [18.160](#) CCC and in conjunction with any other applicable provisions of this chapter: all uses authorized under ORS 215.283(2) and (3). (Ord. 231 § 1 (Exh. A), 2010; Ord. 18 § 3.010(2), 2003)

18.16.025 Commercial and noncommercial energy criteria.

In addition to the uses permitted under CCC [18.16.010](#) and [18.16.020](#), noncommercial and commercial wind and photovoltaic energy systems are permitted in the zone to the extent they are consistent with current state law and the applicable criteria in Chapters [18.160](#), [18.161](#) and [18.162](#) CCC. (Ord. 245 § 1, 2011; Ord. 229 § 1 (Exh. A), 2010)

18.16.081 Wildlife policy applicability.

All new nonfarm dwellings on existing parcels within the deer and elk winter ranges must meet the residential density limitations found in Wildlife Policy 2 of the Crook County comprehensive plan. Compliance with the residential density limitations may be demonstrated by calculating a one-mile radius (or 2,000-acre) study area. An applicant may use a different study area size or shape to demonstrate compliance with Wildlife Policy 2 provided the methodology and size of the study area are explained and are found to be consistent with the purpose of Crook County comprehensive plan Wildlife Policy 2. (Ord. 236 § 1 (Exh. A), 2010)

18.16.082 West County Area

In an EFU-1 zone, land use proposals in Mule Deer Winter Range and in the West County Area, the following requirements shall apply in addition to all other applicable provisions of law;

(1) Non-Farm Dwelling Parcels: Division of land for nonfarm purposes may be allowed pursuant to all applicable local and state provisions.

18.16.083 Greater County Area

In an EFU-1 zone, land use proposals in Big Game Winter Range located in the West County Area, the following requirements shall apply in addition to all other applicable provisions of law. For purposes of this section Big Game refers to Mule Deer, Pronghorn Antelope and Rocky Mountain Elk.

(1) Non-Farm Dwelling Parcels: Division of land for nonfarm purposes may be allowed pursuant to all applicable local and state provisions.

18.16.090 Dimensional standards.

In an EFU-1 zone, the following dimensional standards shall apply:

(1) The minimum new parcel size for farm use permitted by this chapter shall be 160 acres unless a larger minimum size is necessary to satisfy CCC [18.16.070](#) based on an evaluation of the subject property and commercial agricultural enterprises, as defined in CCC [18.08.030](#), located in the same zone at least one mile from the property boundary of the subject property, which shows the proposed parcels are equal to or greater than the typical commercial agricultural enterprise in the area.

(2) The minimum lot area for a nonfarm dwelling shall be based upon the requirements of CCC [18.16.080](#), but shall not be smaller than 10 acres.

(3) The minimum lot area for all nonfarm uses listed under CCC [18.16.020](#) (except dwellings) shall not be larger than the minimum necessary for the use.

(4) A land division for a nonfarm dwelling may be approved only if the nonfarm dwelling has first been approved under CCC [18.16.040](#). (Ord. 18 § 3.010(9), 2003)

Chapter 18.20
EXCLUSIVE FARM USE ZONE, EFU-2 (PRINEVILLE VALLEY-LONE PINE AREAS)

Sections:

- [18.20.005](#) Regulations designated.
- [18.20.010](#) Uses permitted outright.
- [18.20.020](#) Conditional uses permitted.
- [18.20.025](#) Commercial and noncommercial energy criteria.
- [18.20.030](#) Goal 5 conditional mining uses subject to planning commission review.
- [18.20.040](#) Limitations on conditional uses.
- [18.20.050](#) Use limitations.
- [18.20.060](#) Farm dwelling.
- [18.20.070](#) Land divisions.
- [18.20.080](#) Limitations on nonfarm residential uses.
- [18.20.081](#) Wildlife policy applicability.
- [18.20.082](#) West County Area**
- [18.20.083](#) Greater County Area**
- [18.20.090](#) Dimensional standards.
- [18.20.100](#) Yards.
- [18.20.110](#) Signs.
- [18.20.120](#) Special nonfarm parcel criteria.
- [18.20.130](#) Parcel size exception.

18.20.005 Regulations designated.

In an EFU-2 zone, the following regulations shall apply. (Ord. 18 § 3.020, 2003)

18.20.010 Uses permitted outright.

In an EFU-2 zone, the following uses and accessory uses thereof are permitted outright: any use authorized by ORS 215.283(1), in conjunction with any other applicable provisions in this chapter. (Ord. 231 § 1 (Exh. A), 2010; Ord. 190 § 2, 2007; Ord. 18 § 3.020(1), 2003)

18.20.020 Conditional uses permitted.

In an EFU-2 zone, the following uses and their accessory uses are permitted when authorized in accordance with the requirements of Chapter [18.160](#) CCC and in conjunction with any other applicable provisions of this chapter: any use authorized by ORS 215.283(2) and (3). (Ord. 231 § 1 (Exh. A), 2010; Ord. 18 § 3.020(2), 2003)

18.20.025 Commercial and noncommercial energy criteria.

In addition to the uses permitted under CCC [18.20.010](#) and [18.20.020](#), noncommercial and commercial wind and photovoltaic energy systems are permitted in the zone to the extent they are consistent with current state law and the applicable criteria in Chapters [18.160](#), [18.161](#) and [18.162](#) CCC. (Ord. 245 § 1, 2011; Ord. 229 § 1 (Exh. A), 2010)

18.20.081 Wildlife policy applicability.

All new nonfarm dwellings on existing parcels within the deer and elk winter ranges must meet the residential density limitations found in Wildlife Policy 2 of the Crook County comprehensive plan. Compliance with the residential density limitations may be demonstrated by calculating a one-mile radius (or 2,000-acre) study area. An applicant may use a different study area size or shape to demonstrate compliance with Wildlife Policy 2 provided the methodology and size of the study area are explained and are found to be consistent with the purpose of Crook County comprehensive plan Wildlife Policy 2. (Ord. 236 § 1 (Exh. A), 2010)

18.20.082 West County Area

In the EFU-2 zone, land use proposals in Mule Deer Winter Range located in the West County Area, the following requirements shall apply in addition to all other applicable provisions of law;

- (1) Non-Farm Dwelling Parcels: Division of land for nonfarm purposes may be allowed pursuant to all applicable local and state provisions.

8.20.082 Greater County Area

In the EFU-2 zone, land use proposals in Big Game Winter Range located in the Greater County Area the following requirements shall apply in addition to all other applicable provisions of law. For purposes of this section Big Game refers to Mule Deer, Pronghorn Antelope and Rocky Mountain Elk.

- (1) Non-Farm Dwelling Parcels: Division of land for nonfarm purposes may be allowed pursuant to all applicable local and state provisions.

