UMATILLA COUNTY
est. 1862

Board of Commissioners

216 S. E. 4th Street
Pendleton, OR 97801
541-278-6204

Daniel N. Dorran
541-278-6201

John M. Shafer
541-278-6203

Celinda A. Timmons
541-278-6202

BOARD OF COMMISSIONERS MEETING

Wednesday, December 6, 2023, 9:00am
Umatilla County Courthouse, Room 130

A. Call to Order

B. Chair's Introductory Comments & Opening Statement

C. New Business

COMPREHENSIVE PLAN TEXT AMENDMENT #T-093-23, and ZONE MAP AMENDMENT #Z-323-23: DOUG COX, APPLICANT / RANDY RUPP, OWNER. The applicant requests to establish a new aggregate site, add the site to the Umatilla County Comprehensive Plan list of Goal 5 protected Large Significant Sites, and apply the Aggregate Resource (AR) Overlay Zone to the entire quarry site. The proposed site is located south of Highway 730 and east of Highway 207, south of the Hat Rock community. The site is identified on assessor's map as Township 5 North, Range 29 East, Section 22, Tax Lot 400. The site is approximately 46.7 acres and is zoned Exclusive Farm Use (EFU). The criteria of approval are found in Oregon Administrative Rule 660-023-0040 – 0050, 660-023-0180 (3), (5) and (7), and Umatilla County Development Code (UCDC) Section 152.487 – 488.

D. Adjournment

Umatilla County

Community Development Department

UMATILLA COUNTY
est. 1862

COMMUNITY & BUSINESS DEVELOPMENT

LAND USE PLANNING, ZONING AND PERMITTING

CODE ENFORCEMENT

SOLID WASTE COMMITTEE

SMOKE MANAGEMENT

GIS AND MAPPING

RURAL ADDRESSING

LIAISON, NATURAL RESOURCES & ENVIRONMENT

PUBLIC TRANSIT

MEMO

TO: Umatilla County Board of Commissioners
FROM: Megan Davchevski, Planning Division Manager
DATE: November 29, 2023

RE: December 6, 2023 BCC Hearing
Comprehensive Plan Text Amendment T-093-23 &
Zone Map Amendment Z-323-23

Background Information

The applicant requests to add a portion of Tax Lot 400 on Assessor's Map 5N 29 22 to the Umatilla County list of Large Significant Sites, providing necessary protections under Goal 5 including limiting conflicting uses within the impact area, and applying the Aggregate Resource Overlay Zone to the proposed site. The applicant is requesting approval for occasional blasting, extraction, operation of a rock crusher, scale, office, stockpile areas and an asphalt batch plant. The proposed Goal 5 site is a 46.7-acre portion of TL 400, which is 109.65-acres.

The proposal, if approved, would add this site as a large significant site onto the County's Goal 5 inventory of significant sites. The applicant desires to establish the 46.7-acre Large Significant Site with protections under Goal 5 and to allow mining (including blasting), processing, stockpiling and operation of an asphalt batch plant.

Notice

Notice of the applicant's request was mailed on October 20, 2023 to nearby property owners and agencies. The applicant requests all conflicting uses to be limited to outside the 1,500-foot impact area. Staff determined this would limit allowed uses for nearby properties. For this reason, the notice boundary was extended from the required 750-feet to also include properties within the 1,500-foot impact area. Notice of the Planning Commission and Board of Commissioner hearings was published in the East Oregonian on October 28, 2023.

Criteria of Approval

The criteria of approval are found in Oregon Administrative Rule 660-023-0040 – 0050, 660-023-0180 (3), (5) and (7), and Umatilla County Development Code (UCDC) Section 152.487 – 488.

Planning Commission Recommendation

Based on testimony in the record and findings of fact the Planning Commission recommend denial of the proposed Large Significant Aggregate Site. The Planning Commission found that the following criteria were not met:

- OAR 660-023-130 (3)(a) A representative set of samples of aggregate material in the deposit on the site
  The Planning Commission found the applicant provided laboratory results for two aggregate samples and identified only one sample location on the site plan and concluded that one sample could not be representative of the site. The Planning Commission referenced a recent Land Use Board of Appeals (LUBA) decision, Beath & Koopowitz vs. Douglas County. In LUBA No. 2022-060, LUBA concluded that describing the entire Mining Site is not adequate for identifying the location of the aggregate resources. LUBA also concluded that a single sample of gravel is not "representative" of the proposed site, and is not adequate for finding compliance of the rule. LUBA determined that the Administrative rule requires "a set of samples, meaning multiple samples" and that the sample locations must be identified on a map to be found representative.

- OAR 660-023-130 (5) (b) [Conflicts created by the site]
  The Planning Commission found that there are several conflicts created by the proposed site including but not limited to: dust, noise, shakes from blasting and unhealthy air discharges and odor from the batch plant. These impacts would affect existing dwellings, existing alfalfa crops and livestock. The applicant's provided geological report speaks largely to the available material quality and quantity for purposes of establishing a large significant Goal 5 site. The report does not evaluate potential noise, dust or blasting impacts to the existing dwellings or farming activities. Further, the applicant does not state the predicted levels of noise, dust, odor or shaking that would impact the existing uses in the impact area.

- OAR 660-023-130 (5) (c) [If conflicts exist, measures to minimize]
  The Planning Commission found that conflicts exist and the applicant did not adequately identify mitigation measures, and relied on the existing basalt canyon and easterly winds to mitigate dust and noise. Opposing testimony of residents in the vicinity provided that winds are frequently westerly and that the canyon would not mitigate noise, rather would direct noise towards the numerous dwellings.

- UCDC 152.487(A)(2) There is sufficient information supplied by the applicant to show that there exists quantities of aggregate material that would warrant the overlay
  The Planning Commission found the applicant provided laboratory results for two aggregate samples and identified only one sample location on the site plan. The Planning Commission found one sample is not representative of the site to determine quantity and quality.

- UCDC 152.487(A)(5) The site complies with Oregon Administrative Rules (OAR) 660-023-0180.
  Due to not meeting the approve criteria, the Planning Commission found that the site does not comply with OAR 660-023-0180.

In addition to not satisfying the above criteria of approval, the Planning Commission recommended denial of the Cox Quarry specifically due to:

1. Mitigation measures weren't identified based on shared impacts by the neighbors, including dust, noise, odors and shaking caused by blasting.
2. Hours of operation not clearly defined, nor how the asphalt batch plant would be managed.
3. Proximity to neighbors and effects on those properties.
4. Proposed restrictions on nearby properties were not adequately addressed.
5. Lack of soil samples taken to verify quantity and quality of aggregate.
6. How much topsoil exists and would be taken off the property.
7. Noise impacts were not addressed because of the canyon and wind direction.

Since the Planning Commission found that several criteria of approval were not met by the applicant, the Planning Commission did not evaluate conditions of approval. If the Board of County Commissioners find that the applicant meets the criteria of approval, conditions of approval should be imposed on the application. Conditions of approval are provided at the end of the preliminary findings for consideration.

Additionally, site screening was not evaluated by the Planning Commission. The applicant has provided that a berm will be located along the boundary of a portion of the site, the Board could impose an additional condition of approval requiring a berm to be constructed and maintained around a portion or the entire of the site's boundary.

The Planning Commission's recommendation passed with a vote of 5-1.

Conclusion

The Board of County Commissioners must also hold a public hearing(s) and decide whether or not to adopt the proposed amendments. The Board may decide to accept and adopt the Planning Commission's findings and recommendation of denial, or determine new findings with a decision to approve the Post-Acknowledgement Amendment Application (PAPA) and allow mining and associated mining activities (including the asphalt batch plant) at the site.

The Board's decision is final unless timely appealed to the Land Use Board of Appeals (LUBA).

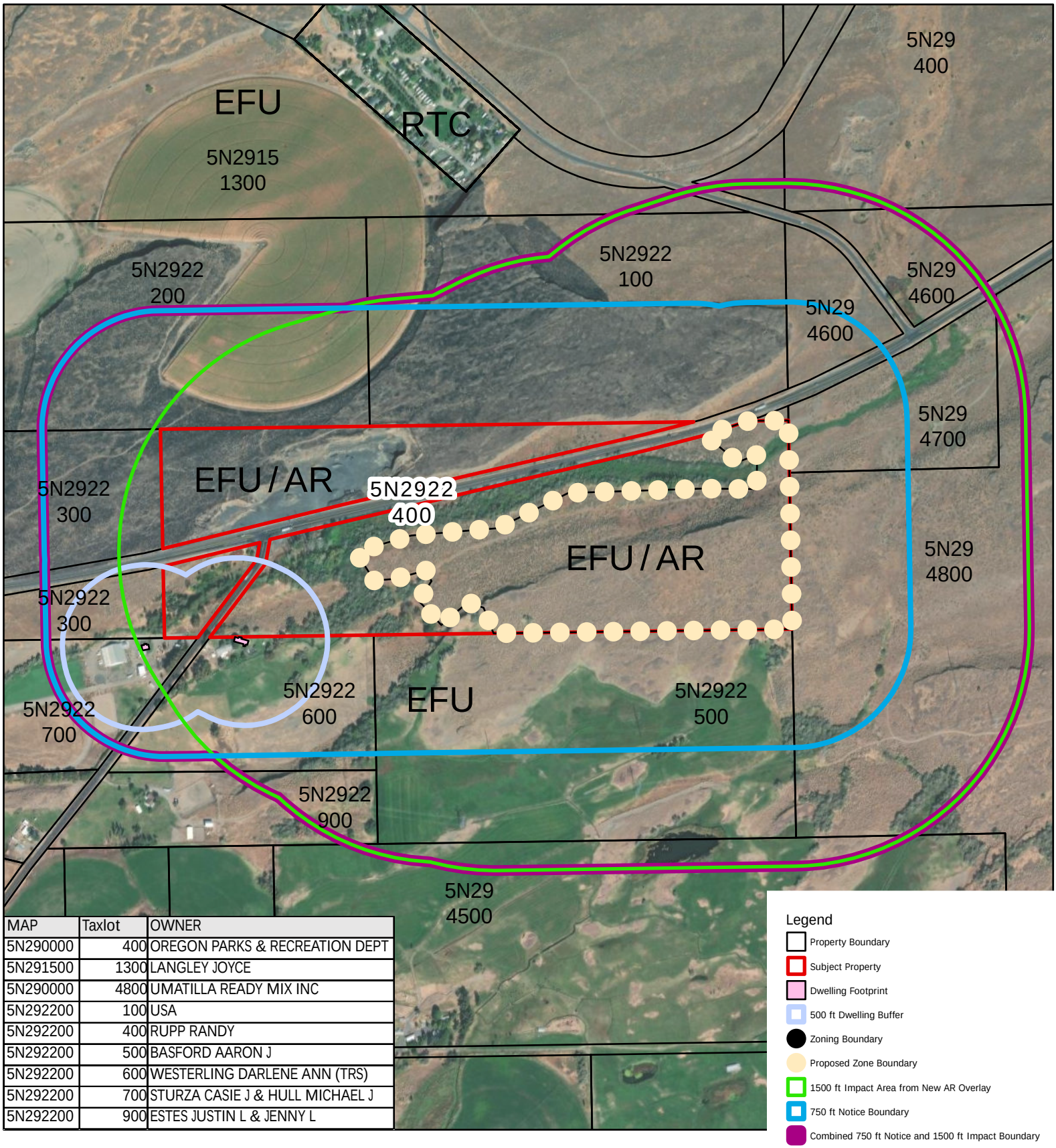
UMATILLA COUNTY
BOARD OF COUNTY COMMISSIONERS HEARING – DECEMBER 6, 2023
COMPREHENSIVE PLAN TEXT AMENDMENT & ZONING MAP AMENDMENT
DOUG COX, APPLICANT &
RANDY RUPP, OWNER
PACKET CONTENT LIST

DOUG COX Z-323-23 & T-093-23

1500 FT IMPACT AREA & 500 FT DWELLING BUFFER

MAP 5N 29 22, TL 400

Notified property owners within 1500 ft of subject property (increased from 750 ft due to impact area restrictions requested by applicant)



