

Public Information Session

*Deschutes County
Mule Deer
Inventory Update*



Agenda

- ***Welcome, Introductions, Housekeeping***
- ***Project Background and Structure***
- ***Mapping the Inventory***
- ***Proposed Regulations***
- ***Q&A***
- ***Closing and Next Steps (7:25)***



Why Are We Here?

- Provide an overview of project: biological and regulatory
- Explain process
- Answer questions



Input? Opinions? Testimony?

- Want something to be included in the record for Planning Commission consideration?
- Please attend the public hearing April 13 or provide written testimony to case planner



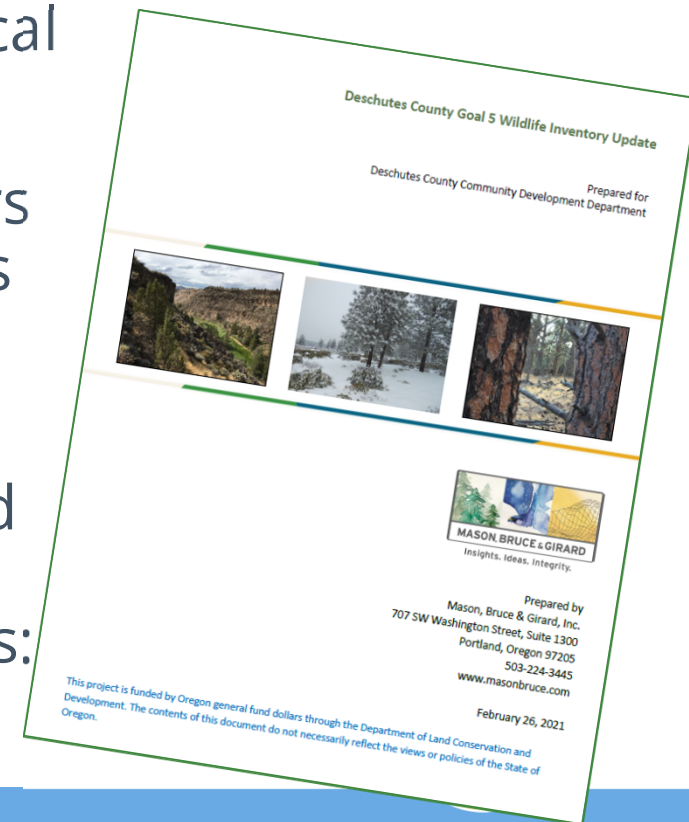
Agenda

- *Welcome, Introductions, Housekeeping*
- ***Project Background and Structure***
- *Mapping the Inventory*
- *Proposed Regulations*
- *Q&A*
- *Closing and Next Steps*



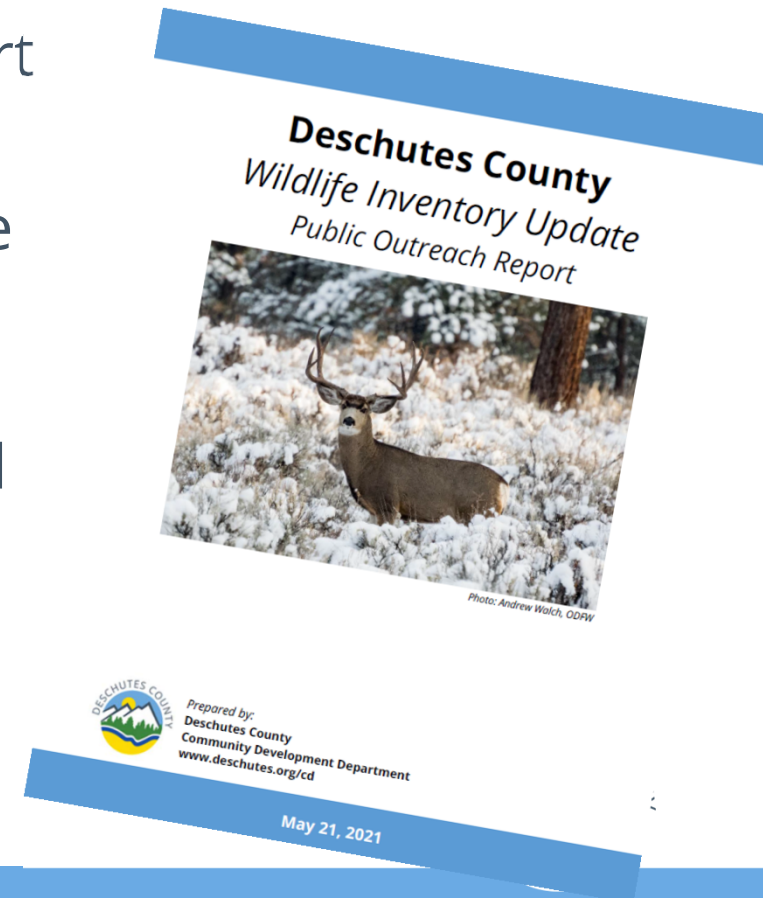
Project Background

- Phase 1 of this project took place in 2020-2021 and was funded by a DLCD Technical Assistance Grant
- Existing wildlife inventories are 30+ years old and do not reflect current conditions or newer data collection/modeling methods
- Used an Interagency Working Group and biologist consultant to compile data to define three new wildlife inventory areas: mule deer, elk, sensitive birds



Project Background

- Public input indicated general support for inventory updates
- BOCC directed staff to pursue update of mule deer winter range as a pilot project in late 2021
- Project paused in July 2022; restarted January 2023



Project Background

- Counties are not required to pursue inventory updates. However;
- This update follows procedures for complying with Goal 5 as outlined in Oregon Administrative Rules (OAR) Chapter 660, Division 23 – see Findings for more information



Project Overview

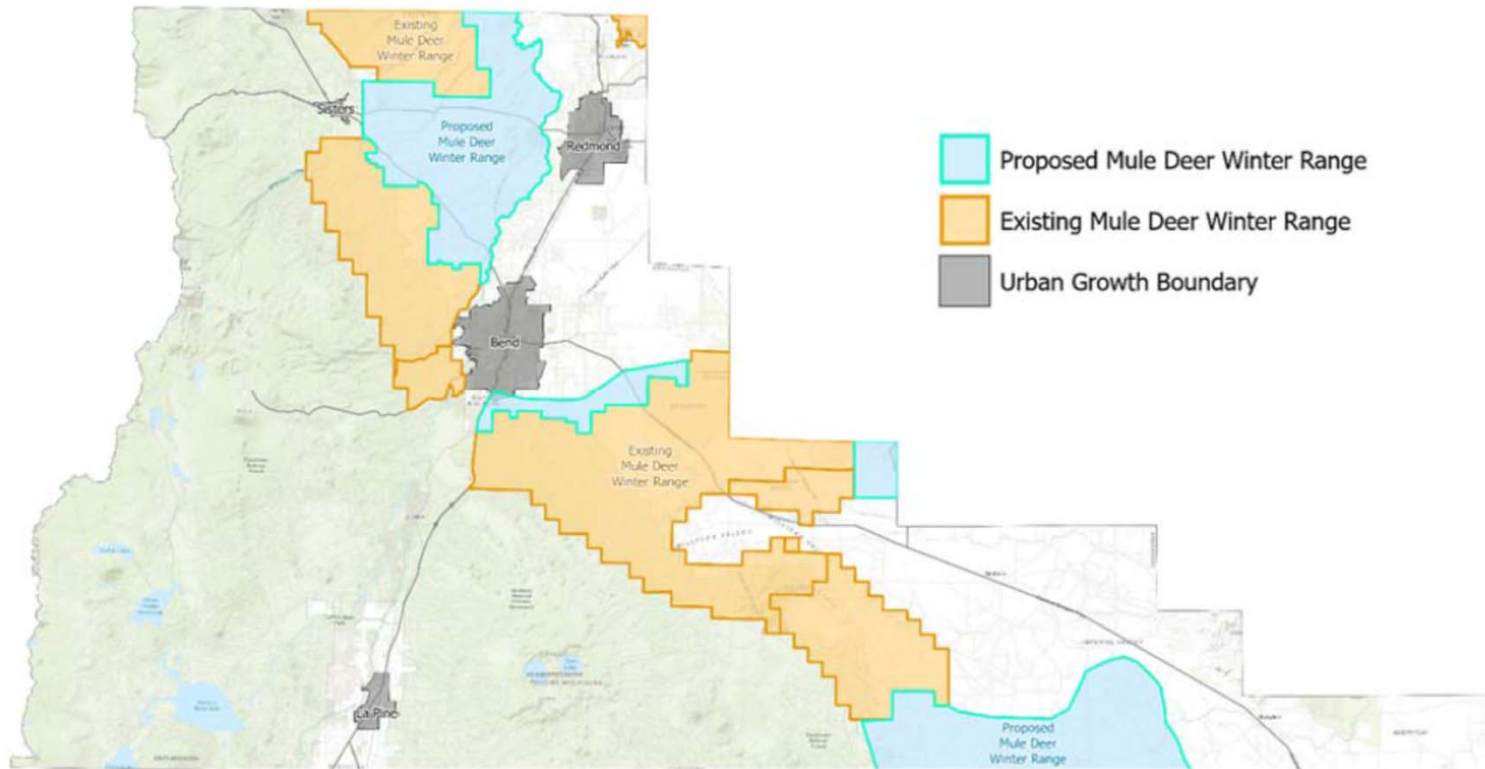
- Creates new combining (overlay) zone: 2023 Mule Deer Winter Range Combining Zone (WA-MD), DCC 18.91
- Existing WA Combining Zone is unchanged