18.20.090 Dimensional standards.

In an EFU-2 zone, the following dimensional standards shall apply:

- (1) The lot or parcel of 80 acres or more shall be considered a farm unit.
- (2) The minimum lot area for all nonfarm uses listed under CCC [18.20.020](#) (except dwellings) shall not be larger than the minimum necessary for the use.
- (3) A land division for a nonfarm dwelling may be approved only if the nonfarm dwelling has first been approved under CCC [18.20.040](#). (Ord. 173 §§ 1, 2, 3, 2006; Ord. 18 § 3.020(9), 2003)

Chapter 18.28 FOREST ZONE, F-1

Sections:

18.28.005	Regulations designated.
18.28.010	Forest uses allowed.
18.28.020	Uses permitted outright.
18.28.025	Commercial and noncommercial energy criteria.
18.28.030	Conditional uses permitted.
18.28.040	Review requirements for conditional uses.
18.28.050	Standards for single-family dwellings.
18.28.060	Siting standards for dwellings and structures in forest zones.
18.28.070	Fire siting standards for dwellings and structures.
18.28.080	Fire safety design standards for roads.
18.28.090	Stocking requirement.
18.28.100	Dimensional standards.
18.28.110	Yards and setback requirements.
18.28.120	Signs.
18.28.130	Restrictive covenants.
18.28.140	Wildlife policy applicability.
18.28.141	Greater County Area

18.28.005 Regulations designated.

In an F-1 zone, the following regulations shall apply. (Ord. 236 § 2 (Exh. B), 2010; Ord. 18 § 3.040, 2003)

18.28.010 Forest uses allowed.

In an F-1 zone, the following uses pursuant to the Forest Practices Act (Chapter 527 ORS) shall be allowed:

(1) Forest operations or forest practices, approved by the Oregon Department of Forestry, including, but not limited to, reforestation of forestland, road construction and maintenance, harvesting of a forest tree species, application of chemicals, and disposal of slash consistent with the State Forest Practices Act.

(2) Temporary on-site structures, which are auxiliary to and used during the term of a particular forest operation. As used here, temporary structures are those which are portable and/or not placed on a permanent foundation, and which are removed at the conclusion of the forest operation requiring their use.

(3) Physical alterations to the land auxiliary to forest practices including, but not limited to, those made for purposes of exploration, mining, commercial gravel extraction and processing, landfills, dams, reservoirs, road construction or recreational facilities.

(4) For the purposes of this title, "auxiliary" means a use or alteration of a structure or land, which provides help or is directly associated with the conduct of a particular forest practice. An auxiliary structure is located on site, temporary in nature, and is not designed to remain for the forest's entire growth cycle from planting to harvesting. An

auxiliary use is removed when a particular forest practice has concluded. (Ord. 236 § 2 (Exh. B), 2010; Ord. 18 § 3.040(1), 2003)

18.28.140 Wildlife policy applicability.

In an F-1 zone, all new dwellings on existing parcels within the deer and elk winter ranges must meet the residential density limitations found in Wildlife Policy 2 of the Crook County Comprehensive Plan. Compliance with the residential density limitations may be demonstrated by calculating a one-mile radius (or 2,000-acre) study area. An applicant may use a different study area size or shape to demonstrate compliance with Wildlife Policy 2 provided the methodology and size of the study area are explained and are found to be consistent with the purpose of Crook County comprehensive plan Wildlife Policy 2. (Ord. 236 § 2 (Exh. B), 2010)

18.28.141 Greater County Area

In an F-1 zone, land use proposals in Big Game Winter Range located in the Greater County Area, the following requirements shall apply in addition to all other applicable provisions of law. For purposes of this section Big Game refers to Mule Deer, Pronghorn Antelope and Rocky Mountain Elk.

- (1) The minimum parcel size for forest related land divisions is 240-acres.

