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Bend, OR 971212



Donation match opportunity

In support of our year-end giving campaign, three generous supporters have come together to offer a dollar-for-dollar match for every donation made. Every donation to support LandWatch's ongoing work will be doubled until we reach our goal of \$60,000.

Find out more and consider becoming a sustaining member at centraloregonlandwatch.org/members.

The community-driven support for Central Oregon's livable future

Since its inception, LandWatch has relied on the generous support of its dedicated members to protect what matters most to Central Oregonians. As LandWatch scales to meet the emerging challenges facing Deschutes, Jefferson, and Crook counties, we continue to expand the scope of our financial support. In 2021, we welcomed 195 new members to the organization. We also launched our grants program to ensure that LandWatch is fully resourced to meet the challenges and opportunities that continue to arise from unprecedented growth. We are ready for what comes next, knowing we share this investment in our future with those who know and love Central Oregon.

"Our organization has experienced rapid change over the past several years as we grew from a scrappy but formidable watchdog to what we are today: a staff of eleven highly qualified individuals with a mandate to defend and plan for Central Oregon's livable future. It is critical that we diversify and expand our funding base to ensure long-term success and sustainability."

Kori Sparks, Operations & Grants Manager



A view from Skyline Forest
Photo: James Parsons



We defend
and plan for
Central Oregon's
livable future.

Meeting the moment

A letter from our
Executive Director

Dear Reader,

Perspective is everything. What brought each of us to Central Oregon, and how long ago, influences how we feel about our expanding communities. How connected or disconnected we are from the efforts to guide and manage that growth affects how we view the change.

Thank you for taking a moment for yourself and our community. Hopefully, you're feeling settled and contemplative because there is much here to consider.

As you explore the contents of this newsletter, check in with yourself about concerns you may have for the future.

How does it feel knowing there is an organization working to solve these defining challenges? Depending on how they are addressed now, we can solidify Central Oregon as a place that got it right as it grew.

Take a peek into LandWatch's urban innovation lab, where community advocacy translates into real solutions that tackle climate change, create more affordable housing options, invest in viable car-free alternatives, and ensure nature remains close to our neighborhoods in Bend, Sisters, and beyond.

Revel, much as the elk do, in the many acres along creeks and rivers in the Ochoco National Forest that remain protected for wildlife habitat. These areas were spared from logging as a result of the legal challenge LandWatch brought against a proposed timber sale on public lands.

Envision the droughts of the future having less dire consequences as we work to improve water management systems to eliminate waste.

We can protect water for higher and better uses like the fish and farmers who bore the brunt of the impacts this year.

Take comfort in knowing that LandWatch's legal team reviewed over 2,000 proposed development applications this year, checking for compliance with environmental and land use laws to keep our farms and forests from being overwhelmed by development.

LandWatch is showing up to meet this moment. I hope you come to the same conclusion that I have; for all of the change a growing population brings to this region, there has never been a more exciting time to envision and work toward Central Oregon's livable future.

Together for Central Oregon,



Ben Gordon



The Metolius River during autumn.
Photo: Caitlyn Burford

“It is time to move forward with an aggressive plan to eliminate waste and to protect water for higher and better uses. Fortunately, an array of solutions has been studied and tested in the Deschutes Basin over the past twenty years. Considering climate change and the prolonged drought being experienced here, time is of the essence.”

Tod Heisler, Rivers Conservation Director

Restoring rivers and springs

Using state and federal water policy and legal expertise, LandWatch works to defend our rivers and springs by restoring critical habitat for fish and wildlife and reducing water waste across Central Oregon.

Tod Heisler, Rivers Conservation Director

Drought has been the big story resonating throughout Central Oregon this year. The record-breaking heat and dry conditions were devastating for farming families in Jefferson County, many of whom now face a shaky financial future. At LandWatch, we know these farmers desperately need water for their livelihoods, and we mourn fish and wildlife ravaged by the drought.

With the mindset of scarcity, it is easy to pit fish and wildlife against farmers, as though they are fighting for the same water to survive. At LandWatch, we know the true issue is not the scarcity of water; it is the mismanagement of water that creates an inequitable system that leaves both the river and producing farmers running dry.

