GOAL 5: NATURAL RESOURCES, SCENIC
AND HISTORIC AREAS, AND OPEN SPACES

Goal: To conserve open space and protect natural and scenic resources.

Statewide planning Goal 5 requires the county to inventory the following resources:

1. Riparian corridors, including water and riparian areas and fish habitat;
2. Wetlands;
3. Wildlife Habitat (including bird sites);
4. Federal Wild and Scenic Rivers;
5. State Scenic Waterways;
6. Groundwater resources;
7. Approved Oregon Recreation Trails;
8. Natural Areas;
9. Wilderness Areas;
10. Mineral and Aggregate Resources;
11. Energy sources;
12. Cultural areas.

Counties are also encouraged to maintain current inventories of historic resources, open space, and scenic views and sites.

The policies adopted in this Comprehensive Plan focus on issues related to the conservation of open space and natural and scenic resources. They are intended to comply with statewide planning goals and guidelines concerning Open Spaces, Scenic and Historic Areas, and Natural Resources (Goal 5).

FINDINGS

1. Open space is characteristic of Gilliam County, and no effort exclusively directed toward acquisition of additional open space is necessary. As provided in this Comprehensive Plan, stream beds, drainage ways and proven landslide areas generally will be maintained in an open state as a matter of prudent development practice.

2. 1985 Atlas of Oregon Lakes: No Lakes are identified in Gilliam County

3. The rock outcroppings marking the rim and walls of steep canyon slopes are an important characteristic of the County’s landscape.

4. The entire Columbia River waterfront, including related fish and wildlife habitat, is within the jurisdiction of the United States Army Corps of Engineers; the Corps has prepared and adopted a plan for the development of the river shore land, which plan encompasses
preservation of fish and wildlife habitat and the development of water-oriented park and recreation facilities.

5. In the matter of fishery resources, the Gilliam County area is reported (John Day River Basin Plan of 1986-SWR) as serving primarily as a migration corridor for anadromous fish using more upstream areas of the subject River Basin. The majority of habitat in the Gilliam County area is reported as only marginally productive for anadromous fish, with the most productive steelhead streams being Rock Creek and Thirty Mile Creek. Other fishery resources reported within the County include a small fall Chinook run and limited cold-water and warm-water resident fish populations. Rehabilitation work in potentially productive Rock Creek and Thirty Mile Creek and tributaries are noted as a need to improve fishery resources.

6. The Oregon Department of Fish and Wildlife has recommended development of a number of access sites on the John Day River. The commission also has established two wildlife areas; one at the mouth of Willow Creek and the other consisting of that portion of the John Day River from the mouth of Thirty-Mile Creek to the Columbia River.

7. There are no inventoried wetlands within the County.

8. Hunting for deer and upland game birds area also noted as popular activities; relative thereto, the Oregon Department of Fish & Wildlife (ODFW) has identified areas for Big Game Winter Habitat and Upland – Waterfowl Habitat. Maps of these areas were set forth in the 1977 Plan.

9. Portions of the John Day River from the Wheeler County line to Tumwater Falls have been classified as Scenic or Natural River areas by the State of Oregon under provisions of ORS 390.805 through 390.925. Also, within this area of the John Day River, from the mouth up river for about 84 miles to Thirty Mile Creek, is the John Day State Wildlife Refuge which provides a resting area for ducks and geese and provides habitat for various raptor species and other wildlife. Land uses, including structures, are regulated within this area by the provisions of the Scenic Waterway designation. No additional regulations on behalf of the County are deemed necessary.

A) The State Scenic Waterway designation applicable to this area of the County was enacted by ORS 390.825 (6) and the authority for the regulation of uses within said area is vested with the State Department of Transportation by ORS 390.845. Pursuant to ORS 390.845, said state agency has adopted and enforces regulations governing all uses within said area; said regulations set forth in OAR Chapter 736, Division 40. Said regulations are intended fully to protect and enhance those values which caused such scenic waterway area to be so designated; i.e. esthetic, scenic, fish & wildlife, scientific and recreation features. The adequacy of such regulations to fully protect the subject resource is attested to in the 1979 Wild and Scenic River Report & Environmental Assessment for the subject area as conducted by the
National Park Service. In compliance with OAR 660-16-005 and 660-16-010, said NPS Report and Environmental Assessment is hereby adopted by reference as though set forth in full herein, and is concluded to fully comply the County’s responsibilities relative to inventory requirements, Goal 5 process requirements, identification of conflicting uses, ESEE analysis requirements, and resource protection requirements. The NPS Report for the Natural & Scenic River areas complies with Goal 5 because no new structures or improvements which are visible from the river, other than those erected and made in connection with agricultural uses, or those needed for public recreation or resource protection will be permitted. Additional dwellings and commercial public service facilities, including resorts and motels, lodges and trailer parks, which are visible from the river, will not be permitted.