PART 2

AMENDMENTS TO THE CROOK COUNTY COMPREHENSIVE PLAN

CHAPTER IX - NATURAL RESOURCES/HAZARDS AND DEVELOPMENT
LIMITATIONS

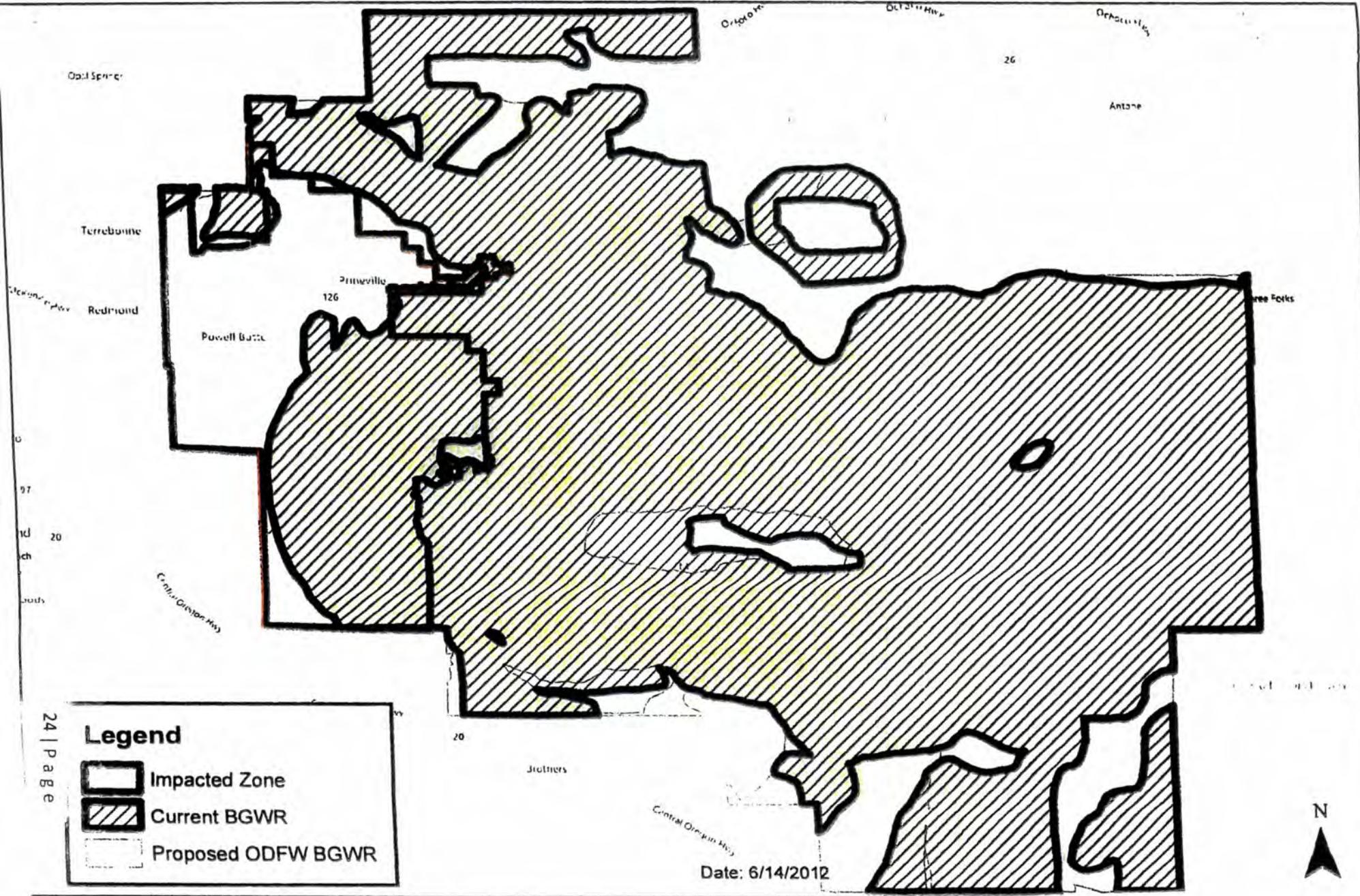
FISH AND WILDLIFE AREAS AND HABITATS

NEW BIG GAME HABITAT MAPS FROM ODFW

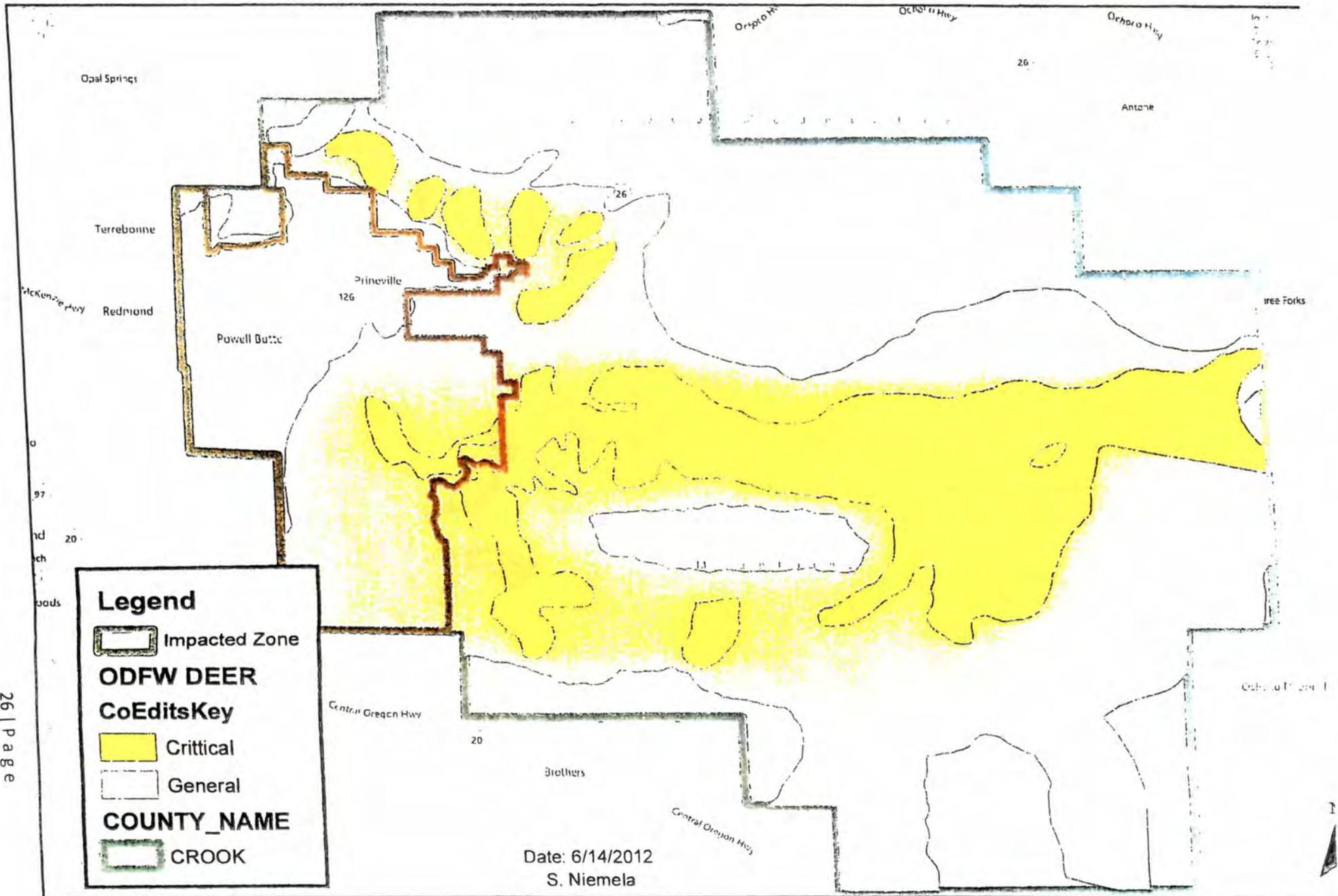
EXISTING BGWR VS. ODFW Proposed BGWR

1,456,376 existing acres to 1,514,849 proposed acres

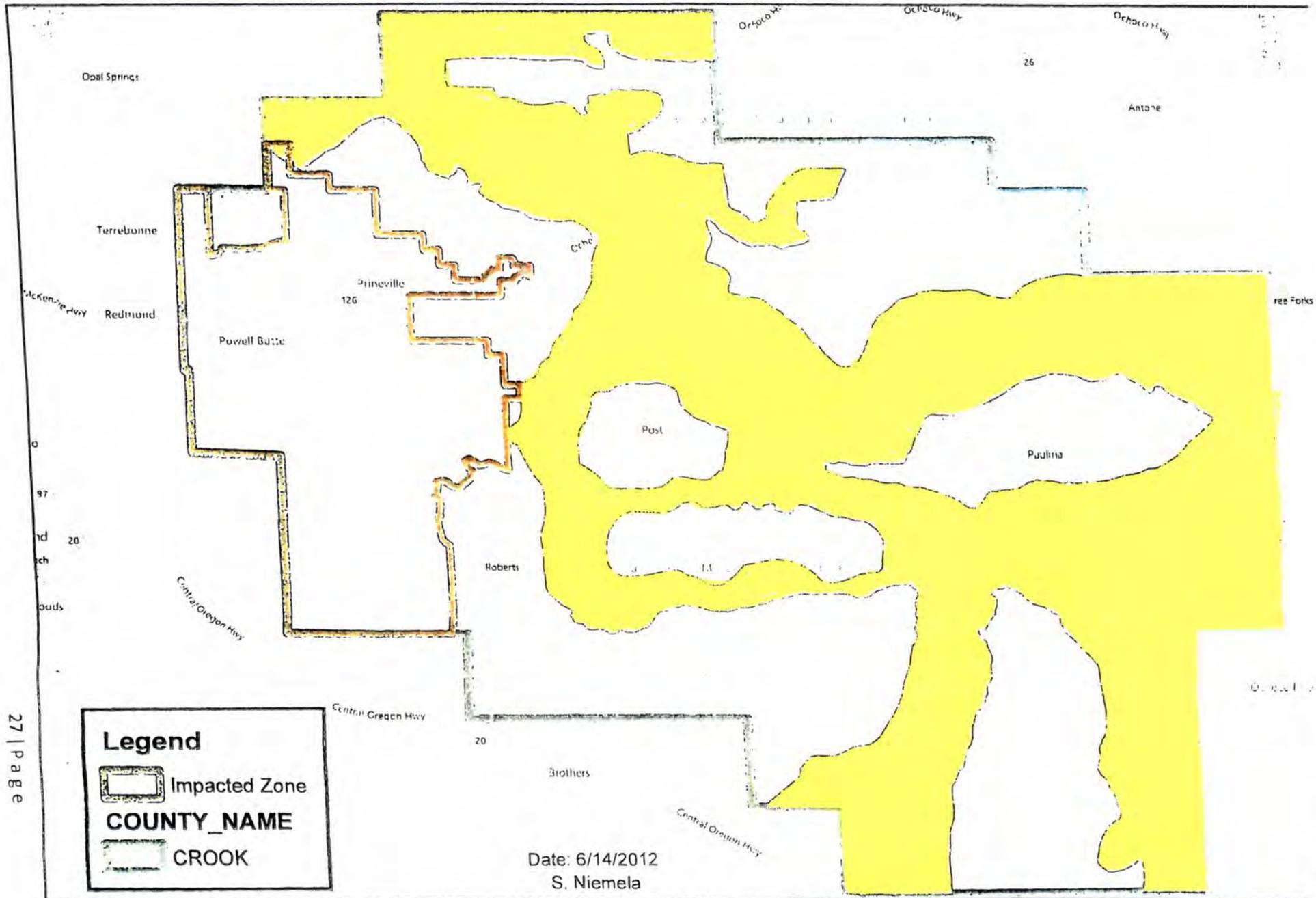
Approximate 3.4% expansion



ODFW's Proposed Mule Deer Winter Range Maps for Crook County



ODFW's Proposed Elk Winter Range Maps for Crook County



PART 3

**ESEE ANALYSIS FOR PROPOSED BIG GAME HABITAT AMENDMENTS TO
THE CROOK COUNTY COMPREHENSIVE PLAN**

CHAPTER IX - NATURAL RESOURCES/HAZARDS AND DEVELOPMENT
LIMITATIONS

FISH AND WILDLIFE AREAS AND HABITATS

GOAL 5 ESEE FOR PROPOSED BIG GAME HABITAT PROGRAM
CHANGES

(Executive Summary)

Economic, Social, Environmental and Energy Consequences for the adoption of the Proposed Legislative Amendments to the Crook County Comprehensive Plan

The following are proposed changes to the Crook County Comprehensive Plan. The changes are a summary of Appendix A attached. Appendix A attached is an ESEE prepared by and for the Crook County Planning Commission for adoption of the following proposed changes. For more information pertaining to these changes, please see attached Appendix A.