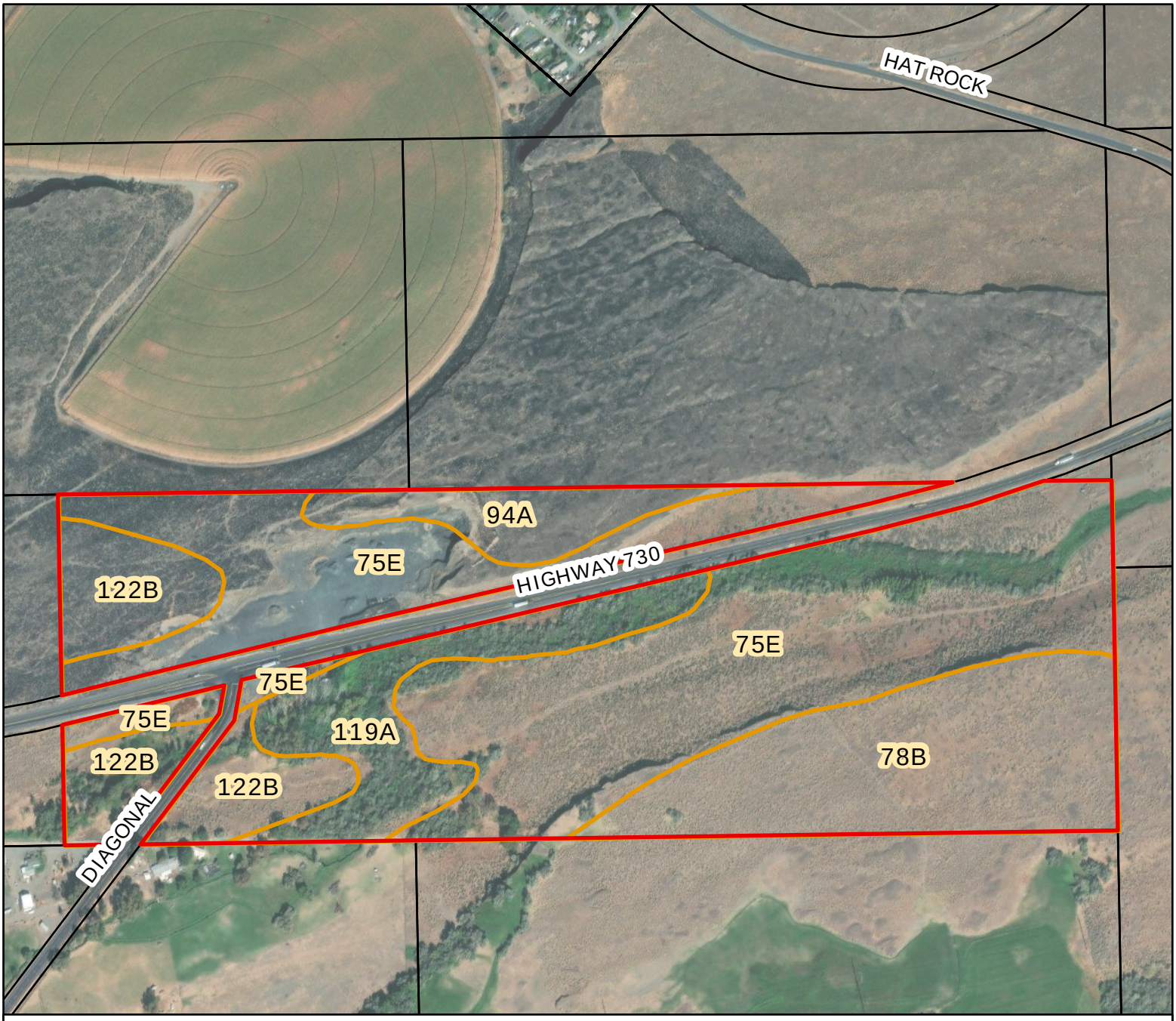
MAP	Taxlot	OWNER
5N290000	400	OREGON PARKS & RECREATION DEPT
5N291500	1300	LANGLEY JOYCE
5N290000	4800	UMATILLA READY MIX INC
5N292200	100	USA
5N292200	400	RUPP RANDY
5N292200	500	BASFORD AARON J
5N292200	600	WESTERLING DARLENE ANN (TRS)
5N292200	700	STURZA CASIE J & HULL MICHAEL J
5N292200	900	ESTES JUSTIN L & JENNY L

Miles

0 0.1 0.2 0.4

Map Disclaimer: No warranty is made by Umatilla County as to the accuracy, reliability or completeness of the data. Parcel data should be used for reference purposes only. Created by M. Davchevski, Umatilla County Planning Department

Date: 10/19/2023



DOUG COX
SOIL MAP

SOILS		
MAP SYMBOL	IRRIGATED	NON-IRRIGATED
75E	6e	7e
78B	4e	7e
94A	4e	6e
119A	-	6w
122B	4e	7e

Legend

- Property Boundary
- Subject Property
- Soils

N

0 285 570 1,140 Feet

Map Disclaimer: No warranty is made by Umatilla County as to the accuracy, reliability or completeness of the data. Parcel data should be used for reference purposes only. Created by M. Davchevski, Umatilla County Planning Department Date: 9/21/2023

UMATILLA COUNTY BOARD OF COUNTY COMMISSIONERS
PRELIMINARY FINDINGS AND CONCLUSIONS
COMPREHENSIVE PLAN TEXT AMENDMENT T-093-23,
ZONING MAP AMENDMENT #Z-323-23
MAP 5N 29 22; TAX LOT #400

1. APPLICANT: Doug Cox, CRP and Hauling, PO Box 131, Hermiston, OR 97838

2. OWNER: Randy Rupp, 176 Kranichwood Street, Richland, WA 99352

3. REQUEST: The request is to add a portion of Tax Lot 400 on Assessor's Map 5N 29 22 to the Umatilla County list of Large Significant Sites, providing necessary protections under Goal 5 including limiting conflicting uses within the impact area, and applying the Aggregate Resource Overlay Zone to the proposed site. The applicant is requesting approval for occasional blasting, extraction, operation of a rock crusher, scale, office, stockpile areas and an asphalt batch plant. The proposed Goal 5 site is a 46.7-acre portion of TL 400, which is 109.65-acres. The goal of this application is to establish the 46.7-acre Large Significant Site with protections under Goal 5 and to allow mining (including blasting), processing, stockpiling and operation of an asphalt batch plant.

4. LOCATION: The subject property is bifurcated by the intersection of Oregon State Highway 730 and State Highway 207. The proposed project area is located south of Highway 730 and east of Highway 207, although the subject property also makes up land north of Highway 730 and west of Highway 207. The subject property is approximately 5 miles east of the City of Umatilla and approximately 5.5 miles north-east of the City of Hermiston.

5. SITUS: The proposed aggregate site does not currently have a situs address.

6. ACREAGE: Tax Lot 400 is assessed as 109.64 acres. The proposed Aggregate Resource Overlay Zone is 46.7 acres.

7. COMP PLAN: The subject property has a Comprehensive Plan designation of North/South Agriculture.

8. ZONING: The subject property is zoned Exclusive Farm Use (EFU). The portion of the subject property north of Highway 730 also as the Aggregate Resource (AR) overlay zone applied.

9. ACCESS: The site has frontage along Highway 730 and Highway 207, and is bisected by both state highways. The applicant has proposed that site access be from Highway 730 and is working with ODOT to obtain approval to relocate the Highway 730 driveway.

10. ROAD TYPE: Both State Highway 207 and 730 are two-lane, paved state highways.

11. EASEMENTS: There are no access or utility easements on the subject property. The applicant provides that there is a long-term lease agreement with ODOT for exclusive permission for extracting aggregate out of the property's existing rock quarry north of Highway 730.

12. LAND USE: The subject parcel is bifurcated east to west by State Highway 730. On the north side of the highway is an ODOT quarry which has existed for many years. On the south side of the highway is open space that contains a steep rock bluff on the south half of the parcel. There is a small, remnant part of the parcel that is west of Highway 207 and south of Highway 730. The lower lying ground is used for cattle grazing. No crops are grown on this parcel.

13. ADJACENT USE: An approved ODOT mining operation is located on the subject property, north of Highway 730. A steep rock bluff is directly to the north of the parcel. An irrigated crop circle is located north and north west of the subject property. Adjacent to the west side of the subject property is open space with some vegetation and one dwelling. To the south of the subject property is rangeland and one dwelling. The applicant states that the proposed mining area will be 500 feet or more from the two homesites. To the east is primarily open space with some moderate grazing and another aggregate operation.

14. LAND FORM: Columbia River Plateau

15. SOIL TYPES: The subject property contains predominately Non-High Value soil types. High Value Soils are defined in UCDC 152.003 as Land Capability Class I and II. The soils on the subject property are predominately Class IV.

Soil Name, Unit Number, Description	Land Capability Class	
	Dry	Irrigated
75E: Quincy loamy fine sand, 5 to 25 percent slopes	VIe	VIIe
78B: Quincy-Rock outcrop complex, 1 to 20 percent slopes	IVe	VIIe
94A: Starbuck-Rock outcrop complex, 0 to 5 percent slopes	IVe	VIe
119A: Wanser loamy fine sand, 0 to 3 percent slopes	--	VIw
122B: Winchester sand, 0 to 5 percent slopes	IVe	VIIe
Soil Survey of Umatilla County Area, 1989, NRCS. The suffix on the Land Capability Class designations are defined as "e" – erosion prone, "c" – climate limitations, "s" soil limitations and "w" – water (*Survey*, page. 172).		

16. BUILDINGS: There are no buildings on the subject property.

17. UTILITIES: The site is not served by utilities.

18. WATER/SEWER: The applicant provides that there are no water rights associated with the subject parcel. Additionally, there is no septic system. The applicant

provides that the property owner has other lands in the vicinity that do have water rights. Applicant states that water for dust control will be procured from a permitted water source.

19. FIRE SERVICE: The property is served by the Umatilla Rural Fire District.

20. IRRIGATION: The property is not located within an irrigation district.

21. FLOODPLAIN: The subject property is NOT in a floodplain.

22. WETLANDS: The subject property contains several wetlands identified on the National Wetlands Inventory. Prior to this application, the applicant submitted a request to Oregon Department of State Lands (DSL) for an off-site wetlands determination. Applicant procured engineering services from NV5 (consulting firm) to develop a mine resource evaluation report. Based on the wetlands indicated in the DSL report, NV5 developed a mine plan to avoid impact to the wetland areas, including observation of undisturbed buffers. The applicant subsequently requested a follow-up offsite determination from DSL using the mine plan from the NV5 report. DSL's updated report is attached, concluding "the proposed project area appears to avoid jurisdictional wetlands or waterways. A Removal Fill Permit is not likely to be required." See attached mine resource report dated January 31, 2023.

23. NOTICES SENT: Notice was sent to the Department of Land Conservation and Development (DLCD) on October 5, 2023. Notice was mailed to neighboring land owners and affected agencies on October 20, 2023. Notice was printed in the October 28, 2023 publication of the East Oregonian.

24. HEARING DATE: A public hearing was held before the Umatilla County Planning Commission in the Justice Center Media Room, 4700 NW Pioneer Place, Pendleton, OR 97838 on **November 9, 2023 at 6:30 PM**.

A subsequent hearing is scheduled before the Umatilla County Board of County Commissioners on **December 6, 2023 at 9:00 AM**. The hearing will be held in Room 130 at the County Courthouse, 216 SE 4th St., Pendleton, OR 97801.

25. AGENCIES: Umatilla County Assessor, Umatilla County Public Works, Oregon Department of Transportation Region 5-Highways Division, Oregon Department of Land Conservation and Development, Department of Environmental Quality, Department of Geology and Mineral Industries, Department of State Lands, Oregon Water Resources Department, CTUIR-Natural Resources, CTUIR-Cultural Resources, Umatilla Rural Fire District, Pacific Power, US Fish and Wildlife, Bonneville Power

Administration and Umatilla County Counsel

26. COMMENTS: Several comments were received in opposition prior to the November 9, 2023 Planning Commission Hearing. During the hearing, testimony was provided by the applicant, the applicant's attorney and hired geologist. The applicant's attorney also provided written comment at the hearing (see Exhibit S). Additionally, several project opponents voiced concerns with verbal testimony. Documents received prior to the Planning Commission hearing and during testimony were added to the project record. Comments received following the November 9th hearing, Exhibits V and W, have also been incorporated into the preliminary findings.