Maps and proposed amendments:

www.deschutes.org/muledeer



Project Overview



Interactive map: www.deschutes.org/muledeer



Amendments: Mapping the Zone

Proposed WA-MD is 188,132 acres, of which 81,728 (43.4%) acres is nonfederal and subject to County zoning:

- 61,126 acres (3,573 tax lots) zoned Exclusive Farm Use
- 1,205 acres (9 tax lots) zoned Forest Use
- 9,368 acres (1,608 tax lots) zoned RR-10
- 7,603 acres (1,494 tax lots) zoned MUA-10
- 141 acres (3 tax lots) zoned OS&C
- 1,018 acres (26 tax lots) zoned Surface Mining
- 715 acres (39 tax lots) zoned Flood Plain



Agenda

- *Welcome, Introductions, Housekeeping*
- *Project Background and Structure*
- *Mapping the Inventory*
- *Proposed Regulations*
- *Q&A*
- *Closing and Next Steps*





Deschutes County Mule Deer Inventory Update

-Maps & Data-

Oregon Department of
Fish and Wildlife



Andrew Walch
District Wildlife Biologist



AGENCY MISSION

To protect and enhance Oregon's fish and wildlife and their habitats for use and enjoyment by present and future generations.



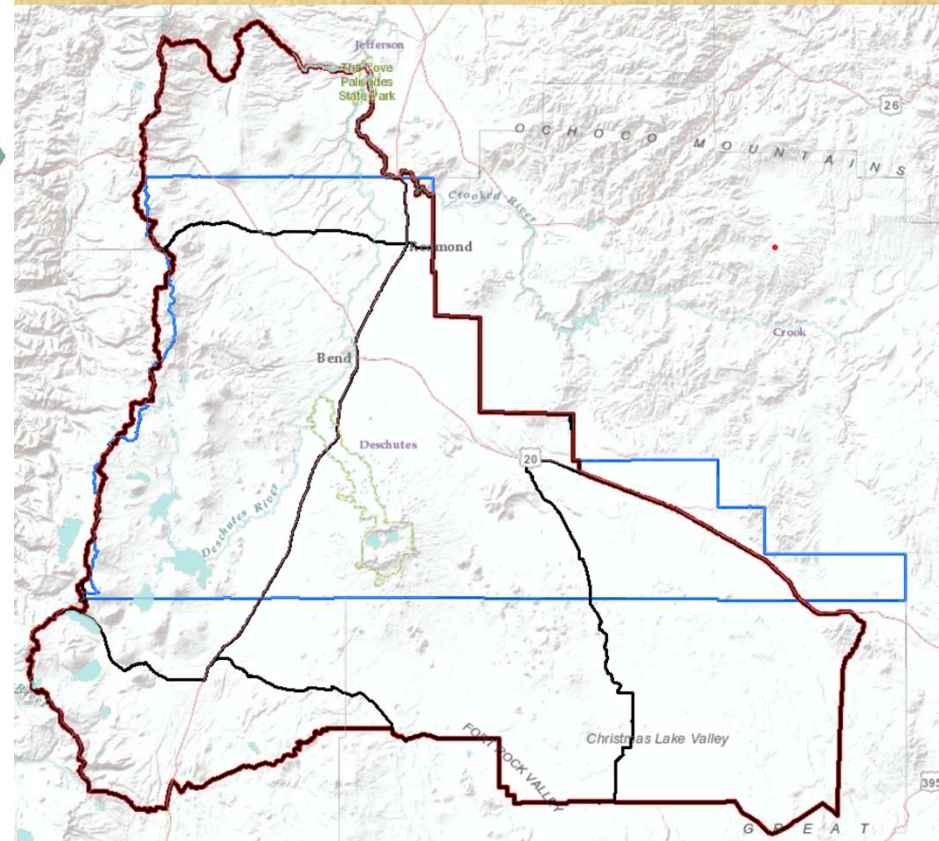
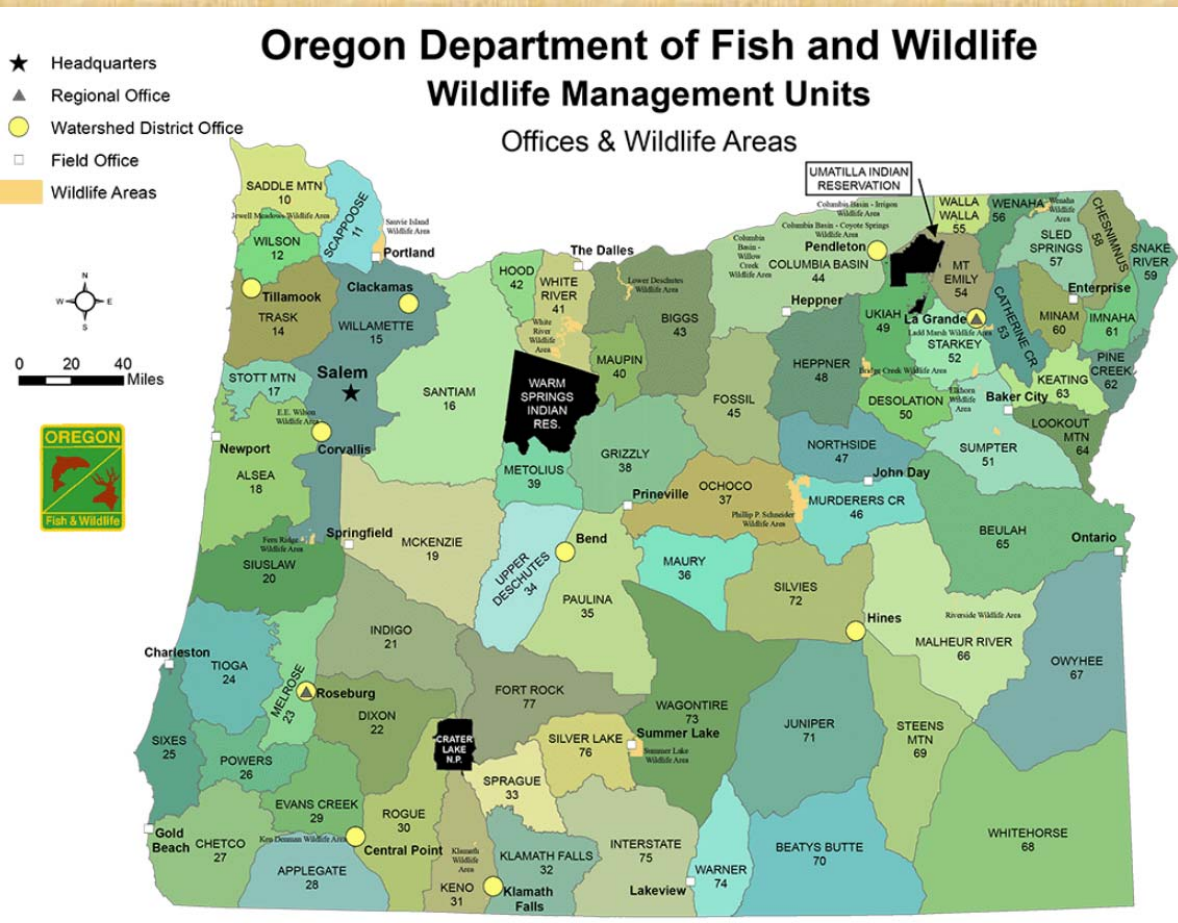
ODFW's role in Land Use

- Non-regulatory, primarily provides information and science-based recommendations to Counties
- Statewide Planning Goal 5 process considers negative impacts of development actions on wildlife habitat, among other resources.
- Statewide Fish and Wildlife Habitat Mitigation Policy: **OAR 635-415-000**
 - Big-game winter range is generally "Category 2" habitat, being Essential and Limited.
 - Mitigation goal is no net loss of habitat quality or quantity, and to provide a net benefit.