Crook County Comprehensive Plan

IX. Natural Resources/Hazards and Development Limitations

Page 140

Add the following:

BIG GAME AREAS AND HABITATS

In 2012, the following information was provided by the Oregon Department of Fish and Wildlife. Big Game considered sensitive in the County are Mule Deer, Rocky Mountain Elk, and Pronghorn Antelope. ODFW has indicated that Deer populations have declined during recent years, mostly due to disease. ODFW has indicated that Elk populations have been doing very well with minor gains in antelope numbers during the past ten years. Improved aerial surveys, telemetry studies, and personal communication with various landowners have provided additional information on the distribution of Elk in Crook County, which has been used to update the Elk Winter Range Map. This same information has been used to make minor modifications on Deer and Antelope Winter Range Maps to improve their accuracy.

In 2012, the Oregon Department of Fish and Wildlife provided the County with detailed maps indicating Big Game Winter Ranges within the County. ODFW has indicated the new 2012 maps increase Big Game Winter Range by approximately 3.4%. These areas have been compiled onto composites to show the overall impact on the County.

The following identifies the amount of acreage involved with this map change.

- Rocky Mountain Elk Winter Range - 881,361 acres.
- Antelope Winter Range - 299,118 acres.
- Mule Deer Winter Range - 1,178,422 acres
- Critical Winter (Mule) Deer Range - 354,445 acres (within Mule Deer Winter Range listed above.)

The County GIS system software was used to calculate new acreages. It is noted that the Big Game Ranges overlap each other significantly and should not be taken as separate totals.

Crook County's acknowledged Comprehensive Plan contains policies for the protection of wildlife habitat, including Wildlife Policy 1, 2 and 3. The most significant conflicting use to Big Game habitat in Crook County are an increase in the number of residential dwellings in a habitat area. There are economic, social, environmental, and energy consequences involved with potential conflicting uses.

Economic Consequences

The Oregon Department of Fish and Wildlife has indicated Crook County generates approximately three million dollars of economic activity annually from big game hunting. Loss of habitat will significantly reduce the number of big game and have a direct impact on the economic benefits derived from big game hunting. The County believes maintaining big game habitat as a priority in the Greater County Area (85% of the entire County area) will maintain the needed animal population numbers to continue the economic benefits of big game management. In keeping with maintaining big game habitat as a priority in the Greater County Area, the County is adding, with respect to the Antelope Winter Range, a minimum 160 acre density for dwellings in the EFU-1 zone and a minimum 80 acre density for dwellings in the EFU-2 zone. To offset the decrease from the minimum 320 acre density for dwellings to a minimum 160 acre density for dwellings in the EFU-1 zone and to a minimum 80 acre density for dwellings in the EFU-2 zone in the Elk Range, approximately 300,000 acres is being added to the protected Elk Range. The addition of Antelope Winter Range protections is additional habitat protection within the Greater County Area of about 232,000 acres.

The County has created a Greater County Area and a West County Area boundary and proposes different big game habitat protection standards for each of the areas. The County envisions the Greater County Area as the long term animal protection area and supports habitat protection in this area. The West County Area (15% of the entire County area) is where 90% of development and very intensive agriculture operations have impacted the County. The County currently has a 200 million dollar wind farm approved in the West County Area and anticipates several more large scale renewable energy projects in the near future. The total economic impact of renewable energy in the West County Area over the next 10 years could total several hundred million dollars.

Social Consequences

Loss of big game habitat could possibly reduce the social values currently enjoyed by Crook County residents. The County believes that establishing the Greater County Area as the primary area for big game protection will enable the County to maintain its social values and implement a habitat plan which will stand the test of time. The Greater County Area, which contains 85% of the County's land mass, keeps in place

the reduced level of dwelling density historically achieved and thereby increases animal habitat protection for Deer, Elk and Antelope. The County also believes it complements this social value protection by implementing the West County Area, where future growth is anticipated for non-farm dwellings, renewable energy and other types of uses which may conflict with animal habitat. The County is famed for its rural lifestyle and the attendant social values that accompany that lifestyle. In the long term, the Greater County and West County Areas will maintain this rural lifestyle and maintain the attendant social values that accompany the lifestyle by preserving big game habitat.

Environmental Consequences

Loss of big game habitat will result in degradation of the environment with a decrease in numbers throughout the food chain. If approved by the County Court, the County will be increasing the habitat protection area overall in the County by 3.4%, including additional regulations which protect Antelope habitat on approximately 232,000 acres in the Greater County Area, along with a slight increase in Deer habitat protection acreage and an increase in Elk Range. The County has also stepped forward with a community vision regarding future development. The County, as found on page 16, Table 1 of the legislative amendments, has created a boundary between the West County Area and the Greater County Area. The West County Area is where the County envisions intensive agriculture, renewable energy development, and non-farm residential development will occur. This long term vision establishes how the County will both protect and enhance animal habitat long term and provide development opportunities.

Energy Consequences

Increased residential dwelling development in the big game habitat areas generally cause energy development and distribution challenges. As a result, the County believes that, if new energy facilities (whether renewable or non-renewable) are built, development is most likely to occur in the West County Area due to the likelihood of continued dwelling development in the area. The West County Area in addition to having an increase in need from new dwelling development, also has major transmission lines which make distribution of energy economically feasible.

Add and delete the following:

1. All crucial wildlife areas indicated on the inventory map shall be classified as exclusive agriculture, grazing, forest or open space. No major land use change shall be permitted without a conditional use permit.

~~2. Density within Crucial Wintering Big Game Winter Range Areas for deer, antelope and elk shall not be greater than one residence for each 160 acres and for the General Winter Range in the EFU-1 and F-1 zones, except within the Impacted Area where there is no protection of antelope range.~~

2. Non-Farm Dwelling Density requirements in the Greater County and West County Areas are found in the following table:

Wildlife Habitat Policy 2 - Dwelling Density by Range Table (DU = Dwelling Unit - AC = Acres)							
Greater County Area				West County Area			
Dwelling Density by Range and Zone combined				Dwelling Density by Range and Zone combined			
	Antelope Range	Deer Range	Elk Range		Antelope Range	Deer Range	Elk Range
Zone				Zone			
EFU-1	1DU/160AC	1DU/160AC	1DU/160AC	EFU-1	No Requirement.	1DU/80AC	Not Applicable.
EFU-2	1DU/80AC	1DU/80AC	1DU/80AC	EFU-2	No Requirement.	1DU/80AC	1DU/80AC
EFU-3	Not Applicable.	Not Applicable.	Not Applicable.	EFU-3	No Requirement.	1DU/40AC	Not Applicable.
F1	1DU/240AC	1DU/240AC	1DU/240AC	F1	Not Applicable.	Not Applicable.	Not Applicable.
EFU-JA	Not Applicable.	Not Applicable.	Not Applicable.	EFU-JA	No Requirement.	No new dwellings allowed.	No new dwellings allowed.