On November 20, 2023 Darlene Westerling provided verbal comments in opposition of the proposed request. Ms. Westerling's verbal concerns are the effects on the water table, wildlife impacts from drinking from the retention pond, air quality (specifically silica in the dust that can blow 35 miles) and noise funneled to her house from the bluff. She added that the applicant's proposed floor of 80-feet will be below her domestic well and will affect her water quality. She did not want to have to sign a non-remonstrance agreement and was concerned about the applicant's conflicting information.

Department of State Lands (DSL) provided a Wetland Land Use Notification response, Exhibit U. The response states that the applicant worked with DSL to adjust the site boundaries to exclude mapped wetlands.

Comments in opposition of the request largely consist of various impacts (dust, noise, blasting affects, pollution and other discharges) to existing dwellings and residents, detrimental health effects, farming activities, natural habitats, including the Goal 5 wetland and wildlife, water sources and land values. Other concerns relate to where water will be sourced from, whether or not the provided aggregate sample was adequate, traffic safety, insufficient evidence and conflicting information and statements within the application. Opponents' concerns and the applicant's response are summarized below. The comprehensive statements are available in the corresponding exhibits and audio file of the November 9, 2023 Planning Commission hearing.

Land Values
Opponents: Several opponents raise the issue that their land values and resale values will be affected by the proposed quarry and associated mining activities.

Applicant: Applicant provided that there is no evidence in the record to support that nearby land values would decrease. Applicant states that there will probably not be much impact on land values due to the existence of the ODOT quarry.

Dust/Noise/Odor/Other Discharges and Impacts
Opponents: Cody Basford provided oral testimony and asked if an environmental study had been conducted to analyze the potential effects on the wildlife in the wetland area such as ducks, beavers, deer, rabbits, and fish. Kyla Langley Latham stated that she has not seen activity from the existing ODOT quarry.

Barbara Atwood provided oral testimony before the Planning Commission and noted that the existing Umatilla Ready Mix quarry is 1 ½ miles east of this site and her home. This site creates noise, dust and odors that affect her home and property. Although the applicant states wind is primarily from the west, Ms. Atwood states that even with westerly winds this existing aggregate operation impacts her dwelling to the east. The nearby ODOT quarry occasionally has an asphalt plant which is very smelly and affects people with allergies and asthma. She added that this quarry is not very active, however the few blasts that occur do have an effect on her horses. Ms. Atwood stated that she is a physician and this proposed operation and plant will affect residents' health, and those that are sensitive will be greatly affected. She expressed concerns about the affect on wildlife in the area such as deer and birds. She added that the dust impacts will have an impact on nearby crops; she grows alfalfa and the dust will reduce the quality of her crop, she cannot feed alfalfa or hay covered in dust to her horses. Ms. Atwood also provided written testimony (Exhibit K).

Justin Estes provided oral testimony (written testimony Exhibit P) stating that the predominant winds frequently change, the winds are westerly in the summer however they are easterly other times of the year. His property is currently affected by dust and noise from the Umatilla Ready Mix site, over 1 mile east of his property. He added that his house is located within the canyon and he believes that the noise and dust from blasting and crushing will travel down the canyon towards his house. The canyon could not provide sound mitigation, he currently hears trucks from the canyon. He is also concerned about health risks and lung diseases caused from the quarry's dust.

Other opponents echoed the above concerns and stated that the ODOT quarry is not very active and has maybe had activity twice in 18 years.

Applicant: The applicant's response (Exhibit S) states that the existing ODOT quarry north of Highway 730 "has been in place for over 30 years [and] we are not aware of a record or evidence of noise, dust or nuisance complaints about that quarry or mining operation from the surrounding community". The applicant asserts that the natural occurring basalt will provide a natural sound buffer to residences south of the wall, and will have a final benched configuration of up to 80-feet in height. The applicant states that there will always be a vertical barrier due to the existing basalt hillside that continues offsite. Additionally, there will be a top soil berm constructed along the south side of the mining area which will be comprised of organic material, seeded and mulched with native vegetation.

The applicant provided oral testimony stating that the prevailing winds are from the west, so odor from the asphalt batch plant should not be a concern. Blasting will occur a few times a year and will increase the natural barrier. The applicant added that rock crushing will occur after blasting to create stockpiles. The pit will be lower in elevation, this will lower the effects in the impact area. The applicant clarified the hours of operation will be 6am to 3pm for customer pick up and 6am to 7pm for crushing and stockpiling. Blasting and crushing will be done by a separate contractor whom will be responsible for dust and noise mitigation.

Regarding dust, the applicant stated that they will have a water truck on site, additionally the

internal roadways will be graveled. The applicant stated they will probably have 3 to 5 trucks every half hour coming to the site, the dust will be mitigated by the onsite water truck. However, in Exhibit S the applicant states that one 5,000-gallon truck would be sufficient for a week's time. The applicant stated that runoff would be mitigated. During rebuttal testimony, the applicant asserted that there are regulations regarding dust, noise, other air discharges and odor that the applicant is required to comply with and that they will comply with all DEQ and DOGAMI regulations. The applicant reinstated that there have not been a history of nuisances or complaints of the ODOT quarry, and that the ODOT quarry has not impacted dwellings, farm operations or livestock.

The applicant added that there will be a topsoil berm constructed with organic material that is seeded and mulched to help control dust from leaving the site.

The applicant believes that the Occupational Safety and Health Administration Asphalt Fumes article referenced in Ms. Atwood's letter (Exhibit K) which details health concerns and effects from exposure to asphalt fumes is irrelevant. The applicant stated that this article references workers that are exposed to asphalt fumes, not residences.

Representative Aggregate Sample
Opponents: Opponents questioned whether or not one sample was representative of the entire site. Justin Estes provided oral testimony stating that one aggregate sample could not be used to determine the quantity of sand or basalt on the large site.

Applicant: Geologist Erick Staley, representing the applicant, provided oral testimony stating that although only one sample was tested in the lab, he could physically see the basalt onsite and was confident that it met the required quality standards, he believes that his written report supports this statement. Mr. Staley added that more samples were not gathered due to limited access of the site and disturbance to the area.

During rebuttal, the applicant argued that Mr. Staley is an educated expert with a certain level of expertise that should be validated for purposes of determining quantity and quality available at the site. He conducted a site visit and several field tests, including the one aggregate sample, to substantiate his conclusions that the aggregate material on the subject property meets the requirements for establishing a Goal 5 site.

Traffic
Opponents: Various opponents questioned the safety of the amount of large trucks generated by the proposed site. The state highway currently has a speed limit of 55 miles per hour, however, trucks often go much faster than the speed limit and this will affect the safety of students on school busses, asphalt trucks take much longer to slow to a stop. Opponents state that the traffic impact analysis talked about truck trips, however, it did not have a safety component. Jenny Estes added during her oral testimony that accidents along this stretch of highway are frequent. Opponents also voiced concerns of added traffic on Edwards Road.

Applicant: The applicant stated that they have an ODOT highway approach permit to State Highway 730. As a condition of the approach approval, the applicant is required to construct a 6-

foot wide asphalt shoulder for a distance of 110-feet along Highway 730. During rebuttal, the applicant clarified that in the Traffic Impact Analysis, the study includes two trips for each truck, but there will not always be that many trucks coming to or from the site. The applicant highlighted that the Traffic Impact Analysis found that truck traffic created by the proposed site is equivalent to 15 minutes of the existing truck traffic on Highway 730.

Blasting
Opponents: Many opponents of the site were concerned about blasting impacts on their dwellings, livestock, and the use of their properties. Concerns were shared regarding the frequency of blasting, the hours of when blasting will occur, if there will be notification, if rock will fly on their property and the effect on the wildlife that inhabit the area.

Applicant: The applicant provided oral testimony stating that blasting will occur a few times a year, there will be a pre-notification for blasting and will follow all state, county and federal regulations. The applicant shared that fly rock is dangerous and expensive, and the licensed blaster is required to manage the rock so this does not occur. The blaster will hopefully have a blast notification so livestock could be moved from the area, shaking is mitigated by increasing distance. The applicant asserted that blasting plans are unique to the contracted blaster and are produced by the licensed blaster. Blasting and crushing will be done by a separate contractor whom will be responsible for dust and noise mitigation.

The following exhibits have been included in the record:
Exhibit A – NV5 Mine Resource Evaluation Report, *Submitted with application*

Exhibit B – Budinger & Associates Laboratory Report dated August 24, 2022 *Submitted with application*

Exhibit C – Carlson Testing, Inc. Laboratory Report dated January 26, 2023 *Submitted with application*

Exhibit D – *September 13, 2023,* Fulcrum Geo Resources Site Plans (Figures 1-3)

Exhibit E – Fulcrum Geo Resources, Anticipated Impacts from Blasting, dated August 25, 2023 *Submitted with application*

Exhibit F – Kittelson & Associates Traffic Impact Analysis, *Submitted with application*

Exhibit G – Umatilla County Technical Report Map D-44

Exhibit H – Offsite Wetland Determination Report WD# 2022-0606, *Submitted with application*

Exhibit I – Offsite Wetland Determination Report WD# 2023-0095, *Submitted with application*

Exhibit J – Fulcrum Geo Resources DOGAMI Operating Permit, *Submitted with application*

Exhibit K – *November 9, 2023*, letter in opposition from Barbara Atwood M.D. (opponent).

Exhibit L – *November 9, 2023*, letter in opposition from Crystal Atwood (opponent).

Exhibit M – *November 9, 2023*, letter in opposition from Kyla Langley Latham (opponent).

Exhibit N – *November 9, 2023*, letter in opposition from Wylie Ranch and Aaron Basford (opponents).

Exhibit O – *November 9, 2023*, letter in opposition from Jenny Estes (opponent).

Exhibit P - *November 9, 2023*, letter in opposition from Justin Estes (opponent).

Exhibit Q – *November 9, 2023*, letter from Terra Electric.

Exhibit R – *November 9, 2023*, letter in opposition from Joyce Langley (opponent).

Exhibit S – *Submitted During Hearing November 9, 2023*, letter to Planning Commission submitted by Jennifer E. Currin (attorney for Applicant).

Exhibit T- *Submitted During Hearing November 9, 2023,* project site map presented by Erick Staley (geologist for Applicant).

Exhibit U – *November 14, 2023*, Response to Wetland Land Use Notification from Department of State Lands

Exhibit V – *November 20, 2023*, letter in opposition from Darlene Westerling (opponent).

Exhibit W – *November 27, 2023*, letter in opposition from Darlene Westerling (opponent).

NOTE: The Umatilla County Development Code has not been updated with the Division 23 Rules for Aggregate. The Oregon Administrative Rules 660-023-0180 to establish a Goal 5 Large Significant Site will be directly applied per OAR 660-023-180 (9).

27. GOAL 5 ISSUES: Scenic, Open Space, Historic, Wildlife, and other resources.
In order to mine aggregate in Umatilla County, a site must either be an active insignificant site, or be listed on the Goal 5 Inventory of the Umatilla County Comprehensive Plan as a significant site. The Umatilla County Comprehensive Plan requires that "any proposed modification to the text or areas of application (maps) of the AR, HAC, CWR or NA Overlay Zones shall be processed as an amendment to this plan." Therefore, this application constitutes a Post-Acknowledgement Plan Amendment (PAPA), and is subject to the criteria listed in Oregon Administrative Rules (OAR) 660-023-0030 through 660-023-0050, and OAR 660-023-0180. As a condition of approval for operation, the applicant must acquire a DOGAMI permit and obtain approval of a reclamation plan. Copies of both the DOGAMI permit and reclamation plan must be submitted to County Planning.

28. STANDARDS OF THE OREGON ADMINISTRATIVE RULES, DIVISION 23 FOR

GOAL 5 LARGE SIGNIFICANT SITES are found in OAR 660-023-0180 (3), (5), & (7), OAR 660-023-040, and OAR 660-023-050. The standards for approval are provided in underlined text and the responses are indicated in standard text.