The reality is that the past hundred years of water management in the Deschutes River Basin has caused serious harm to the plants and animals along the Deschutes River. Too much water is held back behind Wickiup Reservoir in the winter and the shallow banks dry out. In the early summer

months, the Deschutes is again inundated with water, artificially flooding the landscape and causing rapid erosion. The Oregon spotted frog, once ubiquitous throughout the wetlands along the river, is now threatened with extinction. Although they are gone today, bull trout once thrived in prodigious numbers in the clear, cold waters of the Upper Deschutes River. Redband trout have plummeted in the last fifty years as native sedges and grasses have been stripped away from the riverbanks, due to human-caused erosion. Part of our work at LandWatch this year has been to sound the alarm and raise awareness about the immediate need to restore this beloved river system.

We know there is one main place to look for answers. We need to eliminate wasteful water management and irrigation practices in Central Oregon.

Oregon water law states that the privilege of having a water right is contingent upon one's ability to put the water to beneficial use without waste. Unfortunately, across Central Oregon, water waste runs rampant.

While the law is on our side, the state has shown reluctance to regulate and enforce this basic principle. To protect water rights (and their revenue) from forfeiture, irrigation districts have devoted a good deal of effort to make sure water is used within their district boundaries at all costs. There are stories across Deschutes County of landowners being compelled to dump water in places they had no intention of irrigating. Surely, when Oregon water law was passed in 1909, the founders did not intend that this water waste should be considered a legitimate beneficial use of this precious resource.

Despite drought conditions, senior districts receive virtually all of their allocated water every year, deterring irrigation districts from conserving water or investing in efficiency gains. Waste occurs along every point of transmission. Beginning at the river, water is diverted into leaky canals comprised of fractured basalt rock that lose as much as 50% in transmission. Then, the water flows to district headgates where it is delivered to landowners through private laterals that are equally porous. Once in the private lateral, landowners (usually with small acreages) get their water from the ditch on a twenty-four-hour schedule, meaning that some landowners receive their water in the middle of the night. If a landowner fails to divert their water, it may get picked up by someone else

or spill out the end of a canal. Once diverted, 25% of the landowners will deploy flood irrigation, the least efficient method of irrigation.

Rather than point fingers at defenseless frogs, birds, fish, and other wildlife, it is better to move forward with an aggressive plan to eliminate waste now. The water we stand to save should be used for higher and better uses, like restoring our river system and allocating water to producing farmers. Fortunately for Central Oregonians, an array of solutions has been studied and tested in the Deschutes Basin over the past twenty years. We know what we need to do. The way forward must include all the conservation measures available to us. Additional measures can consist of piping private laterals, improving irrigation systems on-farm, administering a water bank that can reallocate water resources through water leasing, allowing for water transfers, and other incentive-based approaches.

At LandWatch, we are committed to seeing these conservation efforts through, pushing for policy reform, regional collaboration, and legal accountability to state and federal water laws. These will take time and a big investment, but it is time to act now. Our farmers and rivers are counting on us.

Defending wild places

Central Oregon LandWatch and its supporters have defended the region's wild lands for decades. We keep a close eye on projects that encroach on these spaces and fight for their right to exist with as little intervention as possible.

We continue to advocate for the preservation of our wild lands for their inherent value, and for the wildlife habitats and ancient forests they host.

Kristen Sabo, Wild Lands & Water Program Manager, Staff Attorney

In 2021, our monitoring and commenting on Forest Service projects got results. The LandWatch legal team succeeded in a lawsuit to keep excessive and illegal logging and roads out of delicate ecosystems in the Ochoco National Forest.

The Ochocos are a treasure in our Central Oregon landscape. They host a mix of pine forests and high desert terrain, canyons and striking rock features, and the lush headwaters of the Crooked River. If you have ever been to the Ochocos on a crisp high desert night, camped out near a meandering creek and seen the stars blaze, then you've felt the special kind of serenity only found remote public lands. These same stream banks are critical spaces for the life cycles of elk. It is here they rut, calve, and raise their young. These waterways hold native inland fish, like the redband trout, that rely on the clear, clean, cold water to flourish in the home they have known for millennia.

The balance of these aquatic systems is so important that the Forest Service in the 1990s created a system to protect the temperature and quality of their features called INFISH (Inland Native Fish Strategy). INFISH's aim is to keep the negative human impacts of logging and other projects from further degrading aquatic ecosystems.

That's why, when Central Oregon LandWatch heard about the proposed off-road vehicle (ORV) route system through 137 miles of these pristine landscapes, we knew we had to act.