Land Use Planning & Fish and Wildlife in Oregon



Wildlife management Units (WMU)



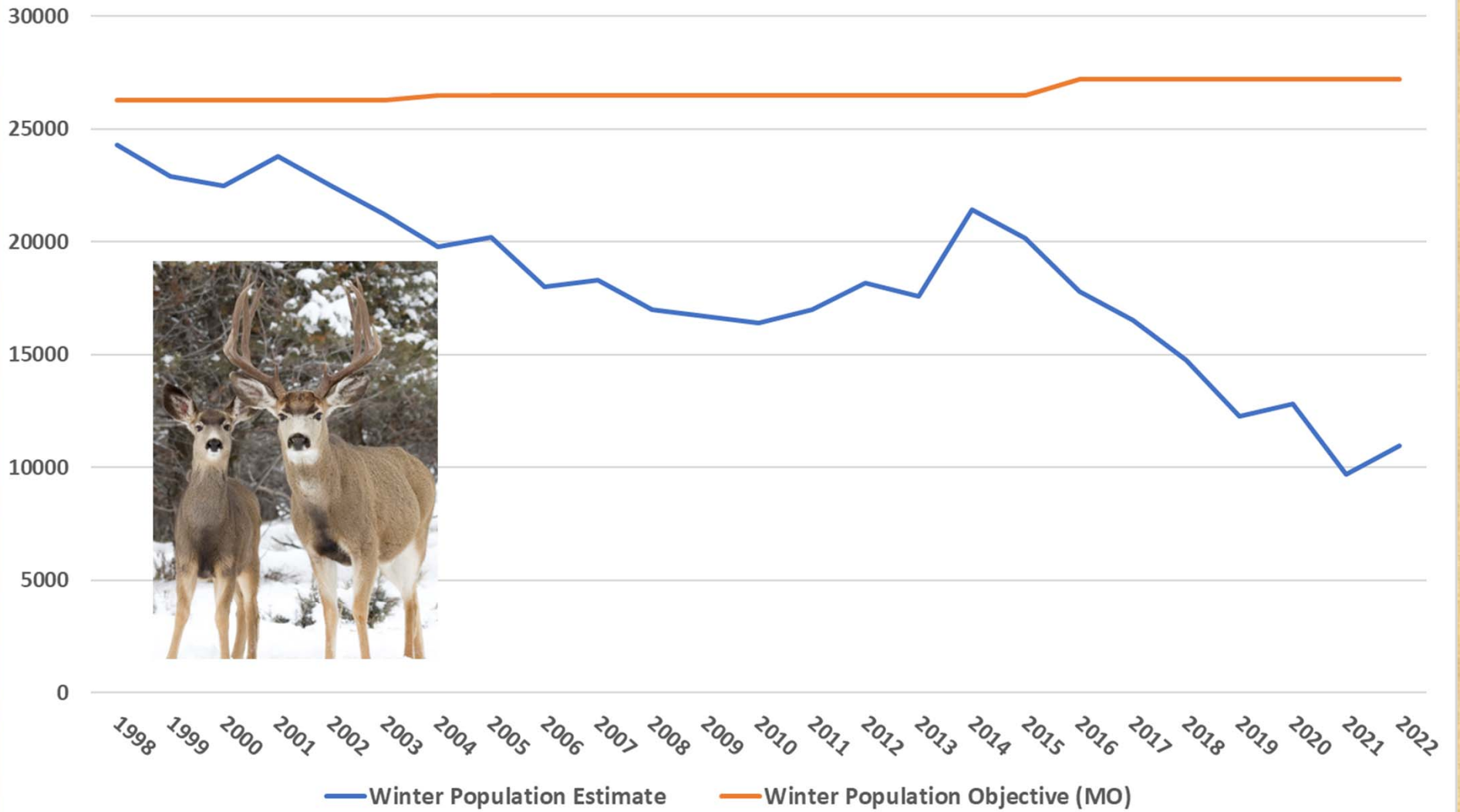
Mule Deer Data Collection

- Collaring: GPS collars provide 2-5 locations/day for ~3 years
- Identify winter & summer home ranges, migration routes, habitat utilization, survival rates, cause of mortality

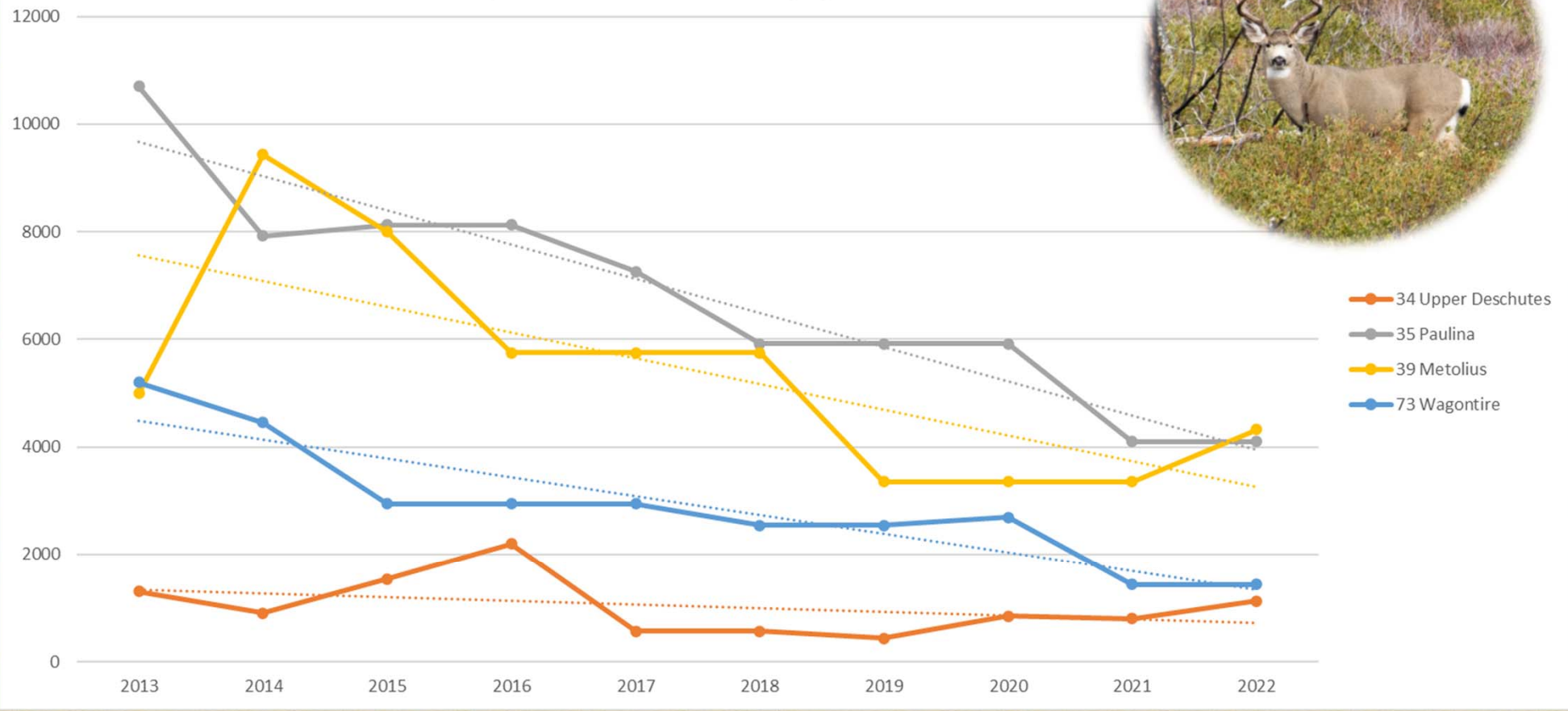
- Fall surveys: Buck & fawn ratios
- Winter Surveys: Population estimate
 - Stratified random sample run through a model (not a complete count). Every 3rd year.
- Spring Surveys: Over-winter fawn survival



Deschutes District Mule Deer Populations



Central Oregon mule deer winter population estimates



Mule deer hunting then vs. now

Management Objectives (MO)

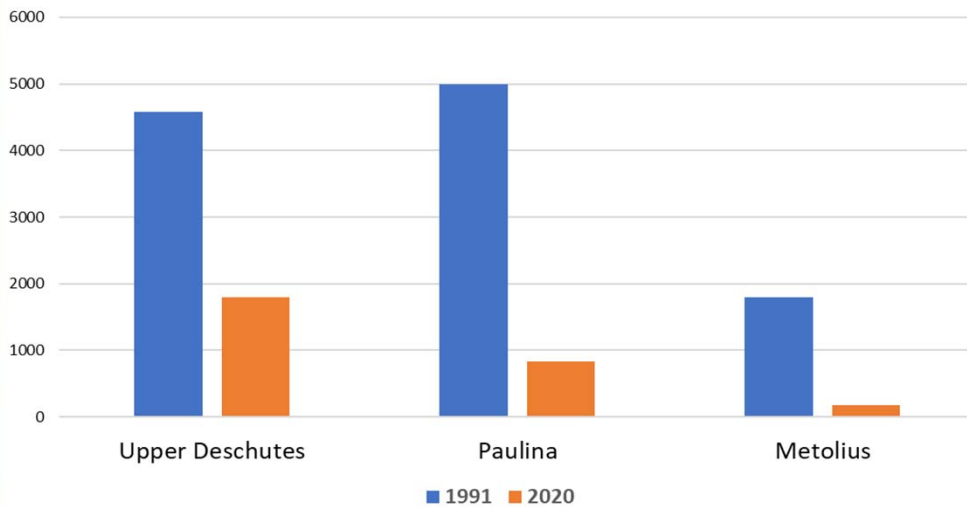
	<u>Buck MO (Bucks/100 does)</u>	<u>Current</u>
Upper Deschutes	15	33
Paulina	15	22
Metolius	25	35

- Rifle hunting went from general season to controlled opportunity in 1991.

