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MAY 31 2005

THE BOARD OF COMMISSIONERS OF UMATILLA COUNTY

UMATILLA COUNTY
RECORDS

STATE OF OREGON

In the Matter of Amending)	
Comprehensive Plan to)	
Acknowledge and Designate)	ORDINANCE NO. 2005-07
McNary Area #1 Confederated)	
Tribes of Umatilla Indian)	
Reservation and Federal)	
Government Properties)	

WHEREAS the Board of Commissioners has adopted a Comprehensive Plan for Umatilla County and has ordained Ordinance No. 83-04, adopting the County Land Development Ordinance;

WHEREAS the Land Conservation and Development Commission as part of Periodic Review has issued Order #001352, requiring the county to inventory and update the remaining unacknowledged lands known as the McNary site (Subtask B);

WHEREAS designation is sought for the McNary site parcels Subarea 2 Confederated Tribes of Umatilla Indian Reservation property, and Subarea 3 Federal Government property;

WHEREAS the Umatilla County Planning Commission held a public hearing on May 12, 2005, to review the proposed amendments and recommended that the Board of Commissioners adopt the amendments;

WHEREAS the Board of Commissioners held a public hearing on May 31, 2005, to consider the proposed amendments, and voted for the approval of the amendments.

NOW, THEREFORE the Board of Commissioners of Umatilla County ordains that the Umatilla County Comprehensive Plan, adopted May 9, 1983, be further amended to include the following:

To be added in the section entitled McNary (Area #1) on Page XVIII-431 following McNary Subarea 1 section.

McNary Subarea 2 - Tribal Trust Land

The property is held in trust for the Confederated Tribes of the Umatilla Indian Reservation (CTUIR). The property consists of 175.47 acres and is identified as Umatilla County Tax Lot 5N29B-500. The property generally is described as Lots 1, 2, 3, 4, and South Half of Southwest Quarter, Section 7, Township 5 North, Range

29, East of Willamette Meridian, Umatilla County, Oregon. This property is off-reservation Indian Trust Land. The relationship between the County and Indian Trust Lands is described later in this plan. The CTUIR have indicated a future intent to utilize this land for industrial purposes. Although the Indian Trust Land designation excludes it from the County Comprehensive Plan and Development Code jurisdiction, the County must identify it in its Plan and Plan Map for future use should ownership change and it become a private land holding.

An industrial land use designation would be justifiable for the same reasons as identified for the Subarea 1 exception. The zoning on Subarea 2 will be Heavy Industrial due to it being surrounded by other areas of industrial designation and Heavy Industrial Zoning will apply should the land be returned to non-government or non-tribal ownership. County Comprehensive Plan Map will show a designation of Industrial lands and Zoning Maps will show a Heavy Industrial Zoning for Subarea 2 (See Plan Map page XVIII-444B).

McNary Area 3 - Federal Land

The majority of this area is owned by the United States of America and managed by the Confederated Tribes of the Umatilla Indian Reservation (CTUIR). This area is identified as Umatilla County Tax Lots 5N28A-1300, 1301 and 5N29B-601, and generally is described as South Half of North Half, and South Half, Section 13, Township 5 North, Range 28, and South Half of North Half, and South Half, Section 18, Township 5 North, Range 29, East of Willamette Meridian, Umatilla County, Oregon.

This area is a natural area set aside for Columbia Basin hydropower mitigation and is subject to Statewide Planning Goal 3. The Oregon Department of Transportation (ODOT) owns a small parcel (1.38 acres) bordering the north side of State Highway 730.

Lands managed by CTUIR in Subarea 3 will have a Comprehensive Plan Designation of North and South County Agriculture and County Zoning Maps will show Exclusive Farm Use zoning with a Natural Area Overlay zone. The small parcel under ODOT ownership (Umatilla County Tax Lot 5N28A-1301) will be excluded from the Overlay zoning but will also have the North and South County Agriculture designation with Exclusive Farm Use zoning. Since the lands were acquired by the federal government for the purpose of wildlife mitigation, it is very unlikely that the property would revert to non-federal uses.

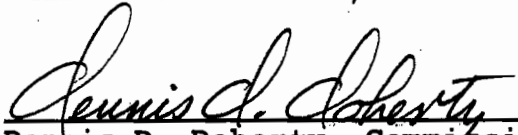
DATED this 31st day of May, 2005.

UMATILLA COUNTY BOARD OF COMMISSIONERS

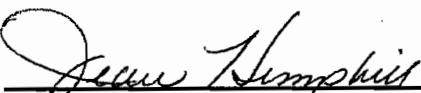

Emile M. Holeman, Chair




William S. Hansell, Commissioner


Dennis D. Doherty, Commissioner

ATTEST:
OFFICE OF COUNTY RECORDS


Records Officer