OAR 660-023-0180 Mineral and Aggregate Resources

(3) **[Large Significant Sites]** An aggregate resource site shall be considered significant if adequate information regarding the quantity, quality, and location of the resource demonstrates that the site meets any one of the criteria in subsections (a) through (c) of this section, except as provided in subsection (d) of this section:

(a) A representative set of samples of aggregate material in the deposit on the site meets Oregon Department of Transportation (ODOT) specifications for base rock for air degradation, abrasion, and sodium sulfate soundness, and the estimated amount of material is more than 2,000,000 tons in the Willamette Valley, or 100,000 tons outside the Willamette Valley;
(b) The material meets local government standards establishing a lower threshold for significance than subsection (a) of this section; or
(c) The aggregate site is on an inventory of significant aggregate sites in an acknowledged plan on the applicable date of this rule.
(d) Notwithstanding subsections (a) through (c) of this section, except for an expansion area of an existing site if the operator of the existing site on March 1, 1996 had an enforceable property interest in the expansion area on that date, an aggregate site is not significant if the criteria in either paragraphs (A) or (B) of this subsection apply:
(A) More than 35 percent of the proposed mining area consists of soil classified as Class I on Natural Resource and Conservation Service (NRCS) maps on the date of this rule; or
(B) More than 35 percent of the proposed mining area consists of soil classified as Class II, or of a combination of Class II and Class I or Unique soil on NRCS maps available on the date of this rule, unless the average width of the aggregate layer within the mining area exceeds:
(i) 60 feet in Washington, Multnomah, Marion, Columbia, and Lane counties;
(ii) 25 feet in Polk, Yamhill, and Clackamas counties; or
(iii) 17 feet in Linn and Benton counties.

Applicant Response: The applicant retained a professional, licensed, geologist, Erick Staley, Principal Engineering Geologist with NV5, to analyze the site and evaluate quality and quantity of the aggregate material, in part, for purposes determining compliance with this standard. The attached Mine Resource Evaluation Report is also the basis for submitting application to the Oregon Department of Geology and Mineral Industries (DOGAMI) for the required mining operating permit. Based on the January 31, 2023, mining report the site complies with this standard. The proposed quarry area is estimated to produce 2,060,178 cubic yards of material (4,738,409 tons). Based on laboratory testing of the aggregate quality by air degradation, abrasion, and sodium sulfate soundness tests, the resource will meet ODOT specifications required to find the site "significant" per OAR 660-023-0180(3). In summary, the proposed quarry consisting of 46.7 acres, exceeds both the quantity and quality criteria for a significant aggregate site in accordance with OAR 660-023-0180(3)(a). Note: based upon the survey from

Survey One LLC, the total mining area will be larger than originally estimated in the Jan 31 NV5 report. See attached January 31, 2023, Mine Resource Evaluation Report by Erick J. Staley, Certified Engineering Geologist.

County Findings and Conclusions: The applicant retained the assistance of a licensed geologist with NV5 to analyze the proposed quarry site and evaluate the quality and quantity of the aggregate material. To support the application, applicant submitted a Mine Resource Evaluation report (Exhibit A), dated January 31, 2023 and two laboratory testing results. The first laboratory result is dated August 24, 2022 and was tested by Budinger & Associates (Exhibit B). The second laboratory result is dated January 26, 2023 and was tested by Carlson Testing, Inc (Exhibit C). The Budinger & Associates laboratory test found that the soil sample tested 14% for abrasion (ODOT standard maximum is 35%). The Carlson Testing, Inc. laboratory test found that the soil sample tested 10.1% for abrasion, 1.4% for air degradation (ODOT standard maximum is 30%) and 0.8% for sodium sulfate soundness (ODOT standard maximum is 12%). The proposed mining area is not comprised of Class I, II or unique soils, see attached soil map.

The NV5 geological report used AutoCAD to estimate a gross cut volume of available rock material at the proposed site. NV5 estimated, using this method, that the amount of aggregate materials at the site to be 2,125,679 cubic yards of basalt, or 4,738,409 tons. This is far more than the required 500,000 tons to be deemed a large significant site.

Umatilla County finds that the applicant retained a licensed geologist who found through quantitative methods, that the available rock materials onsite are estimated to be about 4,738,409 tons, and has the quantity of rock available to be deemed a large significant site.

In order to be considered a large significant site, the applicant must also demonstrate that a representative set of aggregate samples have been tested for quality, meeting the minimum ODOT standards for degradation, abrasion, and sodium sulfate soundness. Aggregate samples must be **representative** (emphasis added) of the proposed mining area to justify protection and mining activities. The applicant has submitted laboratory results for two soil samples, however, the applicant has only provided the sample location for one sample (date of collection unknown/result source unknown), see Fulcrum Geo Resources Site Plan (Exhibit D, Figure 2). Umatilla County finds one soil sample is not representative of the entire 46.7-acre site, this is supported by the 2022 Land Use Board of Appeals (LUBA) decision, *Beath & Koopowitz vs. Douglas County*[1]. Additionally, the applicant did not provide which laboratory result represents the soil sample depicted on Figure 2 of Exhibit D, nor the location of the second sample.

Umatilla County finds and concludes that the applicant did not submit a representative set of soil samples, as one identified soil sample location is not representative of the 46.7-acre site regarding quality of available aggregate. This criterion is **not** satisfied.

1 In LUBA No. 2022-060 (Beath & Koopowitz vs. Douglas County), LUBA concluded that describing the entire Mining Site is not adequate for identifying the location of the aggregate resources. LUBA also concluded that a single sample of gravel is not "representative" of the proposed site, and is not adequate for finding compliance of the rule. LUBA determined that the Administrative rule requires "a set of samples, meaning multiple samples" and that the sample locations must be identified on a map to be found representative.

(5) **[Large Significant Sites]** For significant mineral and aggregate sites, local governments shall decide whether mining is permitted. For a PAPA application involving an aggregate site determined to be significant under section (3) of this rule, the process for this decision is set out in subsections (a) through (g) of this section. A local government must complete the process within 180 days after receipt of a complete application that is consistent with section (8) of this rule, or by the earliest date after 180 days allowed by local charter.

(a) **[Impact Area]** The local government shall determine an impact area for the purpose of identifying conflicts with proposed mining and processing activities. The impact area shall be large enough to include uses listed in subsection (b) of this section and shall be limited to 1,500 feet from the boundaries of the mining area, except where factual information indicates significant potential conflicts beyond this distance. For a proposed expansion of an existing aggregate site, the impact area shall be measured from the perimeter of the proposed expansion area rather than the boundaries of the existing aggregate site and shall not include the existing aggregate site.

Applicant Response: In order to evaluate impacts and determine a suitable mining area, applicant promulgated GIS mapping services of county Planning Department. Applicant adjusted the mining area boundary to avoid impacts to neighboring dwellings. As a result, there will be only one dwelling within the 1,500-foot impact area around the proposed 46.7 mining site. That dwelling (tax lot 600 of Map 5N 29 22) will be approximately a quarter mile west of the proposed mining area. Other uses within the 1,500-impact area include rock bluff, state highway, farm land and grazing land. The mining will generate a small amount of dust which will be limited by DEQ air permit threshold and best management practices such as applying water for dust abatement. There is no other factual information upon which to evaluate further impacts. The county may find that application has sufficiently addressed impacts within the 1,500-impact area and will appropriately mitigate any dust or noise within the impact area.

County Findings and Conclusions: The PAPA application was submitted to the Planning Division on August 25, 2023. On September 6, 2023, staff provided an email regarding the application's completeness to the applicant and processed the application fee. On September 13, 2023, the applicant provided additional information to supplement the application. The 180th day for the County to render a decision is March 4, 2024.

The applicant has proposed a 1,500-foot impact area, measured from the boundaries of the proposed mining site. Uses beyond the 1,500-foot impact area are unlikely to be impacted by the proposed mining activities. Umatilla County finds and concludes that factual information is not present to indicate that there would be significant conflicts beyond the 1,500-foot impact area from the boundaries of the proposed mining area. Therefore, the 1,500-foot impact area is sufficient to include uses listed in (b) below.

(b) **[Conflicts created by the site]** The local government shall determine existing or approved land uses within the impact area that will be adversely affected by proposed mining operations and shall specify the predicted conflicts. For purposes of this section, "approved land uses" are dwellings allowed by a residential zone on existing platted lots and other uses for which conditional or final approvals have been granted by the local government. For

determination of conflicts from proposed mining of a significant aggregate site, the local government shall limit its consideration to the following:

(A) Conflicts due to noise, dust, or other discharges with regard to those existing and approved uses and associated activities (e. g., houses and schools) that are sensitive to such discharges;

Applicant Response: This standard requires the *local government* identify existing or approved, land uses within the impact area. Here the applicant provides the following analysis. The parcel is surrounded by lands zoned Exclusive Farm Use (EFU). There is not a *dwelling allowed by a residential zone on existing platted lots* within the 1,500-foot impact area. There is one dwelling within 1,500 on land zoned EFU. An analysis of mitigation for any potential conflict with that dwelling is summarized below. Applicant is not aware of any other existing or approved land uses are known within the 1,500-foot impact area.

In terms of potential conflicts due to noise, dust or other discharges, this standard requires consideration of potential impact to the single dwelling. The quarry site was moved to the east, approximately a quarter mile, in order to provide a sufficient buffer to the existing home. The tall rock outcropping or escarpment itself provides a significant buffer to prevent or minimize sound and noise impacts to the adjacent home. Additionally, the mining operation will comply with all state dust and noise standards as required of DEQ and DOGAMI. The rock crusher and asphalt batch plant will secure appropriate air quality permits and will operate in compliance with those respective permits.

September 13th Response
The applicant will retain a licensed mining and blasting professional who will conduct those activities in such a way as to limit any offsite disturbance. Several techniques will be utilized to ensure the impact from the blasting will be absorbed on the subject parcels. This will ensure that impacts to the adjacent dwelling will be non-existent or very minimal. As noted to in the original application, the applicant chose to move the mining area a quarter mile east of the existing home - the purpose of this was to create a buffer or setback in order to shield the existing homesite from blasting and mining. Further, the columnar and basalt outcropping is 30-50 feet in height which creates an existing vertical buffer to protect the existing dwelling from impacts. Given the setback and location for the mining, applicant does not anticipate any off-site impacts in terms of noise or dust. The site plan attached as Figure 2 of the NV5 report shows the rock crusher plant and asphalt batch plant setup area which again, given the vertical and horizontal setback and one quarter mile distance, will create a more than adequate buffer to minimize impacts to the existing dwelling.

November 9th Response (Exhibit S)
The site currently has a rock wall and steep slope up to 60 feet tall that creates a natural barrier and sound buffer to residences south of the wall. Mining of the basalt resource will maintain this barrier as a highwall excavated to the south with a final, benched configuration up to 80 feet tall. The existing ODOT quarry, on the same tax lot and located on the north side of Highway 730, has been in place for over 30 years. Notably, [the ODOT] quarry has a mined highwall on its north, which serves as a sound barrier for residences to its north, very similar to the proposed

mine and properties to the south. The three homes within the 1,500-foot impact area of the proposed Cox rock quarry are south of the ODOT quarry and are geographically much more exposed to potential impacts from the ODOT quarry (noise, dust) than the proposed Cox quarry.

Staff raised issue about water use. It is the opinion of experienced rock crusher operators that water use will not be an issue and can be provided from offsite sources. Doug Cox will be hiring a third party to set up and operate the rock crusher. There will be a water truck or- tank on site to provide water for dust suppression. If the operator uses a 5,000-gallon water truck, likely only a single truck per week will be at the site. Different crusher operators use different amounts of water but usually it is a trickle from a hose into one part of the rock crusher. Water for dust control around the site is also not a significant issue given that Doug will put a layer of crushed rock on the short haul route from the operations area to the highway.

County Findings and Conclusions: The applicant is tasked with identifying both existing and approved land uses within the 1,500-foot impact area. Approved land uses are those that have received land use approval but may not yet be present on the ground. The Planning Division has not granted any conditional or final approvals for properties within the impact area.