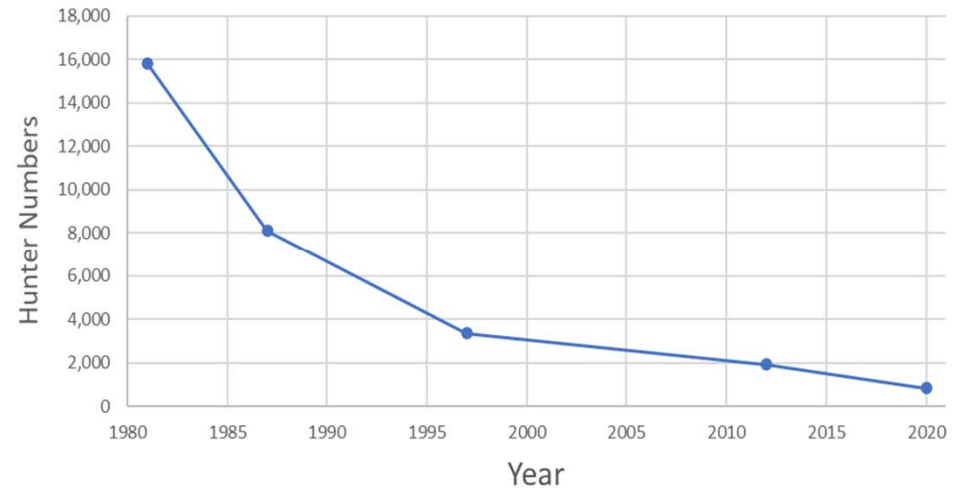
	<u>Population MO (wintering deer)</u>	<u>Current estimate</u>	<u>% of MO</u>
Upper Deschutes	2,000	1,125	56
Paulina	16,500	4,097	25
Metolius	6,200	4,326	70

Upper Deschutes
Paulina
Metolius

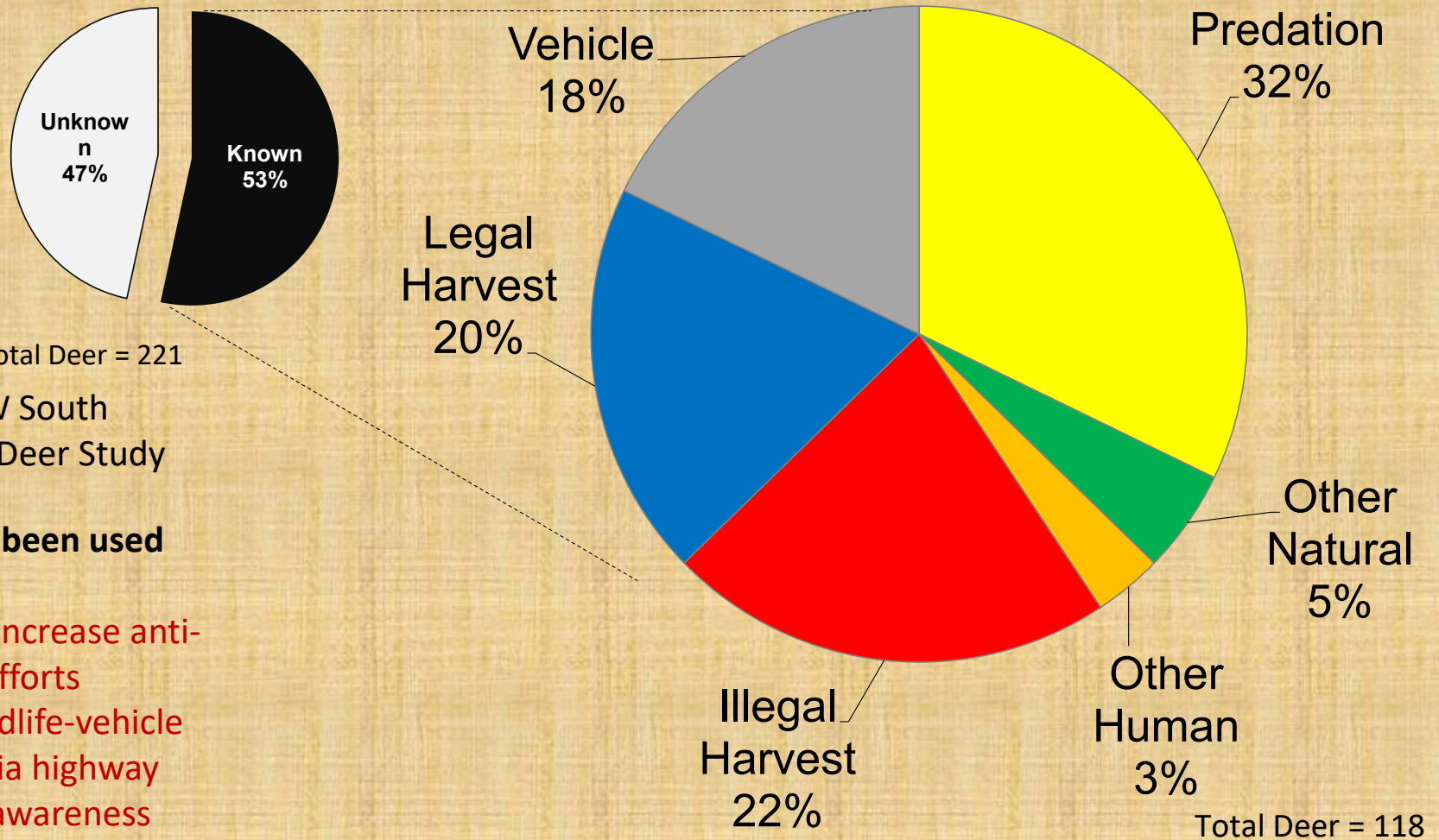
Rifle Mule Deer Buck Hunters 1991 vs 2020



Hunters - Paulina Wildlife Management Unit



Causes of Mule Deer Mortality (2005-2013)



Source: ODFW South Central Mule Deer Study

This data has been used to:

- Focus and increase anti-poaching efforts
- Reduce wildlife-vehicle collisions via highway crossings, awareness

Mule Deer Winter Range Habitat

- What is winter range?
 - Lower elevation areas that provide shrubs for forage, security cover, thermal refuge, relatively less snow.
 - Mule deer body condition gradually declines through winter
- Limited on many landscapes
- Naturally where a lot of human development occurs
- Susceptible to disturbance/fragmentation



Stressors and what can we do?

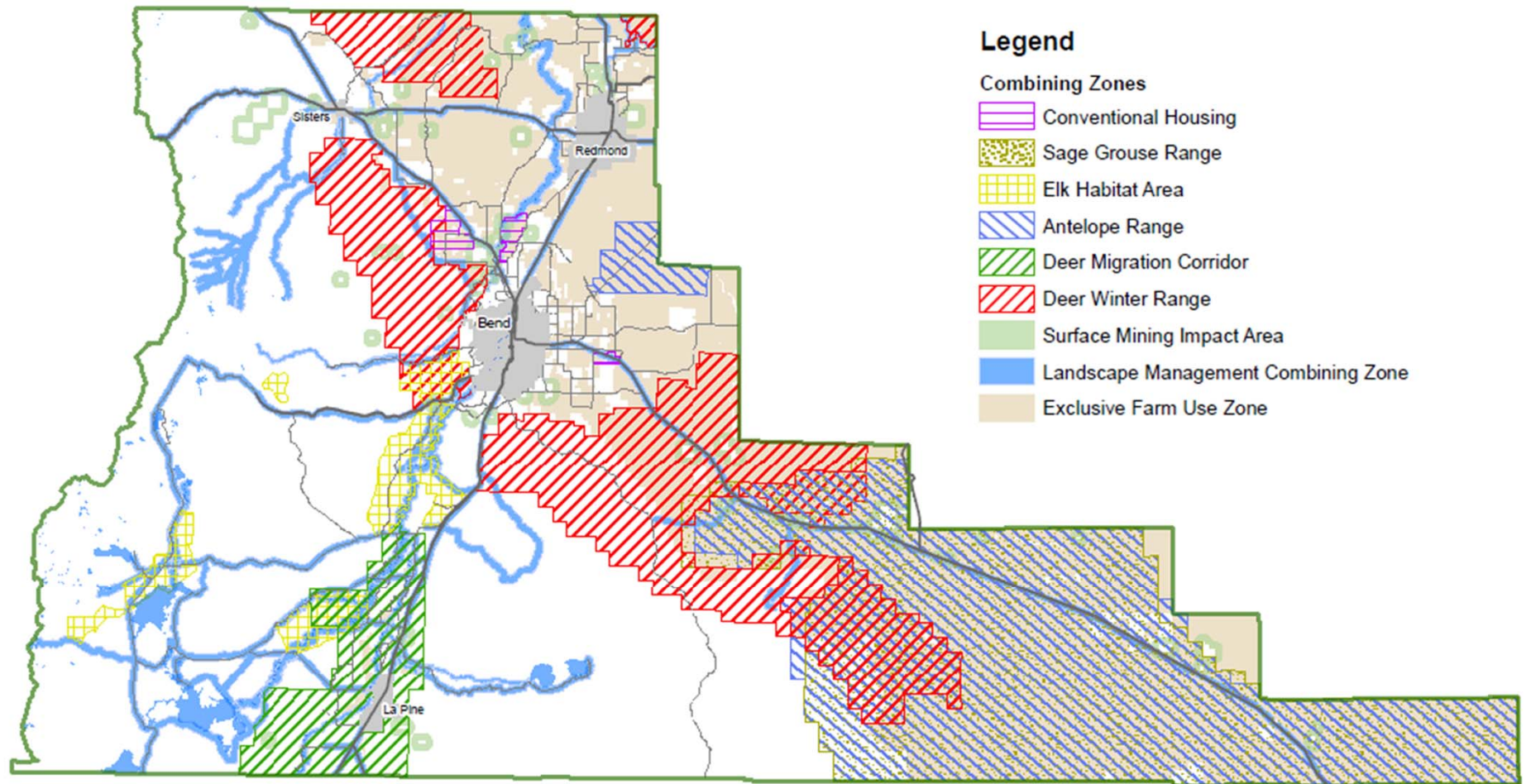
- Drought – Guzzlers, habitat projects
- Roadkill – Hwy crossings, driver awareness
- Disease – Monitoring, testing, discourage feeding
- Predation – Cougar management issues, wolves
- Disturbance – Travel Management Areas, Seasonal road/area closures
- Habitat alteration and fragmentation – Goal 5 wildlife protections to help preserve habitat that remains