B) Natural River Area. The segment of the scenic waterway beginning at the intersection of West to East Centerline of Section Fife (5), Township Five South, Range Nineteen East of the Willamette meridian (T 5S, R 19E, W.M.), Sherman County, extended easterly from the center of said section to its intersection with the John Day River, near the mouth of Thirty mile Creek; thence downstream approximately 31 miles to the North Boundary of the Southwest Quarter (SW 14) for the Southeast Quarter (SE ¼) of Section Twenty-four (S 24), Township Two South, Range Eighteen East of the Willamette Meridian (T 2S, R 18E, W.M.), Sherman and Gilliam Counties, near East Ferry Canyon, is classified as a Natural River Area.

Within this area, no new structures or improvements, which are visible from the river, other than those, erected or made in connection with agricultural uses, or those needed for public recreation or resource protection will be permitted. Additional dwellings and commercial public service facilities, including resorts and motels, lodges and trailer parks which are visible from the river will not be permitted.

C) Scenic River Areas. The segments of the scenic waterway upstream and downstream from the designated Wild River Area are classified as Scenic River Areas.

Within these areas, no new structures or improvements which are visible from the river, other than those erected or made in connection with agricultural uses, or those needed for public recreation or resource protection will be permitted. Additional dwellings, other than those necessary to existing agricultural uses, and commercial public service facilities, including resorts and motels, lodges and trailer parks which are visible from the river, will not be permitted.

10. John Day River Basin Plan of 1995 (SWR): A review of this adopted document concurs that Gilliam County is not located within an area that is subject to a critical groundwater study or designation. Nor are there any storage facilities deemed feasible or any hydroelectric value.
11. There are no inventoried of approved Oregon Recreation Trails located in Gilliam County.

12. Only three (3) natural resource sites are reported of any significance by the nature Conservancy under the Oregon Natural Heritage Program. These three (3) sites are listed below, but beyond the brief listing, no site-specific information is available, nor has the Nature Conservancy presented even a Site Report on said resources:

   A) Pullen Pasture - Vegetative Resources Only - Sec 28 of T5S, R24E – No acreage figure given.

   B) Lone Rock Creek Area Natural Grasslands – Vegetative Resources Only – Sections 29, 30 & 32 of T4S, R23E and Sec 5 of T5S, R23E – No acreage figure given.

   C) Horn Butte – Vegetative Resources Only – Sections 11 & 12 of T2N, R22E – No acreage figure given.

There is insufficient information concerning the purported resources and resource site for the County to initiate any action concerning the afore-referenced sites. Without “any” specific information, the extent, condition, impacts and protection measures necessary are undeterminable. In accordance with the provisions of OAR 660-16-000 (5)(b), these resource sites will be addressed in the future as sufficient information for site identification becomes available.

13. Pursuant to the requirements of compliance with State Planning Goal 5, the County must complete an Economic, Social, Environment and Energy (ESEE) Analysis for all identified “Natural” Resources in the County. Said Analysis has been completed and is hereby adopted as though set forth in full herein. However, with the exception of the aggregate resource sites, riparian habitat areas, and historic resources, no such resources have been identified as needing County protection.

14. There are no inventoried Wilderness Areas within Gilliam County.

15. The County is not heavily mineralized and there is no record of production. Although there are references to limited deposits of volcanic ash, semiprecious gems, bauxite and coal, none are assigned any significance in value. Lastly, some exploratory oil and gas wells have been drilled in the vicinity of Condon, but no known findings are evident.

16. All active aggregate sources in the County are being inventoried and are identified by site location in the inventory set forth as an Attachment hereto. A comparison of the estimated total volume of aggregate from these sources to the estimated needs of committed or projected construction projects requiring such material clearly indicates that sufficient quantities are available to meet such needs.
17. It is the policy of Gilliam County to fully protect significant mineral and aggregate resource sites by determining the Economic, Social, Environmental and Energy (ESEE) consequences of not allowing conflicting uses to occur within the 1500-foot impact area.

18. Since the last update of the Comprehensive Plan in 2000, the county has seen a major change in the demand for wind energy projects. Since 2003, the county has approved several projects that are in operation and there are several more projects that have been approved by the County Planning Commission.

19. In the matter of Historic Resources, a comprehensive Countywide Historic Resource Inventory was completed in 1988. Existing identified resources are considered significant resources and should be subject to applicable protection measures. In 1988 a list of Historic Sites, Gilliam County was included in the comprehensive plan, the list contains 125 sites.