We joined a lawsuit in 2017 with several concerned environmental organizations to challenge this proposed Forest Service project, which would disregard its own management plans by saturating old growth forests with too many roads, especially roads along precious riparian zones and wetlands. The courts agreed with our objections and ordered the Forest Service to create a less invasive plan. This halted any work on the project until a new, compliant plan was created.

Directly after this judicial opinion stymied the harmful trajectory of the ORV project, we saw the same type of threats surface again in the very same area. The proposed Black Mountain Project placed riparian areas under threat with the proposed development roads and the introduction of more logging in sensitive wildlife habitats. The continued disregard for these landscapes, the forests, the habitat, and the health of the streams and their creatures, solidified the importance of monitoring and challenging the Forest Service when harmful projects surface. So, we partnered with Oregon Wild and litigated again.

In June of this year, we succeeded in reaching a settlement with the Forest Service! Meeting our terms, around 1,000 acres were saved from commercial logging as a result of

this settlement. These wins represent more to us than just a particular landscape; they represent a future where the needs of the forest and its creatures, and the needs of the streams and wild lands, are taken into account by those who steward these forests.

"I believe that our wild lands hold intrinsic wonder, beauty, and value, and that they have a right to exist free of extraction. At LandWatch, we act as the voice for the wild lands and the wildlife they support."

Kristen Sabo, Wild Lands & Water Program Manager, Staff Attorney

This success, and our willingness to strategically litigate, remains important in the year to come. Illicit timber sales continue to emerge and the tactics to skirt old growth forest protections will not end. That is why Central Oregon LandWatch will continue to monitor proposals in all of our region's wild lands. With the threat of climate change and climate-driven wildfire across Central Oregon, we know that careful management of our wild lands is critical. We will continue in our watchdog role to review, comment, and litigate when needed, against harmful encroachment into wild spaces.

Promoting sustainable growth

Amid the pressures of rapid growth and a changing climate, LandWatch continues to make sure Central Oregon's cities and towns have resilient, safe, and vibrant neighborhoods accessible to all.

Corie Harlan, Cities & Towns Program Manager

Have you ever noticed that, in Oregon, you can immediately tell when you've left the city and are in the country? You can picture the edge of town. It's that invisible boundary where the forest begins, the sagebrush surfaces, or the landscape transforms into rolling farmland. Having nature nearby is one of the very best things about living here. Oregon's unique land use system is the reason our cities and towns feel worlds away from other sprawling municipalities around the country.

Established in the 1970s, Oregon's land use system provides the pillars on which our quality of life is built. It guides where we work, live, and play, and how we get around. This land use system intends to channel growth and development within city limits and prevent sprawl into our wild places and farm lands.



A stakeholder group maps out a community vision for the Bend Central District.

Photo: Brianna Bender

For nearly 50 years, it has been the powerful, unsung hero that sets Oregon apart. That is why it remains at the center of LandWatch's work. As we respond to the climate crisis, land use planning is critical to creating a more healthy and hopeful future for the people, fish, and wildlife that call this place home.

So when once-in-a-lifetime changes to this land use system are afoot that hold the power to transform our communities and tackle climate change head-on, it is a pivotal time to dig deep, show up, and meet the moment. That is exactly what LandWatch is doing.

At the direction of Governor Kate Brown, Oregon's Land Conservation and Development Commission (LCDC) is in the midst of a Climate-Friendly and Equitable Communities rulemaking process. The goal is "to transform Oregon's communities to be safe, equitable, sociable, and pleasant places where driving is not required, and the amount of driving is reduced." These rules would designate climate-friendly areas in our cities, then direct growth to those areas, while providing abundant, high-quality infrastructure for biking, walking, and transit.

Throughout 2021, LandWatch has engaged in this process to ensure these rules are urgently adopted and create meaningful, actionable, and enforceable policies. We know the time for tangible action on climate change is now. To do that, we're bringing the power of informed, engaged, and energized Central Oregonians to bear on this process.

By galvanizing local communities and alerting them to key public input opportunities, we're making sure the voices of people who live and work here are heard. We're diving deep into our land use expertise to submit technical comments and testimony to guide the process. And, we're collaborating with local and



A kayaker paddles up the Deschutes River near Downtown Bend

"At its heart, the work of LandWatch's Cities & Towns Program is all about creating healthy and just communities where people and nature thrive."

Corie Harlan, Cities & Towns Program Manager

state elected officials, city staff, advocates, and other conservation and transportation organizations to ensure transformative outcomes that profoundly alter how our cities are built and how state transportation dollars get spent. If these rules are thoughtfully crafted and implemented soon, we'll see more complete communities in Bend and throughout Central Oregon, with access to vital services nearby and plenty of safe options for getting around that won't require a car.