Existing uses within the 1,500-foot impact area include two existing dwellings, un-irrigated rangeland, an irrigated crop circle, one Goal 5 ODOT mining site (on the subject property), a 230kV transmission line, and some irrigated pasture/rangeland. The applicant has acknowledged one dwelling, and states that the proposed mining area was moved to the east approximately a quarter mile to provide a sufficient buffer to the existing home by a 30 to 50-foot-tall rock outcropping to prevent or minimize sound and noise impacts to this dwelling. The second dwelling, not acknowledged by the applicant, is directly across Highway 207, thus, the same buffer could potentially also shield this second dwelling. Just outside of the impact area is a third dwelling, the land owners who reside in this dwelling provided testimony in opposition of the proposed quarry and stated that the quarry would have various impacts on their residence.

Elsewhere in the application, the applicant states that blasting of the basalt rock will be required and will occur occasionally, and that noise impacts from blasting will be mitigated with the use of the existing basalt outcropping. Applicant asserts that dust will not be a conflict off-site due to the proposed mining, rock crusher and asphalt batch plant locations generally identified on the applicant's site plan (Exhibit D, Figure 2).

The applicant's provided geological report speaks largely to the available material quality and quantity for purposes of establishing a large significant Goal 5 site. The report does not evaluate potential noise, dust or blasting impacts to the existing dwellings or farming activities. Further, the applicant does not state the predicted levels of noise, dust or shaking that would impact the existing uses in the impact area. Staff recommended the applicant to provide a blasting plan to supplement the application; however, this was not provided. Applicant provided an analysis of anticipated impacts from blasting from Fulcrum Geo Resources (Exhibit E).

Fulcrum reviewed aerial imagery to identify structures that could be impacted by blasting. Fulcrum states that the blasting activities will be located at least 500-feet away from both Highway 730 and the transmission poles and towers present south of the subject property. The

Fulcrum report includes one detailed map (Exhibit D, Figure 2) to support the findings, however, the map does not specifically identify the area subject to blasting. Based on the applicant's information, basalt is on the entire site, covered by sand and gravels thus the entire site could be subject to blasting. Fulcrum's Figure 2 map (Exhibit D), received by Planning on September 13, 2023, identifies several basalt outcrops. The applicant's oral testimony on November 9th, along with the visual representation of Exhibit T identified the areas subject to blasting.

Additionally, the applicant states that the natural basalt rock outcrop will act as a buffer to blasting impacts. At the November 9th hearing, the applicant testified that as the mining activities continue, basalt walls will increase in height, essentially creating a bowl, and will continue to be a buffer to nearby uses. How blasting effects will be buffered from existing dwellings has not been shared by the applicant. Fulcrum's August 25, 2023 analysis concludes that damage of offsite structures or features from controlled blasting is not anticipated. The Fulcrum analysis states the following:

> "Blasting activities should be planned and conducted by appropriately experienced and licensed blasters in accordance with state and local regulations. This should include the use of blast procedures and time-delays that prevent excessive vibrations or other emissions from blasting. Blasting should be monitored using seismographs or similar equipment to collect vibration data and compare the results to regulatory damage thresholds."

Umatilla County finds that potential conflicts due to noise, dust, or other discharges with regard to those existing and approved uses and associated activities (e.g., houses and commercial uses) that are sensitive to such discharges exist within the 1,500-foot impact area. Through testimony, residents of nearby and adjacent dwellings provided clear impacts to their residences, farm uses and wildlife in the area. Impacts from the proposed quarry and associated operations include: dust, noise, blasting effects, health effects from blasting and the asphalt batch plant, air quality, and water runoff. Specific impacts to individual property owners and existing farm operations and dwellings are detailed in written testimony (see list of Exhibits) and available in the audio recording file. The Planning Commission found that the applicant did not adequately address the identified conflicts. The applicant relied on the basalt walls and existing canyon to provide a buffer to noise, dust and blasting impacts. However, opposing testimony argued that the canyon does not adequately mitigate current noise from State Highway 730 or the existing Umatilla Ready Mix site east of this site and that dust frequently travels from the east due to frequent easterly winds. The applicant did not provide supporting documentation to demonstrate that the basalt walls will mitigate dust, noise and blasting impacts.

Umatilla County finds and concludes that the applicant has not identified ways to adequately mitigate noise, dust and other discharges. Additionally, the applicant did not identify best practices for blasting, rather the applicant provided testimony that a licensed blaster will be onsite conducting blasting activities, and the onsite blaster will not necessarily be the same for each blast.

Umatilla County finds that the applicant has identified the use of water for dust abatement in section (F)(c) below.

Umatilla County finds that the applicant has clearly identified the extraction area subject to blasting. However, the applicant did not specify the best management practices that will be used by the licensed blaster. Additionally, the applicant failed to determine the potential blasting effects on livestock and residences in the impact area. Umatilla County finds and concludes that there are significant conflicts to existing dwellings, farming operations and the existing Goal 5 wetland.

The Umatilla County Planning Commission found that this criterion is **not** met.

> (B) Potential conflicts to local roads used for access and egress to the mining site within one mile of the entrance to the mining site unless a greater distance is necessary in order to include the intersection with the nearest arterial identified in the local transportation plan. Conflicts shall be determined based on clear and objective standards regarding sight distances, road capacity, cross section elements, horizontal and vertical alignment, and similar items in the transportation plan and implementing ordinances. Such standards for trucks associated with the mining operation shall be equivalent to standards for other trucks of equivalent size, weight, and capacity that haul other materials;

Applicant Response: Applicant coordinated closely with Oregon Department of Transportation in selecting the best location for ingress/egress to the site the access onto state highway. Based on input from ODOT, an Access Permit application permit has been submitted. The access location will minimize conflicts with traffic and will provide best site clearance. The access and roadway are approximately one-half mile away from the existing dwelling.

County Findings and Conclusions: Kittelson & Associates (consultant) was hired by the applicant to conduct a Traffic Impact Analysis (TIA) to support the application for establishing a Large Significant Site. The TIA (Exhibit F) found two operations will comprise separate trips at the proposed site: the mining/rock crushing operation and the asphalt batch plant. The daily trip total for both operations is 356 trips, with approximately 204 of those trips being large trucks and approximately 12 of those trips being employees of the mining operation, see Table 9 below.

Table 9. Proposed Site Trips

Land Use	Daily Trips	Weekday AM Peak Hour			Weekday PM Peak Hour		
		Total	In	Out	Total	In	Out
Mining/Rock Crushing							
- Staff[1]	8	0	0	0	4	0	4
- Rock Deliveries[2]	30	6	3	3	0	0	0
- Water Deliveries[2]	4	2	1	1	0	0	0
- Other pick-ups[2]	140	10	5	5	0	0	0
Asphalt Batch Plant							
- Staff[1]	4	0	0	0	2	0	2
- Load Deliveries[2]	30	6	3	3	0	0	0
- Other pick-ups[2]	140	10	5	5	0	0	0
Total	**356**	**34**	**17**	**17**	**6**	**0**	**6**

[1] Each employee was assumed to generate 2 daily trips (1 in, 1 out). Employees are assumed arrive on site before the AM Peak Hour and were conservatively assumed to leave during the PM Peak Hour.
[2] Each delivery and pick-up was assumed to generate 2 trips (1 exit for delivery/1 return from delivery or 1 entrance for pick-up/1 exit for pick-up).

State Highway 730 is an east-west truck route that connects to Interstates 82 and 84. The applicant's TIA found the peak 15-minute flow rate for the Highway 207/Highway 730 intersection to be 312 total vehicles, 112 of these vehicles were heavy trucks. Umatilla County finds the applicant's proposal includes access to a major state highway, the additional daily traffic trips generated from the mining operation are proposed at 356, which overall, will have minimal impact on both Highway 207 and 730. ODOT and County Public Works will have the opportunity to comment on the applicant's request and may request additional conditions of approval.

Umatilla County finds the applicant is required to obtain an ODOT Road Approach Permit to State Highway 730. The access shall be constructed to comply with the ODOT requirements. This will be captured as a subsequent condition of approval and may be satisfied by submitting written verification of the ODOT Road Approach Permit approval.

> (C) Safety conflicts with existing public airports due to bird attractants, i.e., open water impoundments as specified under OAR chapter 660, division 013;

Umatilla County finds that there are no public airports within the Impact Area. The closest public airport is to the south and more than ten miles away from the site. The proposed quarry will not create safety conflicts with the existing Hermiston Airport.

> (D) Conflicts with other Goal 5 resource sites within the impact area that are shown on an acknowledged list of significant resources and for which the requirements of Goal 5 have been completed at the time the PAPA is initiated;

Applicant Response: There is one existing Goal 5 resource within the impact area, a significant aggregate resource located on the portion of tax lot 400 that is north of Highway 730. That approximately 25 acres quarry has the Aggregate Resource Overlay Zone designation. While the landowner of the subject property owns all of tax lot 400, including the Goal 5 Aggregate Resource, only the Oregon Department of Transportation is allowed to mine and use the rock material from the existing Goal 5 resource. The ODOT has an exclusive long-term lease that does not provide access for private sector use. Material from the existing rock quarry is for state highway use only and is not available to purchase by private parties. The significant resource has been mined and operated by ODOT for over 30 years. Operation of the proposed new rock quarry will be similar to operation of the existing quarry and by inference means the new use will be compatible with the existing Goal 5 resource. Worth noting is the fact that the ODOT quarry operations have not created conflicts with neighboring properties. Based on this, applicant believes the new rock quarry will not create any negative impacts for the existing Goal 5 aggregate site.

County Findings and Conclusions: Umatilla County finds there are two existing Goal 5 resource sites on the subject property, an aggregate resource site north of Highway 730 and a significant wetland encompassing the proposed mining area. The site north of Highway 730 is a large significant Goal 5 aggregate site managed by ODOT. Aggregate pulled from the "Diagonal Road" quarry is used on various ODOT projects. This site was added to the County's list of significant sites and subsequently approved for mining in 1982. Since this is an existing aggregate site, and is a similar operation to the applicant's request, there are no known Goal 5 conflicts associated with the existing ODOT aggregate site.

The second Goal 5 site on the subject property is Significant Wetland Drainage Area (Map D-44 in the Umatilla County Technical Report) (Exhibit G) and is classified as a 3C Goal 5 site. Resources designated as 3C require limiting conflicting uses to protect the resource, as opposed to other designations which call for preserving the resource (3A) or allow conflicting uses (3B)[2]. The Goal 5 analysis for this wetland calls for limiting conflicting uses with implementation of a 100-foot setback from wetlands and streams.

The applicant's narrative fails to acknowledge this Goal 5 protected drainage area; therefore, staff have provided the following analysis:
The Drainage Area identified on Map D-44 of the Umatilla County Technical Report represents a large area of the Cold Springs Drainage. The acknowledged wetland boundary states that exact boundaries of the drainage may require site inspection. Since the Technical Report's adoption, wetland data and mapping provided by the Department of State Lands (DSL) has become more precise and accurate. DSL provided two off-site wetland determination reports that incorporated National Wetland Inventory (NWI) data with interpretation of available aerial imagery. The December 5, 2022 Wetland Determination Report (WD 2022-0606) (Exhibit H) found there are wetlands present on the subject property, and that a delineation may be required. The March 17,

2 The Umatilla County Technical Report was adopted as part of the County's Comprehensive Plan in May 1980 and contains research data which formed the basis of the Comprehensive Plan's Findings and Policies with robust public involvement.

2023 Wetland Determination Report (WD 2023-0095) (Exhibit I) found that a DSL permit is not required because the proposed mining area was modified to exclude potential wetland and waters impacts.

Opponents questioned the potential impacts to this wetland and the wildlife that this wetland supports. Specifically, dust, noise and drainage effects. Opponents requested a study to be conducted to protect the existing wildlife and if they could sustain the wetland following approval of the aggregate site. The applicant argued that wildlife can and do reside near mining activities, but did not provide documentation supporting this claim.

The Umatilla County Board of Commissioners could request the applicant to conduct a detailed study and analysis of impacts to the wetlands and wildlife.

