

**Goal 11 Exception Process for
Southern Deschutes County
(File 247-15-000308-PA)**

Deschutes County Planning Commission Work Session

June 25, 2015

Planning Commission Work Session for File 247-15-000308-PA

- Recap of groundwater issues in southern Deschutes County
- Goal 11 Exception Area Map
- Overview of Goal 11 Exception
- Public hearings in La Pine and Bend
- Questions of staff?

40 Years in 8 Bullet Points

- 1960s-1970s ~15,000 lots of 0.5 acre to 1 acre each platted in South County
- Early 1980s groundwater pollution from nitrates begins to be noticed
- 1996-1999 DLCD and DEQ study 12,000 lots for groundwater pollution
- 2008 Deschutes County passes local rule requiring septic systems be converted to alternate treatment technology within 14 years
- 2009 voters overturn local rule
- 2010 DEQ forms Steering Committee to study issue, which in 2013 unanimously recommends pursuing a Goal 11 exception
- April 2015 DLCD, DEQ, Deschutes County hold open houses in Sunriver and La Pine on Goal 11
- June 17, 2015 DLCD, DEQ, Deschutes County apply for Goal 11 Exception in File 247-15-000308-PA

DLCD's Role and Responsibility

- Expert in Goal 11 Exception Process
- Wrote Burden of Proof Related to State Laws, Rules:
 - Statewide Planning Goal 11 Public Facilities
 - Oregon Administrative Rule Chapter 660, Division 11, Public Facilities Planning
 - OAR 660-011-0060, Goal 11 Exception Process

DEQ and public health protection

- Long history of involvement in the area
- Formation of a steering committee
 - Met for over 3 years; had 50+ meetings
- Focus on public health protection

DEQ Steering Committee Recommendation

- Goal 11 Exception (Unanimously Approved 1/9/13)
- Intent of allowing sewer extension and other community and neighborhood treatment options
- Acknowledgement that centralized systems would provide better treatment of contaminants
- Exception does not require multi-residence systems
- Exception area to include at-risk areas in South Deschutes County.

DEQ's Role and Involvement

- Supporting the recommendation and working with Deschutes County and other state agencies to move it forward
- Providing historical information on groundwater contamination to justify the application

Des. Co. Land Use Process

- Joint application, File 247-15-000308-PA, filed by DEQ/DLCD/Des. Co. on June 17, 2015
- 35-day notice sent to DLCD June 11, 2015
- ~10,000 flyers mailed to properties within Goal 11 Exception area around June 15, 2015
- Public hearings set and noticed:
 - La Pine, July 23, 2:00 and 5:30 p.m. at Community Center
 - Bend, August 13, 5:30 p.m. at Deschutes Services Center

Des. Co. Land Use Process (con't)

- Burden of proof must address
 - Statewide Planning Goal 11: Public Facilities and Services
 - Applicable Oregon Administrative Rules (OAR 660, Division 11)
 - Deschutes County Comprehensive Plan
 - Amend for Exceptions Statement
 - Amend to add Legislative History
 - Newberry Country Plan
 - Amend Policy 9.1 to prevent upzoning due to Goal 11
 - Transportation Planning Rule (OAR 660, Division 12)
 - Traffic study of 1,823 red lots, based on 600 developing in 15 years

Next Steps

- Hold public hearings on July 23 and August 13, 2015
- Planning Commission deliberates and makes recommendation to Board of County Commissioners
- Board then holds public hearings on Ordinance 2015-007, which implements File 247-15-000308-PA



Questions of Staff?