~~3. Elk wintering areas shall not have more than one residence per 320 acres.~~

~~4. To preserve valuable upland game bird habitat, urban sprawl and scattered residential use on agricultural lands shall be prohibited.~~

3. The county's existing settlement pattern makes it reasonable to identify the presence of two wildlife sub-areas – the West County Area and the Greater County Area.

4. The county recognizes that, due to the presence of development, the habitat quality of the West County Area has been diminished.

Crook County Comprehensive Plan

IX. Natural Resources/Hazards and Development Limitations

Appendix A

Add at the end of Chapter IX. Natural Resources/Hazards and Development Limitations.

APPENDIX A

An Appendix to Crook County's 2012 Legislative Amendment ESEE Executive Summary

Big Game Areas and Habitats

Crook County encompasses a large area, covering some 1,911,680 acres, most of which is used by wildlife, including big game. Mule Deer and Rocky Mountain Elk are the most abundant and are distributed throughout the County.

Pronghorn Antelope, while common, are neither as numerous nor as widely distributed and are found primarily in the rural rangelands east of the city of Prineville. While the entire range of habitats used by big game throughout the year are important, the lower elevation winter ranges are particularly important. Winter range provides the area and resources big game need to survive winter conditions. In Crook County much of the lower elevation land is privately owned and is subject to modification from human development. The Oregon Department of Fish and Wildlife (ODFW) has identified Mule Deer, Pronghorn Antelope, and Rocky Mountain Elk winter range as needing protection under statewide Goal 5.

The County has chosen to divide the identified big game winter range into two different planning areas to better reflect the pattern of human development and the relative importance of the habitat. The first sub- area, referred to as the West County Area (aka WCA), has received a greater level of development, which constrains its ability to function as winter range. Despite these impacts, the area continues to provide some value to big game as winter range. The second sub-area is referred to as the Greater County Area. This area includes a majority of the county's land but a fraction of its population and development. The relatively undeveloped nature of the Greater County Area (aka GCA) makes it more able to receive a greater level of protection for big game.

I. West County Area (WCA)

The West County Area is home to 90% of the County's residents and includes the Lone Pine and Powell Butte Areas, lands adjoining the city of Prineville, and lands running south towards Hwy 22 between Millican Road and the Crooked River Hwy. The WCA is generally characterized by open, irrigated farmland and dry rangeland. The area is bisected by Highways 26 and 126 running east-west, and multiple high voltage power transmission lines running north to south. Ten miles of natural gas line and 16-miles of the City of Prineville short-line railroad are also present. In the southern portion of the WCA the Bureau of Land Management (BLM) has established an expansive ATV staging area and trail network, which ODFW believes has adversely impacted Mule Deer and Antelope winter range. The county's first approved wind power project is located in the southern end of the WCA. This portion of the county has also received a significant share of demand for rural residential housing opportunities, resulting in several rural residential, non-resource districts and Destination Resort developments. A large rural residential area often referred to as "Juniper Canyon" is present south of Prineville. Separate from and southwest of Juniper Canyon are lands known as "Juniper Acres," a former sheep ranch that was divided into hundreds of 10-acre lots prior to adoption of the county's Comprehensive Plan. Despite being almost entirely isolated from county services, having no road maintenance and an absence of conventional telephone service and adequate ground water for domestic wells, over 150 homes have been built. Table 1 in the 2012 proposed Legislative Amendment describes and characterizes features and the extent of development in the WCA and the GCA.

All three species of big game are present in WCA. However, only Mule Deer winter range has been recommended as a priority for protection by ODFW. Fifty-four percent of the 281,031 acres in the WCA have been identified by the ODFW as Mule Deer winter range. ODFW uses "management units"--geographic divisions to describe wildlife populations and set hunting regulations. However, the ODFW management units do not correspond exactly with Crook County boundaries. In general, the Grizzly, Ochoco, and Paulina wildlife management units contribute 22%, 18%, and 60% of the WCA land mass, respectively. The majority of the Grizzly Unit (Unit 38) is located in Jefferson County and is in private ownership, but there is some public land present in scattered tracts and a block of dry land managed by the federal government

within the WCA. Lands lying south of Hwy 26 and east of the Crooked River Hwy are in the Ochoco Unit (Unit 37). These lands are comprised of public and private ownerships. The majority of the WCA lies south of Hwy 126 and west of the Crooked River Hwy in the Paulina Unit (Unit 35). The Paulina Unit includes lands in Deschutes, Crook, Klamath, and Lake Counties. The Crook County portion of this unit is mostly comprised of BLM administered public lands with some scattered private lands.

ODFW has developed big game management plans which establish population management objectives (MO's) for each of the wildlife units that have some land mass within the WCA. Population management objectives are goals established through a public process to help guide ODFW's management decisions. MO's are shaped by three primary factors: 1) the habitat's ability to support big game populations, 2) the social desire of hunters and other wildlife enthusiasts to see and pursue these species, and 3) the need to minimize agricultural damage. Mule Deer populations are currently below ODFW Management Objectives for the three game management units that have some land within the WCA (see Table 1).

Table 1

Mule Deer Plan 2012			
Management Unit	Management Objective	Population Estimate	Population as % of MO
Grizzly (38)	8,500	6,800	80%
Ochoco (37)	20,500	15,400	75%
Paulina (35)	16,500	10,300	62%

II. Greater County Area (GCA)

This region includes the majority of the County's land base—about 1,630,000 acres. Although the geographic territory is large, only a small percent of the County's citizens reside within these boundaries. Mule Deer, Pronghorn Antelope, and Rocky Mountain Elk (collectively referred to here as "Big Game") are the species of interest in the WCA. Approximately 83% of these lands are identified by the ODFW as big game winter range.

The GCA is characterized by open, largely uninterrupted landscapes that support most of the County's natural resource base. Only about 10% of the total county population resides here. As compared to the West County Area, there is no destination resort development, urban growth boundaries, or rural residential areas. However, there are two subdivisions within the Greater County Area. The two subdivisions are Riverside Ranches and Paulina Ranches. With the exception of Riverside Ranches and Paulina Ranches, major infrastructure features like power or natural gas transmission lines are only marginally present. Commercial scale farming, ranching and forestry uses, along with recreation, are the most common land use activities.

The GCA exhibits three general landscape types. Lands in the western most portion of the area tend to be a combination of cultivated farmland and juniper woodlands. These lands are nearest to the city of Prineville and are mostly privately owned. To the extent that residential or other development is present in the GCA, it is most common in this area. EFU-2 is the predominant zoning district.

Those lands located north of Township 15 and east of the EFU-2 zoning district are almost entirely zoned for forest uses (F1) under statewide planning Goal 4. Public lands included in the Ochoco National Forest comprise much of this portion of the planning area. The terrain here often includes rolling to steep timbered slopes interspersed with creek bottoms and broad prairies. Although these lands have very little human population, high quality recreation opportunities for the public forest draw visitors from central Oregon and the rest of the state. State Highway 26 running from Prineville through Grant County offers excellent access to this part of the County.