All of these factors have an impact, whether directly affecting mule deer (predation, roadkill, disease), or indirectly impacting the fitness of mule deer (habitat, disturbance) that ultimately reduces the annual survival rate.

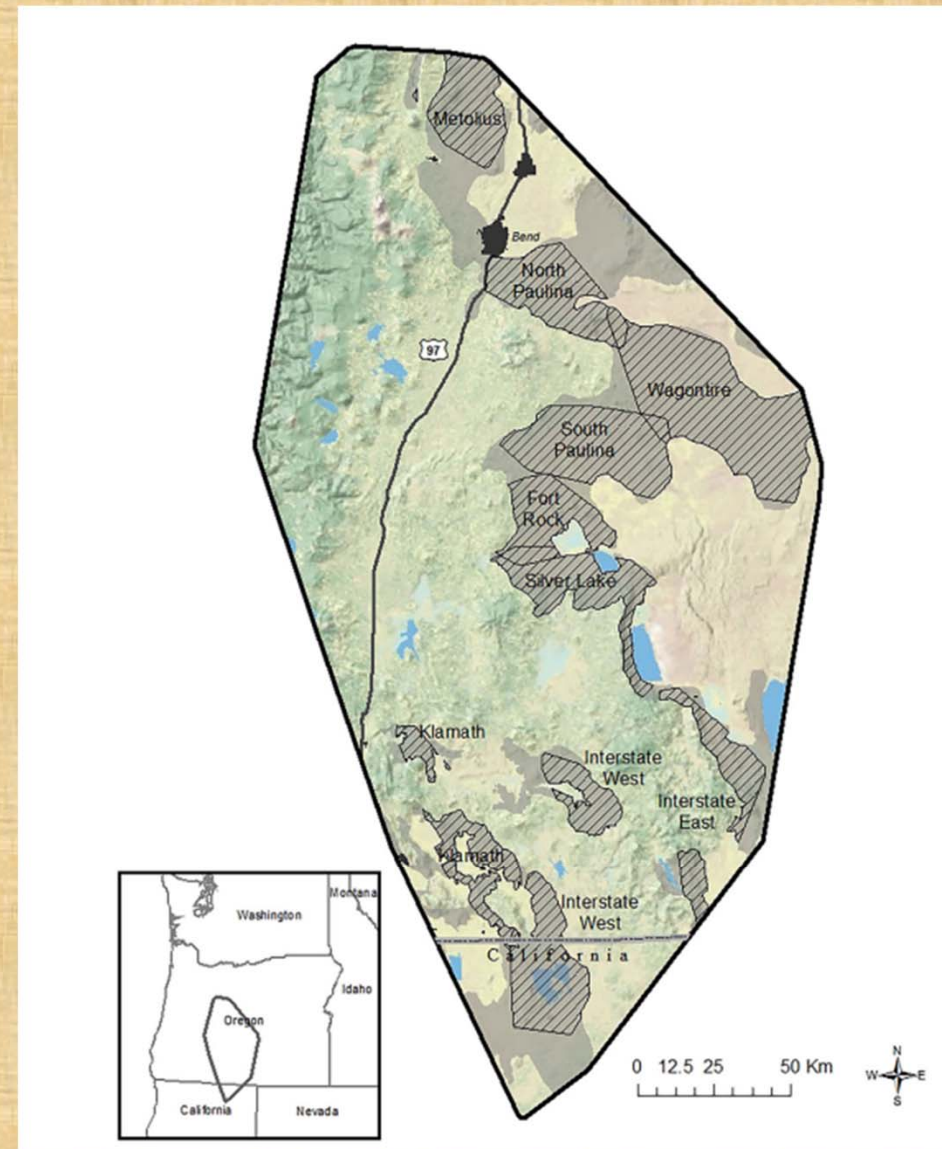
70% annual survival for adult doe mule deer in Deschutes Herd Range (Metolius and Upper Deschutes WMU's) from 2014-2022 (lowest in the state)

Existing Wildlife Area Combining Zones in Deschutes County

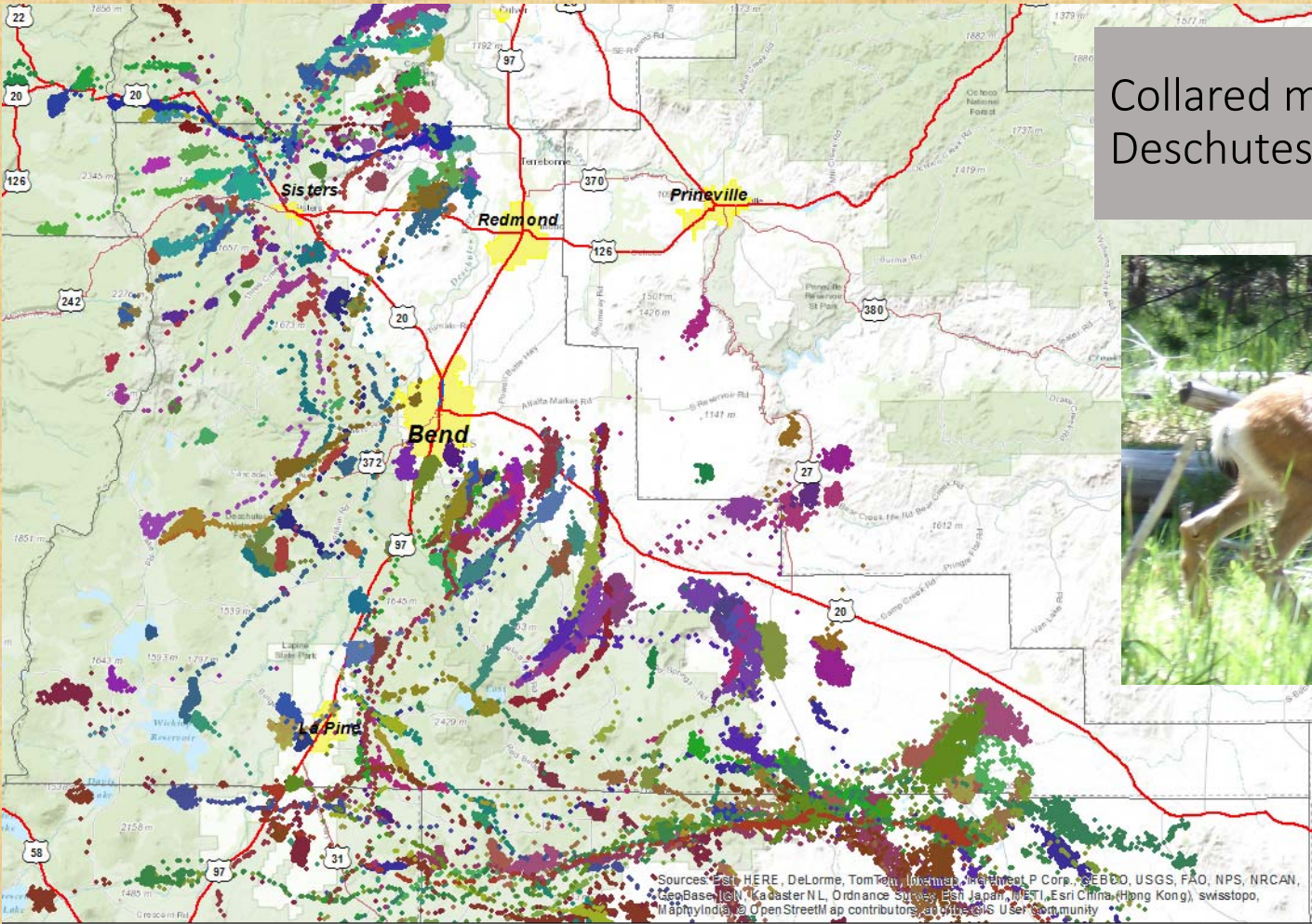


South Central Mule Deer Study (2005-2012)

