



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Prineville District Office
3050 NE 3rd Street
Prineville, Oregon 97754



In Reply Refer To:
1795 (ORP060)

Commissioner Phil Chang
Deschutes County Board of Commissioners
1300 NW Wall St.
Bend, OR 97701

Re: Deschutes County Landfill Locations

Dear Commissioner Chang:

In reviewing the final two locations and the alternative for the proposed Deschutes County landfill, the Bureau of Land Management (BLM), Prineville District, Deschutes Field Office has several concerns about two of the sites.

The Moon Pit site is located adjacent to the eastern edge of the Oregon Badlands Wilderness, a unit of the National Landscape Conservation System managed by the BLM. Decades of community support culminated in the designation of the Oregon Badlands Wilderness in 2009 under the Omnibus Public Land Management Act. Under this and the 1964 Wilderness Act, as amended, the BLM is required to preserve and enhance wilderness values under a principle of non-degradation, while offering opportunities for solitude and primitive recreation.

The Oregon Badlands Wilderness was identified as having outstanding opportunities for solitude – both visually and from noise – as part of the character that qualified it for wilderness. The potential for debris, methane and noise intrusions into the wilderness from the location is extremely high and could impair wilderness values for which the BLM is directed to preserve, including solitude. While topography screens out noise from Highway 20, the noise from landfill activities (large vehicles, dumping, crushing, blasting, etc.) would be expected to intrude into the wilderness and impair visitor experiences.

The proposed Moon Pit site is surrounded by lands managed by the BLM, which will require the county to obtain a right-of-way for access. The existing access road (BLM road 6521) is narrow and not built for the type of vehicles that would be accessing a landfill. The road would need to be rebuilt and significantly widened. The current location is within 75 feet of the wilderness boundary and is the access for the main Oregon Badlands Wilderness parking lot. If the road stays in this location, landfill traffic would mix with recreation traffic including horse trailers. Relocating the access road to the east could impact the current Oregon Department of Transportation material storage area, lands occupied by an existing lease holder (the Bend Aero Modelers), crucial winter range for mule deer, and potentially Greater Sage-grouse habitat.

The BLM also manages the Dry River Canyon area to the east of the Oregon Badlands Wilderness and implements an annual seasonal wildlife closure to protect nesting raptors.

Nesting raptors are protected under the Bald and Golden Eagle Protection Act, as amended and the Migratory Bird Treaty Act, as amended. The Dry River Canyon has supported both golden eagles and prairie falcons and the area has restrictions against disturbance. The Upper Deschutes Resource Management Plan (UDRMP) restricts new road development within ¼ mile of the nest – UDRMP, Obj. W-1, Allowable Uses: locate new roads and trails away from important habitats (e.g, ¼ mile). There is also a seasonal closure, which includes motorized use, runs from February 1 for golden eagles and March 1 for prairie falcons through August 31 each year. In addition, by moving the entrance route to the landfill and pending any route restrictions, there could be another potential conflict with UDRMP, Obj. R-2, Guideline 5 (BADLANDS WSA, p113): “...providing designated parking areas and trailhead improvements at major entry points is a high priority...including... at the base of Dry River Canyon.”

These complexities and potentially significant impacts would require the completion of an environmental impact statement to consider authorizing a right-of-way to the county. This process could take two or more years to reach a decision and does not guarantee access.

The alternative site to Moon Pit and Roth East is the parcel on public lands near Horse Ridge, on the south side of Hwy 20. Approximately 80% of the area being considered has been evaluated and found to have Lands with Wilderness Characteristics. BLM Manual MS-6320 directs the BLM to consider the wilderness characteristics of public lands when undertaking land use planning. After evaluation, the BLM can determine if the lands will be managed to protect wilderness characteristics, to minimize impacts, or to allow for other uses while not protecting wilderness. The BLM would have to initiate a planning process that would consider the input of cooperating agencies, including states and counties, tribes, and other interested parties.

Additional challenges with this site include the prevalence of old-growth Western juniper (the oldest juniper is less than 2 miles away), the potential overlap with a portion of an Oregon Department of Transportation lease area, straddling BLM road 6516 (Stokey Flat Road), known and mapped undesignated mountain biking trails that are heavily used. The field office has initiated an analysis of these trails with the intent of creating a designated and developed riding area. Finally, as noted in the Deschutes County story map, the county would have to acquire these lands from the BLM. Currently, the lands south of Highway 20 that have been identified for this option are designated as Zone 1, retention, and disposal could require a land use plan amendment and an environmental assessment (depending on method of conveyance).

The BLM Prineville District will continue to try to engage with the county on this issue; by reaching out to us in advance we can hopefully provide information on potential barriers in advance of decisions. The information provided in this letter is approximate, and the office could provide more precise information if we had access to actual siting geographic information systems data. Please let me know if you have any questions or need additional information.

Sincerely,

Lisa M. Clark
Field Manager
Deschutes Field Office