Umatilla County finds the proposed mining area was modified to eliminate potential impacts to wetlands and DSL found no wetland delineation or permitting is required.

The Technical Report states that conflicting uses should be setback a minimum of 100-feet from wetlands and streams. This policy has been codified into the Umatilla County Development Code and applies to the applicant's request.

Umatilla County finds in order to protect the Drainage Area, a 100-foot minimum setback from the mapped wetlands to all mining activities is required, this setback will minimize conflicts with the Drainage Area. A subsequent condition of approval is imposed requiring the applicant to submit a detailed site plan demonstrating that all mining activities are setback a minimum of 100-feet from wetlands.

(E) Conflicts with agricultural practices; and

Applicant Response: Agricultural practices within the 1,500-foot impact area of the proposed quarry are to the south and east and consist primarily of grazing with some irrigated agriculture farther to the south. The landowner of subject tax lot 400 owns most of the farmland to the south and east; consisting of rangeland that will not be adversely impacted by a quarry operation. The irrigated land farther to the south is set back from the proposed mining area, beyond the 1,500 [foot] impact area and will not be a receptor of noise or dust. The quarry location was refined to include a buffer with adjacent properties which will have the effect of minimizing impacts to adjacent farmland. Farming on adjacent properties consists primarily of grazing but also includes some hay ground. Neither of those farming operations would be sensitive to fugitive dust as would say a vineyard.

September 13th Response
In addition to the description provided in the original application, applicant provides the following description of existing agricultural practices: There is no farming to the east, west and north of the subject quarry. To the south of the proposed quarry is pasture ground. There are no known possible impacts a mining operation could create for pasture or grazing. Additionally, given the horizontal and vertical setbacks, including the 25-foot setback from the property line and the vertical topography of the mining area, applicant does not anticipate any noise or dust

will leave the subject property. The vertical and horizontal setbacks are more than adequate to guarantee noise, vibrations, traffic, chemical weed abatement (if utilized) would not drift off site, therefore assuring no offsite impacts.

County Findings and Conclusions: Agricultural activities in the impact area include both irrigated and non-irrigated grazing and some irrigated crop land, one pivot is within the 1,500-foot impact area. Other lands zoned EFU are considered open space and do not appear to be farmed. The applicant did not provide information regarding the type of crop grown in the pivot circle. According to aerial imagery, it appears to be in alfalfa or grass hay production. Although the applicant states that the property owner of the subject property also owns lands to the south and east, and that these properties are rangeland that will not be affected, this is false. Property directly south of the subject property (Tax Lot 500) is owned by Aaron Basford and appears to be irrigated alfalfa/hay production and irrigated grazing land. Property to the east of the subject property is owned by Umatilla Ready Mix, Inc and land within the impact area is predominately open space.

Grazing Farm Practices: Most grazing activities within this vicinity refer to cattle grazing. Cattle are placed in a field, often with limited fencing, to roam and consume wild or planted vegetation until ready for human consumption. Many farmers rotate their cattle across various pastures or fields to allow the foraged areas the opportunity to renew. Opponents voiced concerns over the blasting impacts to their livestock, primarily spooking and health effects.

Alfalfa/Grass Hay Farm Practices: Typical farming practices for alfalfa or grass hay production include herbicide application, swathing, raking and baling the forage into bales. Once cut, the crop lays on the ground for multiple days until dry enough to be baled. The cycle then starts over, and most irrigated lands in this area can yield four to six harvests a season. Barbara Atwood provided oral testimony stating that the dust generated by the mining activities and the asphalt batch plant will affect her alfalfa crop and other crops in the vicinity. She added that one cannot feed dust-infected hay to horses, and hay that contains dust, especially aggregate dust, drastically reduces the value of the crop.

The applicant claims that the ODOT site on the subject property has been operating without conflicts to nearby agricultural practices for many years, however, testimony provided during the Planning Commission hearing provided that the ODOT site is fairly inactive, and many long-time residents do not recall more than two blasting events, and an asphalt batch plant is rarely onsite. Opposing testimony raised concerns regarding blasting impacts on livestock and horses, and impacts to the existing alfalfa crops.

Umatilla County finds the proposed Goal 5 aggregate site will conflict with nearby agricultural activities or practices.

> (F) Other conflicts for which consideration is necessary in order to carry out ordinances that supersede Oregon DOGAMI regulations pursuant to ORS 517.780;

Applicant Response: Applicant has prepared and will soon file application with DOGAMI for required mining permit and license. Applicant will comply with any abatement measures

recommended by DOGAMI. No other conflicts are known to exist. Based on the above, applicant believes this quarry operation will operate in compliance with this criterion.

County Findings and Conclusions: Umatilla County finds that there are no other conflicts for which consideration is necessary in order to carry out ordinances that supersede Oregon DOGAMI regulations. Therefore, this criterion is not applicable.

> (c) **[If conflicts exist, measures to minimize]** The local government shall determine reasonable and practicable measures that would minimize the conflicts identified under subsection (b) of this section. To determine whether proposed measures would minimize conflicts to agricultural practices, the requirements of ORS 215.296 shall be followed rather than the requirements of this section. If reasonable and practicable measures are identified to minimize all identified conflicts, mining shall be allowed at the site and subsection (d) of this section is not applicable. If identified conflicts cannot be minimized, subsection (d) of this section applies.

Applicant Response: Based on the location of the quarry and the distance of the mining from adjacent properties, applicant believes that no conflicts exist. Potential impacts to consider include fugitive dust from blasting, mining, and operation of the rock crusher. Again, applicant believes there will not be impacts based largely on the topography and distance or setback from adjoining properties within the 1,500-foot impact area. Applicant and operators will utilize best management practices such as installation of air filters on operating equipment and water to abate dust, to ensure no off-site impacts. With respect to potential impacts from blasting applicant has included a Supplemental Narrative concerning Anticipated Impacts from Blasting, prepared by Erick Staley, Consulting Geologist, that addresses the issue in detail and supports the conclusion that no conflicts will arise from blasting activity.

September 13th Response
As stated in the original applications, applicant and operators will utilize best management practices (BMPs) to ensure no offsite impacts. These BMPs the applicant and operators will use include water for dust abatement and screening of rocks, in addition to compliance with required DEQ Air Contaminant Discharge Permits requirements for operating the equipment. Any potential smoke from diesel equipment will be minimized with appropriate and required mufflers. Water will be provided with a water truck; water for the truck will be procured by applicant and operator from one of many existing, legally permitted sources including but not limited to the city of Hermiston, the city of Umatilla or an industrial water sources. The Oregon Water Resources Department (OWRD) has regulatory authority on all matters related to water rights and water use. That agency regulatory authority applies in this case as well - to ensure the applicant and operators will use water from appropriate sources only. The applicant will comply with OWRD regulations and will only utilize water from appropriate sources. The applicant does not intend to drill a well.

In the September 6, 2023 letter, Planning Division Manager Megan Davchevski the following: *"Applicant states that future potential development opportunities are extremely limited and therefore restrictions on adjacent properties may not be necessary. Applicant continues to state that no conflicts have been identified, and that the county may conclude the limiting uses on*

adjacent lands is not necessary. However, elsewhere, including the responses to (but not limited to) OAR 660- 023-040(2)(a) and (4), the applicant identifies and requests that new conflicting uses be located outside the 1,500-impact area. Thus, the applicant is requesting to restrict new uses, currently permissible, on other lands. Additionally, the narrative is contradictory by saying that there are no potential conflicts, however, then identifies conflicts that could exist and that should not be allowed within the 1,500-foot impact area of the proposed quarry."

To clarify, applicant believes there will not be any offsite impacts but suggests that county limit conflicting uses as a precautionary manner. The Findings shared in this section does not discount Findings in another section. Applicant and licensed geologist believe there will not be offsite impacts but as a precautionary matter suggest county adopt language that would limit offsite conflicting uses to protect this significant aggregate resource. Factually, only County has the prerogative to impose or not impose restrictions on adjacent lands. Applicant has presented site plans with vertical and horizontal setbacks to create substantial buffers from all contiguous and adjacent properties and respectfully defers to county to determine if limitations to future uses should be imposed.

Staff Information: For context, the quotation provided above was County Planning's response to the applicant's narrative and was provided as guidance for the applicant to submit a more robust application for review. Regrettably, conflicting responses addressing potential impacts appear throughout the application. Conflicting responses in both addressing impacts to the proposed aggregate operation from permissible uses located within the 1,500-foot impact area, and impacts by the proposed aggregate mining operation to uses located within the surrounding area. Emphasis is added with bold text. Above, applicant states:

> "Based on the location of the quarry and the distance of the mining from adjacent properties, **applicant believes that no conflicts exist**. Potential impacts to consider include fugitive dust from blasting, mining, and operation of the rock crusher. Again, applicant believes there will not be impacts based largely on the topography and distance or setback from adjoining properties within the 1,500-foot impact area" and "Applicant and licensed geologist **believe there will not be offsite impacts** but as a precautionary matter suggest county adopt language that would limit offsite conflicting uses to protect this significant aggregate resource".

Applicant then requests the County to restrict all conflicting uses to outside the 1,500-foot impact area. Under the ESEE analysis, applicant states:

> "The applicant requests that Umatilla County determine that future dwelling or residential use and other uses that would place people within the impact area, such as gathering spaces, be limited to area on adjacent parcels that is outside the 1,500- impact area. That limitation would result in limited restriction on adjacent parcels. That is**, other land uses could be permitted but the siting of those uses would need to be placed outside the 1,500-impact area**". Applicant further states, "Based on the materials submitted with this application, including the ESEE analysis, **the resource site will create little or no conflicts with existing or proposed uses within the 1,500-foot impact area**. County may consider imposing a condition of approval for future land use

applications for a conflicting use and **require new development be located outside the 1,500-foot impact area**".

Applicant did not explain how the proposed quarry operations would not conflict with existing uses (dwellings, farm stands, etc.), nor how these same uses, if proposed, should not be permitted within the impact area. Additionally, the applicant contradicts themselves in numerous statements regarding conflicts. Staff merely asked how the applicant concluded that the proposed quarry will not conflict with existing dwellings and farm uses, and still request that these same uses be located outside the 1,500-foot impact area. Presumably, the applicant is requesting these new uses to occur outside the 1,500-foot impact area because there are conflicts. It is the applicant's burden to justify measures to protect existing and proposed uses. It is then County decision makers' responsibility to determine whether or not the proposed protection measures are adequate, fair and objective. Residents and property owners within the impact area provided testimony regarding the many conflicts that exist.

County Findings and Conclusions: The County has identified potential conflicts with the two existing residential dwellings and an existing Goal 5 Drainage Area (wetland site), located on the subject property.

Umatilla County finds that conflicts with the Goal 5 Drainage Area site can be mitigated with implementation of a minimum setback requirement of 100-feet from the wetlands to all mining activities, as demonstrated in (D) above.

Umatilla County finds that potential conflicts were identified within the 1,500-foot impact area. Blasting, dust and noise have the potential to conflict with the two existing dwellings, thus mitigation measures must be identified and implemented.

Applicant states that water will be applied for dust abatement. Water will be brought onsite with a water truck and procured from a legally permitted source. The Applicant provided oral testimony stating that likely two trucks would be required a week, however did not provide supporting documentation or studies to support that this would be adequate for dust suppression. Applicant's written testimony (Exhibit S) states that one water truck a week is adequate. Applicant has identified potential water sources as the City of Hermiston, City of Umatilla or other industrial water sources. Applicant also states that air filters will be installed on all operating equipment. The Umatilla County Planning Commission found that the applicant did not adequately address dust concerns, nor provide adequate dust mitigation measures. The Umatilla County Planning Commission found and concluded that merely complying with DEQ standards for dust mitigation is not adequate for providing clear and objective mitigation measures.

Umatilla County may find that the following two subsequent conditions of approval mitigate the conflict with dust and are imposed: that the applicant obtain all necessary permits from Oregon Water Resources Department, and that water used for dust abatement and/or rock screening be from a permitted source and that air filters be installed on all operating equipment.