- 452 mule deer fitted with GPS collars across 9 winter ranges, including Metolius and North Paulina
- Data was used to inform migration corridors – HWY 97 crossings
- Also used to analyze resource selection of mule deer on winter and summer ranges
 - Led to the creation of 2 habitat use models (winter and summer range)
 - Helpful when commenting on land use proposals



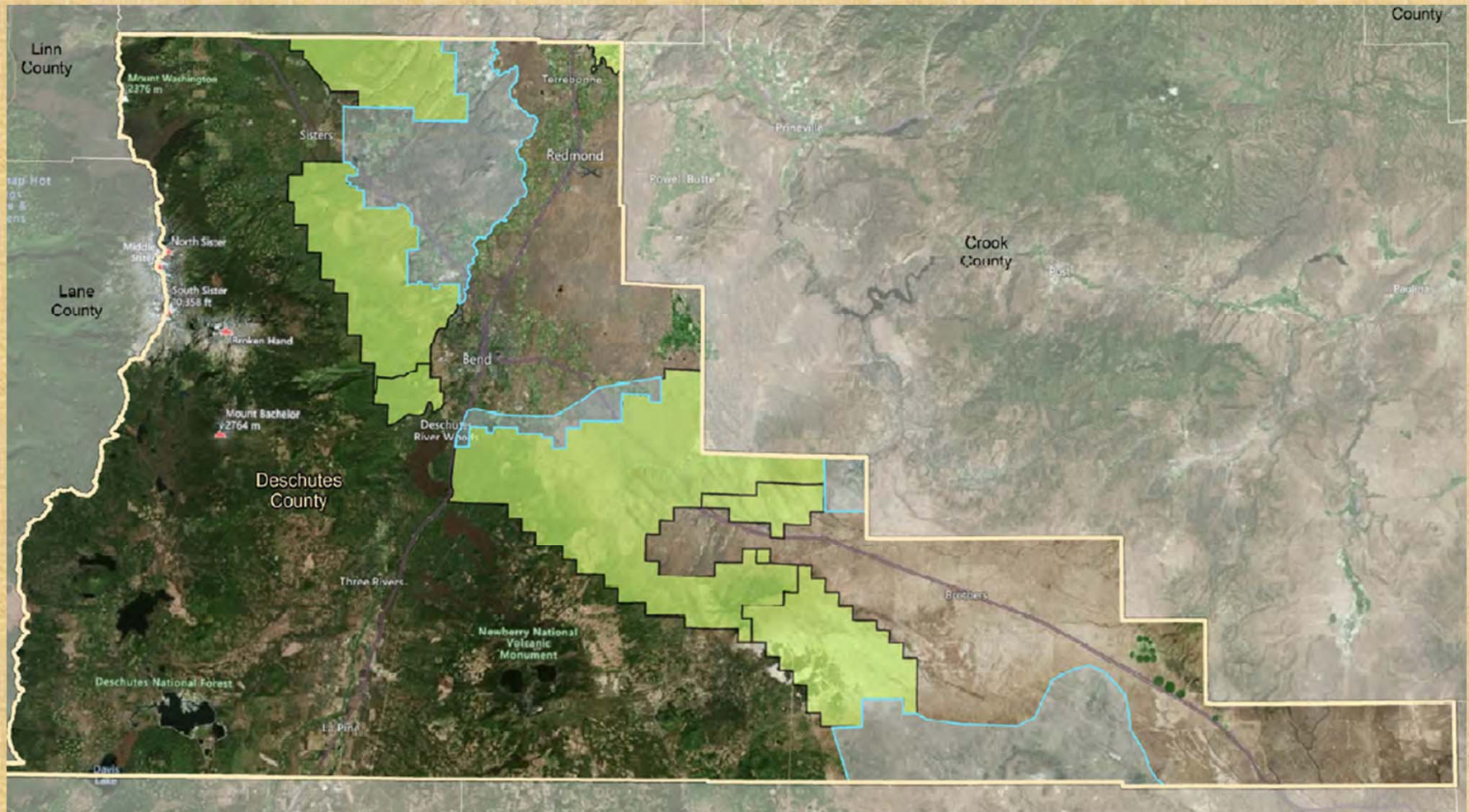
Collared mule Deer Locations in Deschutes County