Lands lying south of Township 15 are primarily characterized by large tracts of public and private rangeland. Managed pasture, meadowland and irrigated hay production are also present, as are the Maury Mountains. Hwy 380 is the principal transportation corridor. The rural communities of Post and Paulina are the principal service centers. Neither community is incorporated. Post consists primarily of a general store and post office. Paulina also includes a general store and post office, as well as an elementary school, a few homes, and the Paulina Rodeo Grounds. Information from the 2010 U.S. Census based on zip code data indicated that the Post and Paulina areas had a combined

population of only 187 residents. This area is primarily zoned EFU-1, although most of the Maury Mountains are part of the Ochoco National Forest and are zoned F-1.

The GCA also includes portions of the Grizzly, Ochoco, and Paulina wildlife management units, as well as portions of the Maury (Unit 36) and Silvies (Unit 72) wildlife management units. These five units make up 14%, 37%, 1%, 36%, and 12% of the GCA land base, respectively.

The majority of the Grizzly Unit is located in Jefferson County. However, that portion of the unit located in the GCA is mostly included in the Ochoco National Forest. Lands in the Range lying east of Hwy 26 and north of Hwy 380 are in the Ochoco Unit (Unit 37). These lands are comprised of private and public ownership, with the majority being inside in the Ochoco National Forest. The Paulina Unit is present south of Prineville Reservoir but makes up at less than 1% of the GCA. The Maury Unit is located south of Hwy 380 and is made up of a combination of National Forest, BLM and private lands. Finally, the Silvies Unit is found in the County's southeast corner and is also characterized by large blocks of public and private rangeland.

ODFW management objectives and population estimates for Mule Deer and Rocky Mountain Elk in wildlife management units included in the GCA are shown as follows.

Table 2

Mule Deer Plan 2012			
Management Unit	Management Objective	Population Estimate	Population as % of MO
Grizzly (38)	8,500	6,800	80%
Ochoco (37)	20,500	15,400	75%
Paulina (35)	16,500	10,300	62%
Maury (36)	5,200	4,297	83%
Silvies (72)	12,000	8,700	73%

Table 3

Rocky Mountain Elk Plan 2012			
Management Unit	Management Objective	Population Estimate	Population as % of MO
Grizzly (38)	1,500	1,300	87%
Ochoco (37)	4,600	4,032	88%
Paulina (35)	1,600	1,500	94%
Maury (36)	1,400	1,000	71%
Silvies (72)	2,200	2,700	123%

As shown on page 37, all wildlife units are below MO's for Mule Deer, Rocky Mountain Elk have stronger numbers in relationship to MO's.

III. Goal 5 Process

As a broad statement, the County plans to undertake the Goal 5 process by determining the significance of big game habitat; considering conflicting uses that may arise between big game habitat and other resources and/or between big game habitat and statewide goals other than Goal 5; and, as appropriate, conducting an ESEE analysis.

a. Determination of Significance

The County has elected to utilize the Safe Harbor method for determining significance authorized at OAR 660-023-0110(4)(e), which reads as follows:

"(e) The area is identified and mapped by ODFW as habitat for a wildlife species of concern and/or as a habitat of concern...."

In 2011, ODFW used big game location data collected during surveys, radio-telemetry studies, and local knowledge to produce updated maps that defined Mule Deer, Rocky Mountain Elk, and Pronghorn Antelope winter ranges. In collaboration with Crook County GIS and Planning departments, these species-specific maps have been digitized and incorporated into a general map of the County's wildlife winter ranges. The County finds that the mapping products furnished by ODFW are sufficient to comply with the applicable rule provisions and will be relied on for identifying significant big game winter ranges (see Figures 1-3). The County and ODFW have also worked together to produce a map and written description of the West County Area (WCA) and Greater County Area (GCA) boundaries (see Executive ESEE for legal description). The WCA includes the most heavily developed lands, whose value to wildlife has already been degraded. The County intends to focus future development efforts in WCA, and encourage wildlife habitat protection in the GCA.

b. Conflicting Uses

Big game winter ranges are susceptible to a variety of land use activities that may degrade the resource by:

- Fragmenting habitat;
- Physically reducing the amount of available habitat;
- Reducing the effectiveness of big game habitat by increasing human disturbance;
- Increasing the spread of wildlife diseases through inappropriate feeding in residential areas;
- Causing direct mortality through predation by dogs, vehicle collisions, illegal harvest, and capture and injuries from fencing.

Because of the possibilities to degrade the habitat resource, the County concludes that most uses ordinarily allowed by the County's zoning ordinances, relating to conditional use applications potentially constitute a conflicting use.

Agriculture practices, including farming, grazing, and forestry, have the potential to negatively affect winter range habitat, especially if done improperly or in violation of other State or County rules and regulations. Under some circumstances, however, agricultural activities can improve habitat for big game. Logging, for example, can allow sunlight to reach the previously shaded forest floor, which produces forage critical to deer and elk. Maintaining lands in resource zoning for agricultural purposes may be preferable, from a habitat conservation perspective, compared to other land uses, such as industrial or residential development. Additionally, agricultural production is the primary economic and social feature of Crook County. For these reasons, agricultural practices are recognized as potentially conflicting uses, but are allowed outright without modification, provided they comply with other County and State regulations.

Two general categories, Residential and Nonresidential, have been established for purposes of analyzing other potentially conflicting uses. Nonresidential uses are further divided into three (3) sub-categories.

Residential Uses - Residential uses are considered to be a one single-family dwelling and accessory structures on a single lot or parcel. Accessory farm dwellings and temporary hardship dwellings are also considered residential uses. The principal zoning districts currently applied to lands identified as big game winter range are either qualifying exclusive farm use zones (EFU-1, EFU-2 and EFU-3) or the F-1 district that applies to Forest lands protected under Statewide Planning Goal 4.

Exclusive Farm Use zoning currently limits future residential development in both the West County Area and in the Greater County Area. Under the legal provisions found in state law and county code, limited opportunities for new farm related and non-farm related dwellings are available. Based on state law, farm dwellings are not generally available for properties less than 160-acres in size, which provides a built-in habitat protection for resource lands.

Nonfarm related dwellings fall into two categories: 1) "Lot-of-Record", which represents a type of "grandfather" opportunity subject to the provisions in ORS 215.705. A Lot-of-Record dwelling opportunity is specific to property owners who acquired the subject tract prior to January 1, 1985. 2) Non-Farm dwellings subject to the provisions at ORS 215.284, which among other factors, requires that at least a portion of the subject parcel is generally unsuitable for agriculture and that the presence of a new home will not prove damaging to nearby farming and ranching operations. Nonfarm dwellings are generally available for existing parcels created prior to January 1, 1993, or through the creation of new parcels pursuant to ORS 215.263. New parcels specifically created for new nonfarm dwellings must pass a rigorous set of legal tests, and must be divided from an existing parcel that was created after July 1, 2001. Therefore, each land division activity, either farm or non-farm related occurring since July 1, 2001 reduces the number of properties that are eligible for non-farm dwelling partitions and new non-farm dwelling development. Both categories of nonfarm related dwellings are commonly approved on parcels much smaller than 160-acres.

According to Farm & Forest Reports made available from the Oregon Department of Land Conservation and Development (DLCD), Crook County approved a total of 151 farm related dwellings between 1987 and 2009. In that time Crook County approved 151 farm and 669 non-farm dwellings, or an

average of about 36 new dwellings per year. Not all of these dwellings affected big game habitat. Some likely occurred outside of winter range, others may not have been built, and many likely occurred in existing subdivisions, primarily Juniper Acres, Riverside Ranches and Paulina Ranches.

