

May 2, 2022

For immediate release

**LandWatch files an appeal to the Deschutes County
Board of Commissioners on Tumalo Sewer**

On April 19, 2022, Central Oregon LandWatch filed an appeal to the Deschutes County Board of Commissioners (BOCC) over an application related to a proposed sewer project in Tumalo.

The applicant (Tumalo Property Association) applied for a Land Use Compatibility Statement (LUCS), which is required by the Oregon DEQ in order to proceed with a sewer project, to expand a sewer system throughout the Unincorporated Community of Tumalo.

In February, Central Oregon LandWatch testified in opposition to the application because it would bypass an existing Deschutes County planning process to assess.

The community of Tumalo has a long history of broad public participation and interest in land use planning that affects this unincorporated community. Under Oregon's land use system, the public has a right to determine how their community is planned, allowing for a robust process of public input.

The applicant initially claimed that sewer line facilities were not subject to land use reviews, and there was no need for public participation in the LUCS process. Conversely, LandWatch, along with neighbors in Tumalo, argued that this application was a critical public infrastructure project subject to Deschutes County's public planning process.

On April 7, a hearings officer denied the LUCS application. While the denial of this application is a positive end result, LandWatch is concerned that the hearings officer did not deny it on the correct grounds. Accordingly, LandWatch filed an appeal requesting designation of this project and like projects as major facilities, given their impact on the Tumalo area, along with adherence to public notice, information, and approval requirements.

Central Oregon LandWatch is appealing the decision to the Deschutes County Board of Commissioners, asking the county to review the issue. The Board has an opportunity to hear a case of great interest to the greater Tumalo community and decide how they interpret the Deschutes County Code. As this is a matter of county code, LandWatch hopes it is heard by the BOCC rather than passed on to the Land Use Board of Appeals to give their interpretation of the code as it applies to Deschutes County.

According to LandWatch's Executive Director Ben Gordon, "This issue was brought to our attention by the residents of Tumalo who want a say in what happens in their community. We





2843 NW Lolo Drive, Ste. 200 | Bend, OR 97703

Phone (541) 647-2930

www.colw.org

believe that the expansion of Tumalo’s sewer system is no small matter and should be viewed in the context of the County’s upcoming Comprehensive Plan update.”

As the watchdog for Oregon’s land use system, LandWatch will continue to hold strong to its values to protect rural landscapes and the communities and wildlife they support.

Media contact: Caitlyn Burford, Communications & Outreach Manager
541-647-2930 ext.807, caitlyn@colw.org



WE DEFEND AND PLAN FOR CENTRAL OREGON'S LIVABLE FUTURE