POLICIES

In consideration of the above Findings, the Gilliam County Court adopts the following policies:

1. Because of the limited resources identified as fishery resources in the County, specific protection of riparian habitat along those streams, which are identified as important for such habitat will be instituted.

2. The Department of Fish and Wildlife (ODFW) will be consulted when proposed land use actions may affect fish or wildlife habitats.

3. Land use categories, such as the Exclusive Farm Use (EFU) zone with its 160 acres minimum parcel size, which preserve the integrity of wildlife habitats will be established.

4. Gilliam County will publicize provisions of state law relative to Scenic Waterways, to render all possible assistance in enforcement of laws, rules, and regulations pertaining to State designated Scenic Waterways and to otherwise aid in the implementation of the declared policy of the State of Oregon with respect to such waterways. Conflicts between agricultural and recreational uses in this area should be resolved in favor of agriculture.

5. Gilliam County will notify and consult with appropriate state agencies during review of development proposals when such proposals might affect surface or ground water quality.

6. As funds are made available, Gilliam County will conduct a study of groundwater resources.

7. There are no state designated trails in the County at this time. However, if the State proposes any new trails, the County will cooperate in reviewing any new proposal.
8. At such time as additional and sufficient information is made available concerning the three (3) identified natural resource sites, the County shall complete the required ESEE Analysis and provide for any identified necessary protection measures as may be appropriate.

9. It shall be the County Policy that when new information is available on Natural Resource Sites, such information shall be reviewed to comply with Goal 5 in the County’s subsequent periodic review.

10. In the past, extractive industrial activities of some magnitude have operated in the County, and although no such concerns are presently in operation, it is reasonable to expect that they, or others like them, will become active as heavy construction activity in the area commences. The policy of Gilliam County is to encourage development of the County’s mineral resources, consistent with other objectives and policies of this Comprehensive Plan, and under conditions that will not result in permanent destruction of the natural beauty of the County’s landscape. Basalt outcroppings characteristic of the area generally should be left in their natural state and only under particularly justifiable circumstances will County approval of mining of potentially scenic hillsides be given. The County’s policy on mining of potentially scenic hillsides may require a search for suitable alternate sites for mining operations should any major construction project, not foreseen at this time, occur. Therefore, the County shall support, cooperate, and coordinate with any efforts by the Oregon Department of Geology and Mineral Industries (DOGMI) to carry out a Mineral & Aggregate Inventory of the County, and when such inventory is completed it shall be adopted as a component of this Plan and appropriate protection measures adopted to protect identified needed sites.

11. Because of the identification of limited mineral and aggregate resources in the County, appropriate protection measures for such identified resource sites shall be adopted to insure the continued availability of such sites for the purpose intended.

12. Gilliam County will continue to encourage the development of alternative sources of energy.

13. The areas in which most Indian petroglyphs and other evidence of Indian habitation are known to exist are not easily accessible to the general public. Even so, a number of these sites have been substantially destroyed due to intensive unsupervised visitation and not infrequently by deliberate exploitation and vandalism. Until such time as access to these valuable sites can be fully controlled and adequately supervised, the County suggests that landowners use whatever lawful means are necessary to discourage general visitation and that their location be not generally publicized. The County shall adopt specific zoning provisions designed to provide a level maximum level of protection for those limited natural and scenic resources identified within the County. Such provisions shall ensure a maximum level of review by the appropriate resource agencies and organizations for any development proposal identified as possible affecting an identified resource, and shall be applied as an overlay or combining zone with the primary applied Zone.
14. Gilliam County will remove all names from the Historic Sites list, unless a property owner states in writing that they desire the designation to remain on their property.

15. The requirements of OAR 660-023 will be used to consider the significance of Goal 5 resources.

16. The County will continue to process applications for Post Acknowledgement Plan Amendments to add sites to Goal 5 inventories when site-specific information on location, quality and quantity is submitted by individuals or agencies.

Findings in Support of Goal 5:

1. Gilliam County has conducted a valid inventory of the Goal 5 resources listed in Statewide Planning Goal 5.

2. The inventories include a determination of the location, quality and quantity of each of the resource sites.

3. The site-specific resources have been mapped or described as well as the attendant impact areas affected.

4. Gilliam County has identified existing and potential land uses which might negatively impact a specific Goal 5 resource site.

5. For those sites for which conflicting uses have been identified, the economic, social, environmental and energy (ESEE) consequences has been determined.

6. Based on the determination of the economic, social, environmental and energy consequences, Gilliam County has developed a program to achieve the goal of protecting these significant resources.