The number of land divisions in the exclusive farm use zones and high levels of real estate sales over the past decade have caused a significant amount of attrition in the number of parcels eligible for non-farm related residences. In other words, parcels eligible for non-farm dwellings or related land divisions are becoming scarcer. Furthermore, the number of properties not developed with a single-family dwelling and acquired by their present owner prior to January 1, 1985 is becoming smaller. The result should be that fewer non-farm related dwellings will be approved during the next 20 year planning horizon.

Dwellings on forestland are subject to the provisions of OAR 660-006-Q027. Large tracts of at least 240 acres are eligible for a single family dwelling. Dwellings may be approved on smaller tracts if the area is already impacted by the presence of dwellings on other lots or parcels or if the current owner acquired the property prior to January 1, 1985. Because much of the county's forest land is either publicly owned or very remote and distant from public services, very little development pressure has been focused on these areas. The 2008-2009 Farm & Forest Report prepared by DLCD shows that Crook County approved just three dwellings in the forest zone between 1999 and 2009.

Future conversions from EFU or Forest zoning to allow for greater residential densities are proposed from time to time in Crook County. In these instances the requested residential densities are usually 10-20 acres per single-family dwelling. The county recognizes that there may be lands that are not necessary to protect under statewide planning Goals 3 or 4 but which may offer important winter range to big game. Even low productivity soils may hold vegetation, such as sage brush and antelope bitterbrush, which is important winter forage for Mule Deer, Rocky Mountain Elk and Pronghorn Antelope. In the case of such proposed conversions, the County's determination will be made on a site-specific basis.

Nonresidential Uses - Nonresidential uses include those listed at ORS 215.283(1),(2) and (4), as well as OAR 660-006-0025 and other similar uses that do not establish a single-family dwelling, but which still require a land use permit.

Examples of prominent nonresidential uses currently present include aggregate quarries, roads, public and private airstrips, and power transmission lines.

DLCD's Farm & Forest Report for 2008-09 shows that between 2002 and 2009 an average of approximately 236 "other" uses were approved statewide on lands zoned for exclusive farm use. Many of the uses were listed in the "accessory use" category, suggesting that they were approved in conjunction with a legally established dwelling. Although county by county information was not available, this equates to only 6.5 approvals per county over the eight year time period.

It is the County's position that, due to the wide range of parcel sizes throughout the County, no simple classification method can be used to evaluate, in the abstract, applications for nonresidential uses. In particular, tests tied to acreage size and car trips per day were considered but rejected. On a case-by-case basis, a determination will be made as to whether the proposed use has the potential to be in conflict with a resource and, if so, whether it should be fully allowed, partially allowed, or prohibited in the wildlife habitat areas. This is the same approach as currently used by the County.

c. ESEE Analysis

Under Statewide Planning Goal 5, the County is obligated to consider the positive and negative Economic, Social, Environmental and Energy consequences of allowing, limiting or prohibiting conflicting uses.

A. Economic

Big Game herds make significant contributions to national, state, regional and local economies. At a local level, and based upon information provided by DLCD and ODFW, hunters contributed an estimated \$3.3 million to the Crook County economy.

However, big game also have the ability to cause significant agricultural damage. The 1997 Oregon Wildlife Damage Survey (Oregon Department of Agriculture, 2008) randomly sampled 6,000 farm and ranch operators between July and September 1998. Damages inflicted by wildlife cost Oregon's farmers

and ranchers \$214 million (2012 adjusted dollars). Ninety-three percent of this damage was to crops and livestock production. In Crook County between 2006 and 2011, ODFW received an average of 48 deer and elk complaints annually, resulting in an average known yearly loss of approximately \$1 58,000. These figures underestimate the true damage because they only reflect operators who reported.

Land owners incurring damage have a number of tools available to address these issues. Oregon's Land Owner Preference program gives landowners access to controlled tags to hunt big game on their property (ORS 496.146), which can be effectively doubled through ODFW's LOP Damage Program. Some landowners have created an additional revenue stream to compensate for livestock and crop loss by charging access fees to willing hunters.

Energy projects require substantial capital investments and can generate both taxes and jobs. Energy generation facilities come in different types and have different land needs. However, all disciplines of energy production require three fundamental elements: 1) Land to establish the facility; 2) Access to the resource; and 3) Access to transmission facilities with capacity to carry their product to the market. The other characteristic all commercial-scale power projects have in common is that they are expensive.

Table 4

Energy Production	Common Land Needs	Common Power Output	Common Employment	General Cost of Development
Natural gas	20-25 Acres	500MW+/-	15-25	\$1 Million/MW
BioMass	25-35 Acres	25-35MW	15-25 onsite	\$3 Million/MW
Wind	Wide distribution	100MW+	1 per 10MW	\$2 Million/MW
Solar	7-10 Acres	1-12MW	1 per project	\$4-5 Million/MW
Hydro	Adjacent to Lake, River or Canal	Varies Widely	Varies	Varies Widely

Energy Production Type

The information in Table 4 has been provided by the DLCD and ODFW from an assessment of existing and proposed facilities inside of Oregon. It illustrates that energy production, particularly renewable energy production, generally has high land and capital investment requirements. During their construction phase, such projects will provide employment to many workers for many months. Once operational, however, fewer workers are needed. However, the high value of production facilities has potential to add significantly to state and local tax rolls for an indefinite period.

B. Social

Crook County residents appreciate wildlife. They also value open landscapes, rural lifestyles and private property rights. Hunting and viewing big game is an important part of the local culture. Beyond these general statements, measuring social values and importance in clear terms can be a challenging task.

One anecdotal measure of social importance is Crook County residents who are members of the Rocky Mountain Elk Foundation (RMEF), a leading wildlife advocacy group. According to RMEF and cross-referencing against census data, it appears that 1% of Crook County residents are RMEF members, whereas only 0.42% of all Oregonians are members.

Another way to measure the importance of big game herds to a local community is to evaluate the number of state-issued hunting tags acquired by its residents. The three ODFW Game Management Units partially located in the West County Area are among the most popular in central and eastern Oregon for hunting Mule Deer and Pronghorn Antelope. Nearly 12,000 first choice applicants pursue about 6,500 tags to hunt Buck Deer in the Grizzly, Ochoco and Paulina Units. Almost 3,000 first choice applicants vie for 120 tags to hunt antlered Pronghorn Antelope.

Data provided from ODFW shows that in 2011, Crook County residents received 1778 controlled hunt tags for Buck Deer. This figure represents about 8.5% of the

total county population of 20,885. The table below shows how Crook County compares with the state of Oregon and other selected counties.

Table 5

Jurisdiction	Tags	Population	Percent of Population
Crook County	1,778	20,885	8.5%
Deschutes County	5,293	158,875	3.3%
Harney County	680	7,375	9.2%
Multnomah County	4,284	741,925	0.6%
State of Oregon	63,997	3,857,625	1.7%

As shown above, Crook County residents acquired controlled Buck Deer tags at five times the state average. As measured on a per capita basis, Crook County acquired controlled Buck Deer tags at a rate of 2.5 times that experienced in nearby Deschutes County and more than 14 times that experienced in Multnomah County.

The data displayed in Table 5 illustrates the importance of Mule Deer to Crook County residents.