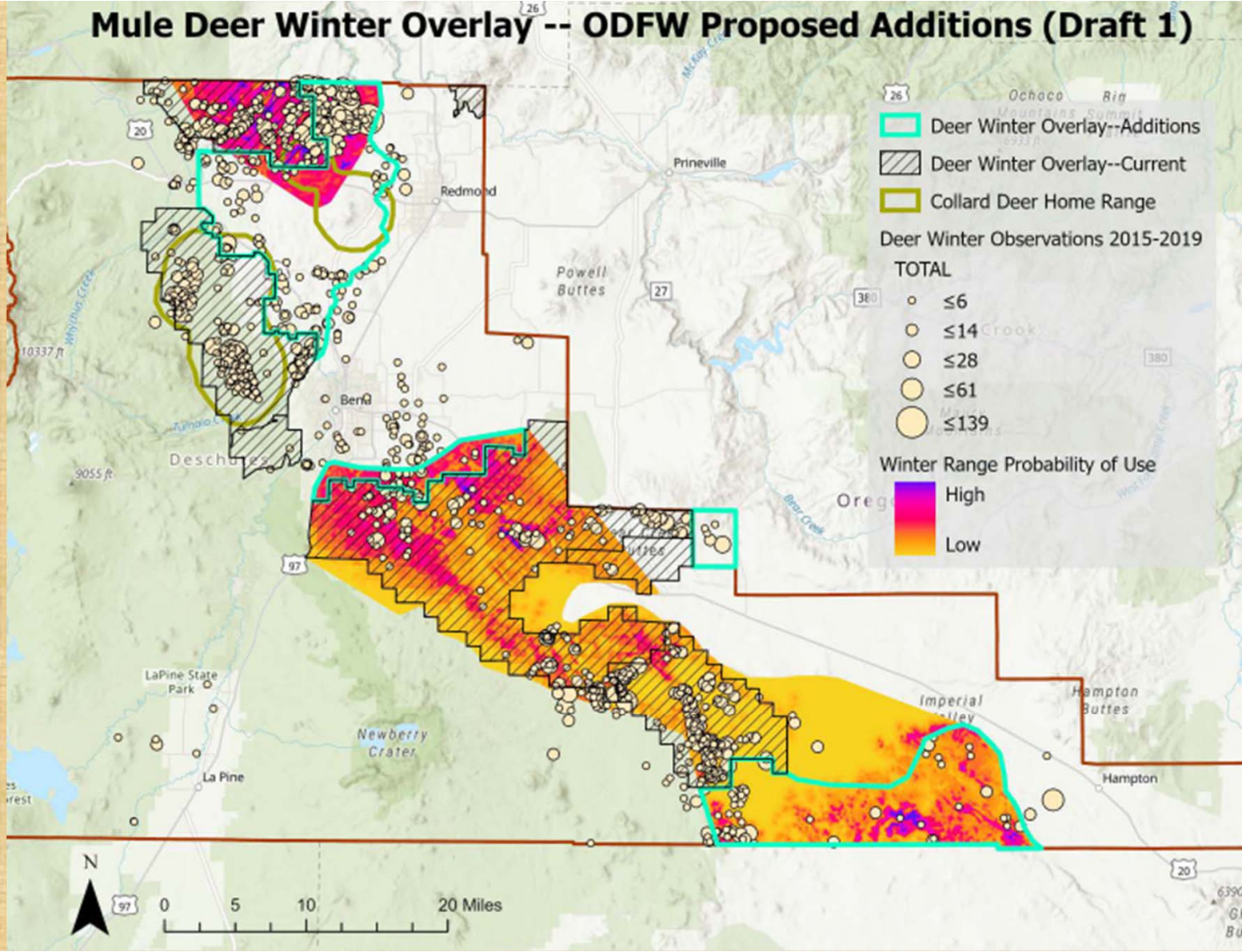


• Mule Deer Locations

25
Mi

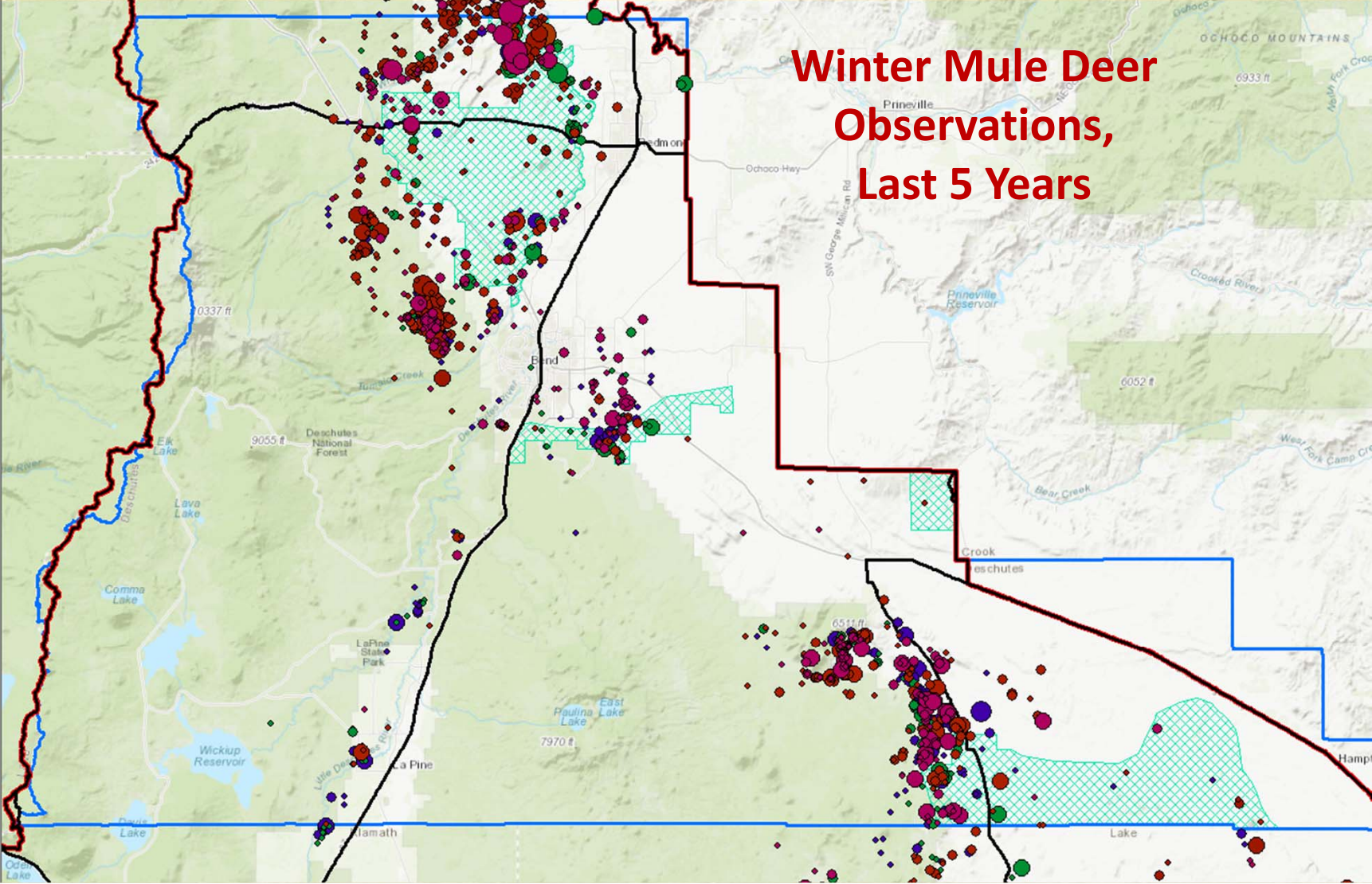
Proposed additions to Mule Deer Winter Range



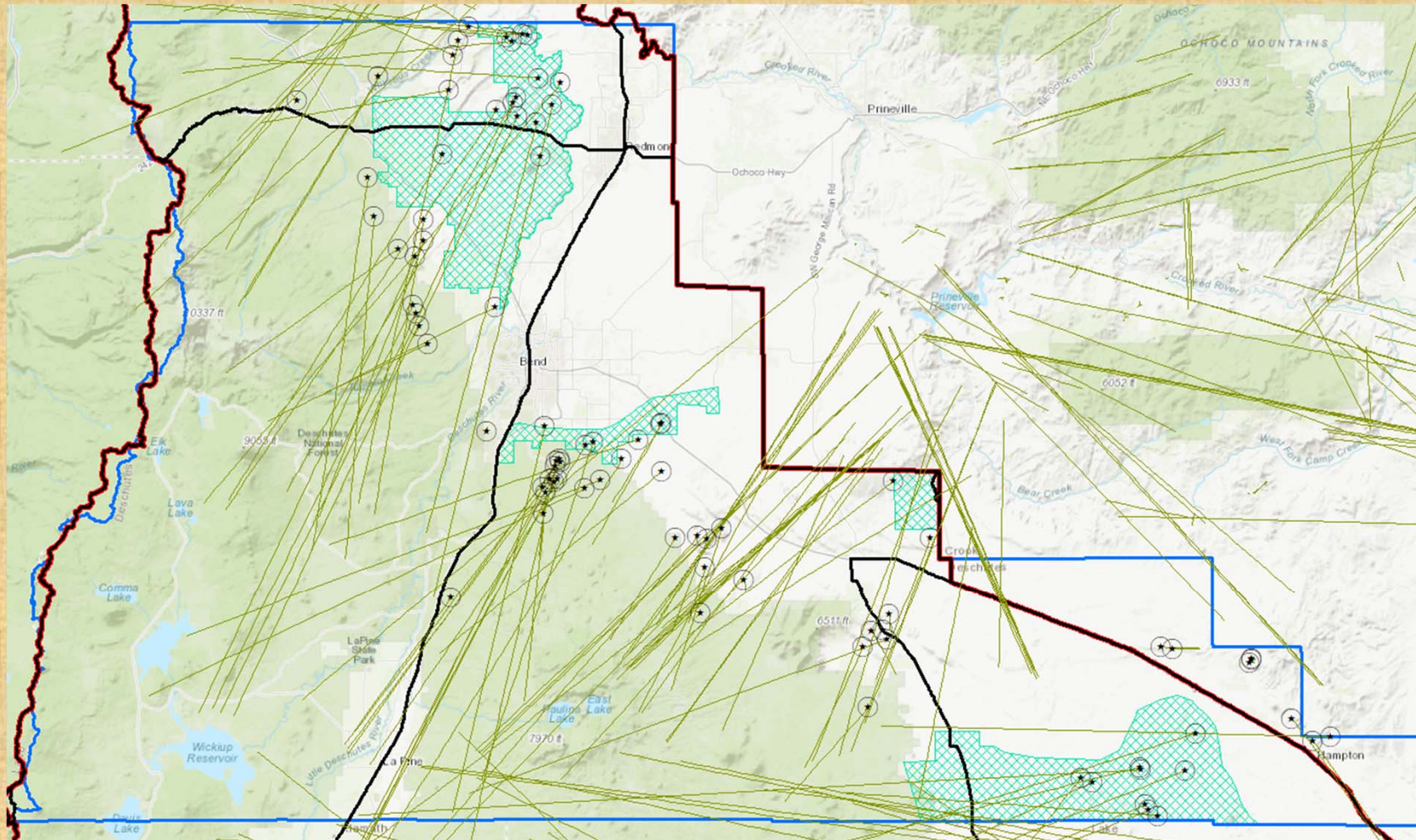


Winter Mule Deer Observations, Last 5 Years

- U:\Wildlife\Walch\GIS\Mule Deer Comp
- Sp2023_MD_Comp
 - TOTAL
 - 1 - 6
 - 7 - 13
 - 14 - 21
 - 22 - 32
 - 33 - 49
- Sp2022_Join_Output_deer
 - TOTAL
 - 0 - 5
 - 6 - 12
 - 13 - 23
 - 24 - 42
 - 43 - 110
- Fall2022_MD_Comp_Final
 - TOTAL
 - 0 - 4
 - 5 - 9
 - 10 - 21
 - 22 - 45
 - 46 - 109
- Fall2021_MD_Comp
 - TOTAL
 - 1 - 4
 - 5 - 10
 - 11 - 19
 - 20 - 34
 - 35 - 58
- 2021Join_Output
 - TOTAL
 - 1 - 4
 - 5 - 10
 - 11 - 19
 - 20 - 34
 - 35 - 58