The applicant states that the natural basalt outcrop will serve as a barrier between the dwellings and potential conflicts with noise. However, opposing testimony raised concerns that the outcrop would buffer noise, rather it would assist noise in travelling offsite. Noise is governed by the Umatilla County Noise Control Ordinance, Chapter 96 and Oregon Administrative Rule 340-035-0035. Approved blasting activities, with all appropriate permits, are exempt from the noise regulations as stated in §96.04[3] of the Umatilla County Code of Ordinances. While approved blasting activities are exempt in the Noise Control Ordinance, general mining activities must comply with the noise regulations, Oregon Department of Environmental Quality enforces OAR 340-035-0035.

Umatilla County finds a subsequent condition of approval requiring the mining operations to comply with the DEQ Noise Standard provided in OAR 340-035-0035 is imposed.

The identified basalt outcrop begins at the south property line, about 1,500-feet from Highway 207. The outcrop then continues north-east and diminishes several times. Identified mining activities will occur north and north-west of this outcrop. The nearest dwelling is approximately 1,000 feet from the proposed mining area. Maps submitted by the applicant (Exhibit D, Figures 2 and 3) identify the extraction area as being in the entire southeast quarter of the proposed site. Buffers for the south and east site boundaries have not been identified.

The applicant consulted with Fulcrum GeoResources LLC to develop an *Anticipated Impacts from Blasting* report (Exhibit E) the Figure 2 map submitted with this report identify a basalt extraction area subject to blasting, in addition to Figure 2 of Exhibit A and Exhibit T.

Umatilla County may find that the applicant has generally identified the extraction area subject to blasting as the southeast corner of the subject property; however, the applicant did not identify blasting procedures or best practices that will be used by licensed blasters, therefore, blasting conflicts cannot be analyzed without more information.

Umatilla County finds that the applicant's supplied Fulcrum *Anticipated Impacts from Blasting* report provides guidelines for mitigating potential blasting impacts by properly planning controlled blasts, implementing blast procedures and time-delays to prevent excessive vibrations, other emissions, and by monitoring blasting to collect vibration data. A subsequent condition of approval requiring these procedures and practices could be imposed to mitigate conflicts.

Numerous property owners within the impact area provided testimony (written and oral) detailing specific impacts to their property. The applicant did not provide measures for mitigating these impacts, but instead asserted that the basalt walls and canyon would mitigate any potential impacts, despite opposing testimony stating that this would not mitigate any dust, noise or blasting effects. Opposing testimony detailed that the site and vicinity are within a canyon, and despite another quarry being over a mile to the east, noise, dust and odors travel through the canyon and to their properties.

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3 Umatilla County Code of Ordinances §96.04(F) states: *Sound caused by blasting activities when performed under a permit issued by the appropriate governmental authorities and only between the hours of 9:00 a.m. to 4:00 p.m., excluding weekends.*

Umatilla County finds that the applicant's supplied Fulcrum *Anticipated Impacts from Blasting* report does not adequately address blasting impacts to existing dwellings and farm operations.

The Umatilla County Planning Commission found that this criterion is not satisfied.

(d) **[If conflict can't be minimized then conduct an Economic, Social, Environmental, and Energy (ESEE) analysis]** The local government shall determine any significant conflicts identified under the requirements of subsection (c) of this section that cannot be minimized. Based on these conflicts only, local government shall determine the ESEE consequences of either allowing, limiting, or not allowing mining at the site. Local governments shall reach this decision by weighing these ESEE consequences, with consideration of the following:

(A) The degree of adverse effect on existing land uses within the impact area;
(B) Reasonable and practicable measures that could be taken to reduce the identified adverse effects; and
(C) The probable duration of the mining operation and the proposed post-mining use of the site.

Applicant Response: The applicant and geologist carefully selected the layout of the quarry to minimize adverse effects of the proposed mining operation on adjacent lands. Applicant does not believe there will be impacts however, applicant will comply with reasonable and appropriate required mitigation if county or other party identifies impacts.

County Findings and Conclusions: The Planning Commission found that although all identified potential conflicts could be minimized as described in (c) above, the applicant did not provide adequate supporting information detailing how conflicts would be minimized. This criterion is not applicable.

(e) **[Amend Plan]** Where mining is allowed, the plan and implementing ordinances shall be amended to allow such mining. Any required measures to minimize conflicts, including special conditions and procedures regulating mining, shall be clear and objective. Additional land use review (e. g., site plan review), if required by the local government, shall not exceed the minimum review necessary to assure compliance with these requirements and shall not provide opportunities to deny mining for reasons unrelated to these requirements, or to attach additional approval requirements, except with regard to mining or processing activities:

(A) For which the PAPA application does not provide information sufficient to determine clear and objective measures to resolve identified conflicts;
(B) Not requested in the PAPA application; or
(C) For which a significant change to the type, location, or duration of the activity shown on the PAPA application is proposed by the operator.

Applicant Response: The applicant believes the mining operation will create no or very limited impacts to adjacent lands. Negative externalities are likely limited to truck traffic onto Highway 730. Lands to the north include a steep escarpment which will not be impacted by the quarry

operation or truck traffic. Where the applicant/operators will implement best management practices and comply with all permits necessary to ensure management of dust and stormwater discharges, applicant believes further ESEE analysis is not required. If county concludes an ESEE analysis is warranted, applicant will comply with any Conditions of Approval included as part of the land use permit approval.

County Findings and Conclusions: The applicant is requesting mining approval. Umatilla County finds the imposed conditions of approval are clear and objective and satisfy the criteria. Further site plan review will be completed at the time the zoning permit is issued for the mining activities and will not exceed the minimum review necessary to assure compliance with the conditions of approval. Umatilla County may request the applicant to provide further ESEE analysis as rebuttal to the impacts identified by opposition.

(f) **[Post mining uses]** Where mining is allowed, the local government shall determine the post-mining use and provide for this use in the comprehensive plan and land use regulations. For significant aggregate sites on Class I, II and Unique farmland, local governments shall adopt plan and land use regulations to limit post-mining use to farm uses under ORS 215.203, uses listed under ORS 215.213(1) or 215.283(1), and fish and wildlife habitat uses, including wetland mitigation banking. Local governments shall coordinate with DOGAMI regarding the regulation and reclamation of mineral and aggregate sites, except where exempt under ORS 517.780.

Applicant Response: The mining site is comprised of soil types that are not Class I, II or unique soils. Applicant engaged services of Erick Staley, C.E.G. with NV5. to design and develop a mining and reclamation plan, attached to this application. The mining and reclamation plan is also submitted to DOGAMI for their review and regulation and permitting. Post mining land use will be grazing. Applicant will comply with all post-mining requirements required of DOGAMI including reclamation and restoration of lands for post mining use. The applicant will restore the site to standards imposed by DOGAMI which will also be consistent with post- mining farm uses such as grazing, as identified in ORS 215.283. Applicant understands that Umatilla County will coordinate with DOGAMI as part of county land use review.

County Findings and Conclusions: The applicant has identified grazing as a post mining land use, which is an outright use in the EFU zone. Applicant has also submitted a reclamation plan for DOGAMI review and has provided a copy of the submittal in support of the application (Exhibit J). Umatilla County finds the applicant has identified a possible post-mining use that is allowed under ORS 215.283. Umatilla County finds this criterion is satisfied.

(g) **[Issuing a zoning permit]** Local governments shall allow a currently approved aggregate processing operation at an existing site to process material from a new or expansion site without requiring a reauthorization of the existing processing operation unless limits on such processing were established at the time it was approved by the local government.
Applicant Response: Applicant finds this criterion is not applicable as this is a new site.

County Findings and Conclusions: The applicant is requesting approval of a new mining site. Umatilla County finds this criterion is not applicable.

(7) **[Protecting the site from other uses/conflicts]** Except for aggregate resource sites determined to be significant under section (4) of this rule, local governments shall follow the standard ESEE process in OAR 660-023-0040 and 660-023-0050 to determine whether to allow, limit, or prevent new conflicting uses within the impact area of a significant mineral and aggregate site. (This requirement does not apply if, under section (5) of this rule, the local government decides that mining will not be authorized at the site.)

Applicant Response: Applicant is proposing a significant aggregate resource under section (4) of this rule. Applicant requests county designate the resource as a significant resource and protect the resource from conflicting uses. Applicant believes that future potential development opportunities are extremely limited and therefore restrictions on adjacent properties may not be necessary. That is, given all adjacent land is zoned EFU, only a limited list of non-farm agricultural uses is permissible by existing local and state law. Development on land to the south and southeast is already restricted due to the presence of high voltage transmission lines and associated easements. Land to the north includes a steep rock bluff which cannot be developed. Land to the west includes State Highway 207 and further west a small remnant of tax lot 400 where future development is not likely given the parcel size and zoning. Land to the east is grazing land that may continue without any restriction.

Where no conflicts have been identified, county may conclude that limiting uses on adjacent lands is not necessary. Given that the quarry will not negatively impact farming uses on adjacent lands county may find that limitations are not necessary. One dwelling is located adjacent to the quarry area but approximately 1,500 feet distance from the quarry.

County Findings and Conclusions: The applicant has provided an ESEE analysis. The analysis supports a decision to limit new conflicting uses within the impact area to assure protection of the aggregate site, however the applicant has failed to demonstrate that other criteria of approval are satisfied. The applicant's provided ESEE analysis follows.

660-023-0040 ESEE Decision Process

(1) 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. This rule describes four steps to be followed in conducting an ESEE analysis, as set out in detail in sections (2) through (5) of this rule. Local governments are not required to follow these steps sequentially, and some steps anticipate a return to a previous step. However, findings shall demonstrate that requirements under each of the steps have been met, regardless of the sequence followed by the local government. 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. The steps in the standard ESEE process are as follows:

(a) Identify conflicting uses;

Applicant Response: The subject property and other property within 1,500 feet to the west, south, southeast, and east is zoned Exclusive Farm Use (EFU) which allows a variety of farm related uses including dwellings if certain criteria are met. The contiguous parcels currently contain dwellings and would not qualify for additional dwellings. All existing dwellings are located outside the 1,500-impact area, except for the dwelling located on tax lot 600.

Where tax lot 600 is a small, pre-existing, non-conforming parcel zoned EFU additional dwellings would not be permissible. Other uses on adjacent lands that could be permitted, include a list of uses permitted with standards ORS 215.283(1) and uses permitted conditionally ORS 215.283(2). Those uses require land use review by Umatilla County and if qualified or permitted could be sited on adjacent parcels but outside the 1,500 feet area that could create a conflict with an aggregate operation. Any potential conflict that might arise would be a new use that would permit a place where people are living or working. The parcels are large enough so that future uses could be sited outside the 1,500-impact area.

Land to the north is zoned EFU and contains a large escarpment. All other property within the 1,500-foot impact area is zoned EFU and those lands are primarily range land. Tax lot 600 is contiguous to tax lot 400 and contains a dwelling. That dwelling is located 1,500 feet from the quarry area. Given the parcel size and soil types it is not likely other adjacent parcels in the EFU Zone would qualify to meet the standards for siting a farm dwelling.

County Findings and Conclusions: Conflicting uses have been evaluated and provided below. Identified conflicting uses are: winery, farm stand, home occupations, churches, dwellings, schools, parks, playgrounds, community centers, boarding and lodging facilities and various commercial uses related to agriculture. This criterion is satisfied.

(b) Determine the impact area;
Applicant Response: The impact area is a 1,500-foot buffer extending from the aggregate site boundary.

County Findings and Conclusions: The identified 1,500-foot buffer is sufficient according to the maximum distance allowed by Oregon Revised Statute.

(c) Analyze the ESEE consequences; and
Item (c) is addressed below.

(d) Develop a program to achieve Goal 5.
Item (d) is addressed below.