As we find ourselves on the verge of a new year, we know concerns over how we grow are on everyone's mind. So, whether you share our urgency in tackling climate change, see the need for more affordable housing options and more car-free ways to get around, or want to keep nature in our neighborhoods, LandWatch is moving these efforts forward in Bend, Sisters, and beyond. Central Oregon's cities and towns need vibrant and healthy neighborhoods accessible to all, and we will continue working every day to make that possibility a reality.

Protecting farms and forests

As a watchdog for Central Oregon, we continue to monitor land use actions across Deschutes, Crook, and Jefferson counties, challenging and defending against inappropriate development on rural lands. We support our agricultural communities and open space by stopping sprawl from encroaching on farm and forest land, and preserving open landscapes, clean water, and fresh air.

Rory Isbell, Rural Lands Program Manager, Staff Attorney

Between the peaks of the Cascades and the raging rivers that flow through rocky canyons, you'll find Central Oregon's rolling farm and forest lands. These pastoral landscapes sustain our own local food systems and farming communities, along with the birds of prey, antelope, mule deer, elk, and others who find home and safe migratory passage through these landscapes.

Our region's rural lands are home to iconic vistas, intricate high desert ecosystems, and a bustling rural agricultural economy. LandWatch works to ensure our rural lands stay rural and unspoiled by inappropriate development.

Rory Isbell, Rural Lands Program Manager, Staff Attorney

As Central Oregon grows, we feel the increased pressure of opportunistic development interests encroaching on farms and forests. Once open spaces outside of city limits are lost to development, they rarely go back. This region is losing farmland every day as more land is converted for industrial, commercial, or residential development.

We rely on Oregon's land use laws to work as designed and direct development inside cities' urban growth boundaries and prevent

development from sprawling onto rural lands. At LandWatch, we make sure those laws are upheld and litigate when they are violated.

In 2021, we reviewed over 2,000 proposed development applications, checking for compliance with environmental and land use laws. This past spring, LandWatch took on one particular case at the Land Use Board of Appeals that stood

to set a dangerous precedent for Central Oregon's rural lands.

In April of 2021, LandWatch partnered with the Jefferson County Farm Bureau to file an appeal against a Jefferson County land use decision that would have converted 67 acres of rural farmland to urban land, paving the way for development.

If you've been to Lake Billy Chinook, you've likely passed through the City of Metolius, just south of Madras. This small town of 830 people supports the surrounding farms. Earlier this year, the City of Metolius applied to expand its existing urban growth boundary. That expansion was granted by Jefferson County.

We were immediately concerned. State land use law requires cities to demonstrate a need for more land to accommodate forecasted population growth. This law is key to preventing arbitrary

urban growth boundary expansions that would result in the very thing Oregon's land use laws were created to prevent: unnecessary loss of wildlife habitat, agricultural land, and open space. The majority of the land in question was irrigated farm land that stood to lose the protections of Exclusive Farm Use zoning.

What's more, we knew this decision could have ripple effects across Central Oregon and the state by setting a precedent allowing cities to encroach on farmland at will and without a demonstrated need for more land to accommodate forecasted urban growth.

Along with the Jefferson County Farm Bureau, we filed an appeal with the Land Use Board of Appeals (LUBA).



The red-tailed hawk finds its habitat in Central Oregon's farm lands.

Photo: Greg Chapel

On October 6, LUBA announced a decision agreeing with our arguments that the expansion violated state land use law. We take this victory as a mark of our commitment to both defend Central Oregon's rural lands and ensure our cities grow efficiently and sustainably. This gets to the heart of Oregon's visionary land use system; by ensuring well-planned urban growth and preventing sprawl, we protect our rural lands for their natural resources and agricultural value.

At LandWatch, our mission remains rooted in protecting our open spaces and safeguarding livelihoods in farming, ranching, and forestry. On our watch, land use law will be enforced to sustain local wildlife, protect clean air and water, and defend Central Oregon's farming future.

Highlights from
the Rural Lands
Program in 2021

2,000+
rural land use
and development
applications reviewed

67 acres
of rural farmland
preserved in
Jefferson County

5 appeals
filed with Oregon's Land
Use Board of Appeals

50%
increase over 2020 in
development applications
filed across Central Oregon