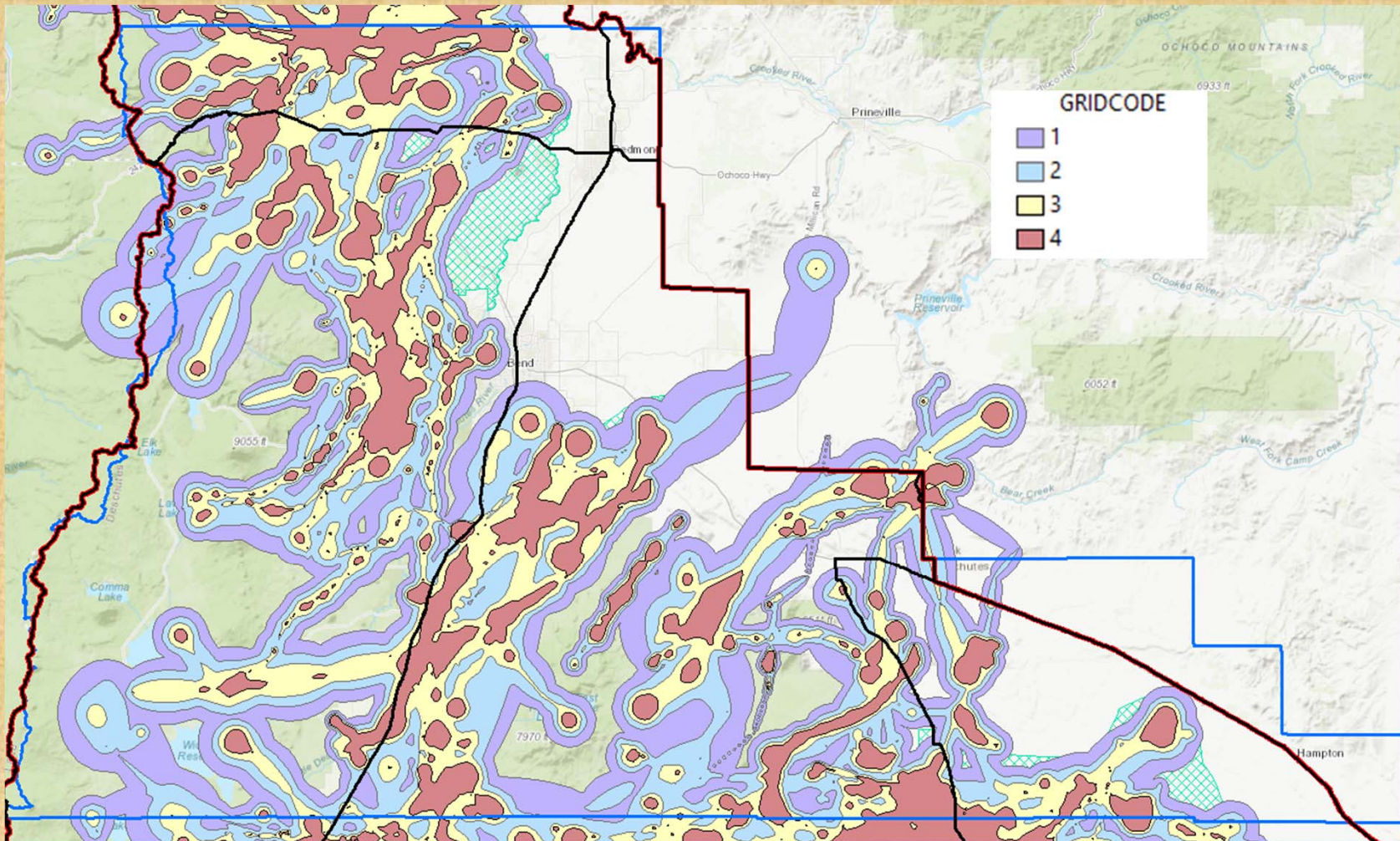


Collared mule deer Winter Centroids, Connection to Summer Range



Migration Corridors

Brownian-Bridge Movement Model



Agenda

- *Welcome, Introductions, Housekeeping*
- *Project Background and Structure*
- *Mapping the Inventory*
- ***Proposed Regulations***
- *Q&A*
- *Closing and Next Steps*



Proposed Regulations: the Basics

- Properties of less than 20 acres in residential zones with an existing dwelling/fencing are unaffected
- **Conditional use/site plan review** trigger fencing standards
- **New buildings** trigger siting standards
- **Land divisions/partitions** trigger dimensional standards
- **New commercial uses listed in code** trigger applicable standards (seasonal, siting, locational/size)
 - Farming activities are not listed in these uses and are unaffected
- All standards have alternative options



Amendments: Conflicting Uses

- “Conflicting Use” is a land use or other activity reasonably and customarily subject to land use regulations that could adversely affect mule deer winter range
- ODFW identified conflicting uses over time: for first WA zone; in 2009 interagency report; and in subsequent correspondence
- These conflicting uses form the basis of the regulations



Amendments: ESEE Analysis

OAR 660-023-0040 – ESEE Decision Process:

“Local governments shall develop a program to achieve Goal 5 for all significant resource sites based on an analysis of the economic, social, environmental, and energy (ESEE) consequences that could result from a decision to **allow, limit, or prohibit** a conflicting use... The ESEE analysis need not be lengthy or complex but should enable reviewers to gain a clear understanding of the conflicts and the consequences to be expected.”



Amendments: ESEE Analysis

- Current draft: all conflicting uses are **limited** in various ways
- OAR requires implementing measures to be “clear and objective”
- Can also provide an alternative option that is discretionary



Amendments: Draft Proposal

- Draft is a starting point and represents a set of options based on the structure and process outlined in OAR
- Public input, the Planning Commission, and the Board of County Commissioners will determine how these options are ultimately utilized



Commercial Uses

Conflicting Use	Limitation
<ul style="list-style-type: none">• Golf course, not included in a destination resort;• Kennel;• Public or private school;• Bed and breakfast inn, room and board arrangement, or guest lodge;• Dude ranch;• Playground, recreation facility, or community center owned and operated by a government agency or a nonprofit community organization;• Timeshare unit, as defined in ORS 94.803;• Veterinary clinic;• Fishing lodge;• Guest ranch;• Outdoor sporting and recreation uses, including but not limited to paintball park, shooting range, off-highway motor vehicle course, model airplane park, or bicycle courses. This use category excludes equestrian uses, pedestrian trail uses, and uses subject to DCC 18.16.042.	<ul style="list-style-type: none">• Seasonal limitations: outdoor activities prohibited December - March• Siting standards for buildings associated with the use• Locational and acreage standards for the use, all structures, and use areas• Fencing standards



Commercial Uses

Conflicting Use	Limitation
<ul style="list-style-type: none"> • Recreational vehicle parks • Campgrounds 	<ul style="list-style-type: none"> • Fencing standards
<ul style="list-style-type: none"> • Photovoltaic solar power generation facility, as defined in OAR 660-033-0130. • Wind power generation facility, as defined in OAR 660-033-0130. 	<ul style="list-style-type: none"> • Locational standards: all buildings associated with these uses shall be located entirely within 1,320 feet of a County road designated as an arterial on the TSP. • Government Entities, including but not limited to quasi-municipal corporations, are exempt from locational standards



Commercial Uses

For all uses, the above limitations may be waived by the County upon a determination that habitat values (i.e., browse, forage, cover, access to water) and migration corridors are afforded equal or greater protection through a different development pattern, after consultation with the Oregon Department of Fish and Wildlife.



Residential Uses

- Siting standards: new buildings, including decks and porches, must be sited near existing roads/recorded easements (current proposal: 300 feet) or alternative siting that provides equivalent habitat protection.
 - Exemption for buildings accessory to farm use
- Residential land divisions are proposed to be limited by partition/subdivision configuration requirements or alternative configurations that will provide equivalent habitat protections.



Fencing

Fence standards to allow wildlife passage apply to properties subject to conditional use permit or site plan review:

- 48 inches maximum height; 15 inches to ground
- Preferred materials: smooth wire, wooden
- Exemptions for farm practices or fencing less than 400 feet per lot or parcel
- Can also consult with ODFW for alternatives



Proposed Regulations: the Basics

- Properties of less than 20 acres in residential zones with an existing dwelling/fencing are unaffected
- **Conditional use/site plan review** trigger fencing standards
- **New buildings** trigger siting standards
- **Land divisions/partitions** trigger dimensional standards
- **New commercial uses listed in code** trigger applicable standards (seasonal, siting, locational/size)
 - Farming activities are not listed in these uses and are unaffected
- All standards have alternative options



Agenda

- *Welcome, Introductions, Housekeeping*
- *Project Background and Structure*
- *Mapping the Inventory*
- *Proposed Regulations*
- ***Q&A – Follow-up forms available***
- *Closing and Next Steps (7:25)*



Agenda

- *Welcome, Introductions, Housekeeping*
- *Project Background and Structure*
- *Mapping the Inventory*
- *Proposed Regulations*
- *Q&A*
- ***Closing and Next Steps***



Public Hearing & Next Steps

**Planning Commission Hearing: April 13, 5:30 p.m.
Barnes Sawyer Room, Deschutes Service Center, Bend**

www.deschutes.org/meetings

Staff anticipates continuation of hearing to receive maximum public input. Potential dates could include:

- April 27, May 11

Goal: issue recommendation to BOCC prior to conclusion of two commissioners' terms at end of June

Next step: BOCC hearing(s)



Public Record

All supporting documents and full record are located at:
www.deschutes.org/muledeer

Comments for the record may be submitted to:
tanya.saltzman@deschutes.org