C. Environmental

Big game species, such as Mule Deer, Rocky Mountain Elk, and Pronghorn Antelope, play a critical role in Crook County's environment and provide numerous ecological services to the community. The dietary preferences of these big game ungulates can have a top-down influence on the species of plants that occur in an area (Kay 2009), browsing and grazing can suppress plant growth (Kay and Bartos 2000), and big game movements play an important role in seed dispersal (Bartuszevige and Endress 2008). These interactions can cascade through an ecosystem, causing changes in the composition of bird, insect, and other communities (Martinet al. 2010). By concentrating the energy and nutrients contained in individual plants, ungulates make those resources readily available to their predators, including coyotes, bobcats, black bears, cougars, and Crook County's human hunters. The interconnected relationship between plants, ungulates and predators has been well documented in the literature (Beschta and Ripple 2009, Leopold 1943, Binkley et al. 2006, Beschta and Ripple 2010.)

The primary purpose of conserving winter range is to ensure that Crook County's big game species have areas where they can escape low temperatures, wind, and snow accumulations to continue providing the ecological functions and economic values described above. Seasonal migration by big game species to lower elevation winter range has been well described throughout western North America (McCullough 1964, Nicholson et al. 1997, Hyngnstrom 2008). In Crook County, ODFW has been conducting winter and spring surveys and documenting winter locations of big game since the 1960's. More recently, ODFW has used radio-marked deer and elk in Crook and Deschutes Counties to further refine the movements and locations of wintering animals. Radio-marked mule deer have made annual movements of up to 80 miles to reach their winter grounds (ODFW unpublished data).

Gucinski et al. (2001) considered roads to be the most damaging feature to the environment in public wildlands management. Roads can provide access to poachers (Stussy 1994, and Cole 1997), disturb wildlife during the critical winter season, reduce habitat effectiveness by causing big game to avoid well-traveled areas, and cause mortality directly through collisions with vehicles (Gaines et al 2003). Gowanet al. (1989) estimated that every mile of forest road eliminated approximately 4 acres of habitat, and an average road density of 3 linear miles per square mile reduced habitat effectiveness by 58%.

Energy development in the western United States has historically involved fossil fuel extraction, and the relationship between wildlife and this form of development, and the possible related negative effects is well studied. Sawyer et al. (2006,2009, Van Dyke and Klein 1996). Transmission corridors are required to move the generated energy and can create a linear strip of open habitat that can provide forage for deer elk and pronghorn, but they also reduce cover, disturb wildlife by allowing access to people and vehicles, and facilitate the movement of invasive weeds. (Lees 1989)

Given Crook County's approval of the West Butte Wind Farm within the WCA may affect big game habitat locally. However, the effects of alternative energy development on big game are not as well understood as traditional fossil fuel extraction. In the face of this uncertainty, documents guiding the development of wind facilities (Molvar 2008) recommend treating projects as research

opportunities which can guide site-specific decisions about required mitigation and inform the development of future projects.

D. Energy

Energy projects differ in the amount of land required and how much energy can be produced. In terms of what is likely in Crook County, biomass or co-generation facilities require a plant with a physically developed footprint. These facilities routinely occupy 20-25 acres and create 15-25 employment positions on site. In the case of bio-mass, off site employment can be upwards of three times of the number employed at the site. In other words, a bio-mass plant might employ 20 workers at the plant and another 70 in the woods. Both energy generation models operate as base load plants, meaning that they produce a steady supply of power as long as they are up and running. This usually means operating at name plate capacity (the amount of power that can be produced when the facility is operating at full capacity) for 24 hours a day, seven days a week. Both types of plants are also commonly located on industrial lands, often within urban growth boundaries. Name plate capacity for bio-mass facilities is often 20-30 MW.

Besides bio-mass, at least two other types of renewable energy technology are becoming more common in Oregon. Utility scale wind and solar energy generation facilities were once discounted as being cost prohibitive. Today, many utility scale wind projects have been successfully constructed in north central and eastern Oregon counties. This model involves the installation of towers with turbines in a linear fashion across a broad landscape, connected by a maintenance road and underground infrastructure. Many commercial wind power projects in Oregon have a name plate capacity of 100-104 MW, although much larger projects have been pursued and constructed. Most modern wind turbines have the capacity to generate 1.5-2.5 MW of power when operating at full capacity. Therefore, a wind project with a name plate capacity of 100 MW will generally include about 50 towers with turbines. The total amount of land occupied by this sized project will ordinarily add up to well less than one-acre per tower. As a result, 50 towers with a complete accompaniment of roads, lay down yards, substation, etc. will probably physically occupy 25-30 total acres. However, this occupancy is not concentrated at one location and may be distributed across several thousand

acres. Wind facilities are not base load plants. They are estimated to be about 30% effective. If a wind facility has a name plate capacity of 100 MW the average production may be expected to be closer to 30 MW.

Less is known about utility scale solar power production. Net metering and Feed- In-Tariff projects are becoming more common but are generally small projects, often established in conjunction with domestic or commercial activities within communities. Currently only a handful of projects are either completed or under construction in Oregon. Two projects have been developed by EnXco in Yamhill County. Both of these projects have been purchased by PGE to assist the company in satisfying their obligations under Oregon's Renewable Portfolio Standards (RPS), Obsidian Renewables currently has two projects are under construction in Lake County - one near Lakeview (Black Cap) and the other near Christmas Valley (Outback). The 2007 legislature created a renewable portfolio standard (RPS) that requires the largest utilities in Oregon to provide 25 percent of their retail sales of electricity from newer, clean, renewable sources of energy by 2025. Smaller utilities have similar, but lesser obligations.

What has been observed from these projects and other information is that parts of Oregon, including Central Oregon, have good potential for photovoltaic solar power production. Commercial photovoltaic solar projects generally require 7-10 acres of panels to produce one MW of power. Once constructed, photovoltaic solar facilities require little input. The most intensive management activity is washing the panels, which happens seasonally. Little water is required for this purpose and an onsite water supply is not necessary. Like wind, solar facilities are not base load plants. They are estimated to be about 30% effective. If a solar facility has a name plate capacity of 10 MW the average energy production may be expected to be closer to 3 MW. On a large scale, a hypothetical 5,000-acre photovoltaic solar facility operating with 2012 technology would have a name plate capacity of about 650 MW. However, the average output of 5,000 acres of solar panels would probably be closer to 200 MW.

Analyzing the economic costs and benefits of prohibiting, partially allowing, or fully allowing any given use within big game winter ranges is difficult because of the interconnected relationship between big game species, habitat, local culture, and the economy. As discussed earlier, while big game species make

important contributions to the local economy, their need for habitat can potentially create competition with other sectors. Energy projects, for example, may contribute to the economy directly, but if they degrade habitat and decrease the ability of the land to protect game species, they may indirectly harm the economy by reducing the County's ability to attract hunters and wildlife viewers. ESEE analyses are complicated by many such interactions, most of which are unknown or unpredictable before-the-fact. For this reason, it is the County's position that the only sensible way in which to assess individual situations is on a case-by-case basis.

VI. Program to Achieve the Goal.

Based on the analysis of potential Economic, Social, Environmental and Energy consequences, the County shall enact a program to achieve the goal of protecting significant big game winter range that allows conflicting uses but limits them as deemed necessary to be in balance with the habitat resource.

The county shall adopt policies in the Crook County Comprehensive Plan that reflect the position that, like other resources, big game winter range is important to protect. Less stringent land use safeguards are needed in the West County Area than are needed in the Greater County Area.

The program to achieve the goal of protecting significant big game winter range that allows conflicting uses but limits them as deemed necessary to be in balance with the habitat resource is found in the Crook County Comprehensive Plan and the Crook County Code and as proposed in the 2012 Legislative Amendments.

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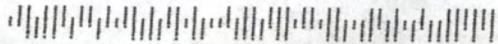
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