(2) Identify conflicting uses. Local governments shall identify conflicting uses that exist, or could occur, with regard to significant Goal 5 resource sites. To identify these uses, local governments shall examine land uses allowed outright or conditionally within the zones applied to the resource site and in its impact area. Local governments are not required to

consider allowed uses that would be unlikely to occur in the impact area because existing permanent uses occupy the site. The following shall also apply in the identification of conflicting uses:

Applicant Response: Applicant concludes that other uses on adjacent land, all of which is zoned EFU, will be limited to farming and natural resource use. The proposed mining will not conflict with natural resource use. Given parcel size, soil type, easements, and the existing high voltage transmission line, non farm development is very unlikely to be permissible under UCDO or state law other than uses already present on adjacent properties. Nonetheless, applicant provides an analysis of potential conflicting uses. Under this provision, applicant identifies conflicting uses that could occur, in proximity to the mining site. The table below includes potential uses that could create conflicts within the 1500-foot impact of the entire parcel even though the proposed mining site is smaller than the parcel area.

Potential conflicting uses found in the Umatilla County Development Code are outlined in the **Table 1**, below. This criterion is satisfied.

Table 1 - Potential Conflicting Uses

Potential Conflicting Uses		
Zoning	Code Sections	Potential Conflicting Uses
EFU	152.056 Uses Permitted 152.058 Zoning Permit 152-059 Land Use Decisions or 152.060 Conditional Uses	No conflicting uses identified. Replacement Dwellings, Winery, Farm Stand, Home Occupations. Churches, Dwellings, Schools, Parks, Playgrounds, Community Centers, Hardship Dwellings, Boarding and Lodging Facilities, Various Commercial Uses Related to Agriculture.

Umatilla County Findings: The applicant has identified potential conflicting uses within EFU zone and the 1500-foot impact area. Umatilla County finds potential conflicts exist and are evaluated below.

(a) If no uses conflict with a significant resource site, acknowledged policies and land use regulations may be considered sufficient to protect the resource site. The determination that there are no conflicting uses must be based on the applicable zoning rather than ownership of the site. (Therefore, public ownership of a site does not by itself support a conclusion that there are no conflicting uses.)

Applicant Response: The uses listed in the table above will be mitigated with existing UCDO setbacks. Applicant finds that any of the potential conflicting uses are highly unlikely given the restrictive EFU Zoning. However, county could adopt a Goal 5 protection program to protect the aggregate resource and require that would include only a single standard - requiring that any new non-farm development be allowed outside the 1,500-impact area. That would both protect the Goal 5 resource and not limit future land uses on adjacent parcels.

County Findings and Conclusions: Potential conflicting uses taken from the Umatilla County Development Code that could be adversely affected by mining on the proposed Goal 5 expansion area are identified above. Therefore, this criterion is not applicable.

(b) A local government may determine that one or more significant Goal 5 resource sites are conflicting uses with another significant resource site. The local government shall determine the level of protection for each significant site using the ESEE process and/or the requirements in OAR 660-023-0090 through 660-023-0230 (see OAR 660-023-0020(1)).
Applicant Response: There is an existing Goal 5 aggregate resource site directly to the east of the proposed quarry. This Goal 5 site is a large significant aggregate resource. Approval of the proposed quarry would not impact the existing quarry.

Umatilla County may find that the only significant Goal 5 site within the impact area is an existing aggregate operation, which is not identified as a conflicting use since the proposed use being evaluated is also aggregate mining. The ESEE analysis is evaluated below.
County Findings and Conclusions: There are two existing Goal 5 sites within the 1,500-foot impact area, both Goal 5 sites are on the subject property. The Goal 5 site north of Highway 730 is a large significant aggregate site and is mined by ODOT. Since this is an existing aggregate site, and is a similar operation to the applicant's request, there are no known conflicts.

The other Goal 5 site is on most of the subject property and is a significant wetland in the Umatilla County Technical Report. This significant wetland is designated as a 3c in the Technical Report, the 3c designation states that the site is significant and warrants protection from conflicting uses. The identified protection in the Technical Report is to limit conflicting uses with a 100-foot setback for structures and sewage disposal systems.

Umatilla County finds one significant Goal 5 site within the impact area is an existing aggregate operation, which is not identified as a conflicting use since the proposed use being evaluated is also aggregate mining. The other Goal 5 site, a significant wetland, has been protected and conflicts with this site are evaluated and can be mitigated under OAR 660-023-0180(3)(d) above. The ESEE analysis is evaluated below.

(3) **Determine the impact area**. Local governments shall determine an impact area for each significant resource site. The impact area shall be drawn to include only the area in which allowed uses could adversely affect the identified resource. The impact area defines the geographic limits within which to conduct an ESEE analysis for the identified significant resource site.
Applicant Response: The impact area for an aggregate site is 1,500 feet, as specified by OAR 660-023-0180(5)(a). Based on the list of potential conflicting uses identified in **Table 1**, above, Umatilla County may conclude that the 1,500-foot impact area is sufficient for conducting the ESEE analysis.

County Findings and Conclusions: The 1,500-foot impact area specified in OAR 660-023-0180(5)(a) is adequate for determining impacts for the proposed aggregate site. Umatilla

County finds and concludes the 1,500-foot impact area is adequate for conducting the ESEE analysis.

(4) **Analyze the ESEE consequences**. Local governments shall analyze the ESEE consequences that could result from decisions to allow, limit, or prohibit a conflicting use. The analysis may address each of the identified conflicting uses, or it may address a group of similar conflicting uses. A local government may conduct a single analysis for two or more resource sites that are within the same area or that are similarly situated and subject to the same zoning. The local government may establish a matrix of commonly occurring conflicting uses and apply the matrix to particular resource sites in order to facilitate the analysis. A local government may conduct a single analysis for a site containing more than one significant Goal 5 resource. The ESEE analysis must consider any applicable statewide goal or acknowledged plan requirements, including the requirements of Goal 5. The analyses of the ESEE consequences shall be adopted either as part of the plan or as a land use regulation.

Applicant Response: The applicant requests that Umatilla County determine that future dwelling or residential use and other uses that would place people within the impact area, such as gathering spaces, be limited to area on adjacent parcels that is outside the 1,500-impact area. That limitation would result in limited restriction on adjacent parcels. That is, other land uses could be permitted but the siting of those uses would need to be placed outside the 1,500-impact area.

Land uses that have potential to pose a conflict with the quarry include wineries, farm stands, mass gatherings, agri-tourism activities, churches, commercial activities in conjunction with farm use that could encourage gathering, private and public parks, golf courses, community centers, destination resorts, living history museums, residential homes, room and board operations, and schools. Again, those uses could occur on adjacent parcels but be sited outside the 1,500-impact area.

Mining at the quarry located north of Highway 730 has operated in this area without any significant conflicts for more than 30 years.

Table 1 shows uses allowed in the EFU zone within the 1,500-foot impact area. For purposes of the ESEE analysis, these potential conflicting uses can be grouped into two types of similar uses:

- Dwellings (typically includes farm dwellings, non-farm dwellings, lot of record dwellings, replacement dwellings, hardship dwellings, home occupations, room and board operations

- Public/Private Gathering Spaces (typically includes wineries, churches, community centers, private and public parks and playgrounds, living history museums, golf courses, public or private schools, various commercial uses related to agriculture)

County Findings and Conclusions: As shown in Table 1, above, the local government has determined several outright and permitted uses that are allowed by the different zones within the

1,500-foot impact area. For purposes of the ESEE analysis, these potential conflicting uses can be grouped into two types of similar uses:

- Dwellings (typically includes farm dwellings, non-farm dwellings, lot of record dwellings, replacement dwellings, hardship dwellings, home occupations, room and board operations

- Public/Private Gathering Spaces (typically includes wineries, churches, community centers, private and public parks and playgrounds, living history museums, golf courses, public or private schools, various commercial uses related to agriculture)

The applicant's ESSE Analysis follows:

ESEE consequences related to review criteria for dwellings and gathering spaces in the 1,500-foot impact area surrounding the proposed quarry			
	Prohibit dwellings and gathering spaces	*Condition the placement of new dwellings and gathering spaces*	*No change to review standards for dwellings and gathering spaces*
Economic Consequences	**Consequences related to new use on neighboring properties.** There may be some negative economic impact to neighboring property owners if new dwellings or gathering places were allowed within 1,500 feet of the quarry boundary. Where the adjacent parcels are large a new dwelling could be permitted but restricted to locate outside the 1,500-impact area. **Consequences related to not allowing quarry operation.** The economic benefit of preserving the applicant's ability to operate the mining site has an economic impact through direct employment and by providing aggregate and asphalt to development in West Umatilla County.	**Consequences related to new use on neighboring properties.** The economic impact to neighboring property owners would be neutral given that new development may occur on the larger parcels, but the specific siting would be limited to area outside the 1,500-impact area.	A 500kV transmission line and towers is located on parcels to the south. Development is not allowed under and adjacent to the transmission line. New development is likely already limited to areas outside of the 1,500 area.
	Prohibit dwellings and gathering spaces	*Condition the placement of new dwellings and gathering spaces*	*No change to review standards for dwellings and gathering spaces*
Social Consequences	**Consequences related to new use on neighboring properties.** Restricting the placement of a dwelling to an area outside 1,500 feet of the quarry boundary, would have a negative social consequence. This would be similar if gathering spaces were also prohibited. The social consequences stem from a landowner's desire to have	**Consequences related to new use on neighboring properties.** The social impact to neighboring property owners would be neutral if acceptance of the mining activity were added as a condition of approval for new dwellings and uses related to social gatherings within 1,500 feet of the quarry boundary. Options available to property-owners would not be	**Consequences related to new use on neighboring properties.** The social impact to neighboring property owners would be neutral if new dwellings and social gathering spaces within 1,500 feet of the quarry boundary were allowed under existing county and state review standards.

	reasonable options and flexibility when making choices about what they can and cannot do on their land. **Consequences related to limitation of quarry.** Development and other construction and maintenance projects in the region would be delayed or limited if access to the quarry is not allowed.	reduced. Dwellings and gathering spaces that meet county and state standards criteria would be allowed. **Consequences related to loss of quarry.** Various development and construction projects in the region that would utilize the aggregate material in the proposed quarry may have to forgo their development which could impact social activities including those that would benefit recreation and tourism.	**Consequences related to loss of quarry.** Various development and construction projects in the region that would be served with aggregate material in the proposed quarry would be delayed or possibly even cancelled.
	Prohibit dwellings and gathering spaces	*Condition the placement of new dwellings and gathering spaces*	*No change to review standards for dwellings and gathering spaces*
Environmental Consequences	**Consequences related to new use on neighboring properties.** None identified. **Consequences related to not allowing quarry operation.** Limiting access to this quarry would have a net negative environmental impact as it would increase distance to haul material to new development thus increasing vehicle emissions from truck travel.	**Consequences related to new use on neighboring properties.** Environmental consequence would be negligible given that development from under transmission lines already limits development within the 1,500 setback area. **Consequences related to loss of quarry.** Efficient development practices include obtaining aggregate material from a quarry close to the project site. There will be some environmental benefit from fewer vehicle emissions when truck travel is minimized.	**Consequences related to new use on neighboring properties.** A negative environmental consequence may be increased noise if new dwellings and social gathering spaces were allowed in the impact area. **Consequences related to loss of quarry.** There may be some negative environmental consequence if new uses in the impact area oppose mining activity and pose an obstacle to the use of this site. Efficient development practices include obtaining aggregate material from a quarry close to the project site. Vehicle emissions will increase if trucks must travel further to access material.
	Prohibit dwellings and gathering spaces	*Condition the placement of new dwellings and gathering spaces*	*No change to review standards for dwellings and gathering spaces*

Energy Consequences	**Consequences related to new use on neighboring properties.** None identified. **Consequences related to loss of quarry access.** Consequences related to loss of quarry access. Efficient development practices include obtaining aggregate material from a quarry close to the project site. There will be some negative energy consequences from additional fuel use if truck travel is increased due to loss of access to this quarry.	**Consequences related to new use on neighboring properties.** None identified. **Consequences related to loss of quarry.** Efficient development practices include obtaining aggregate material from a quarry close to the project site. There will be some negative energy consequences from additional fuel use if truck travel is increased due to loss of access to this quarry.	**Consequences related to new use on neighboring properties.** None identified. **Consequences related to loss of quarry.** Efficient development practices include obtaining aggregate material from a quarry close to the project site. There will be some negative energy consequences from additional fuel use if truck travel is increased due to loss of access to this quarry.

(5) **Develop a program to achieve Goal 5**. Local governments shall determine whether to allow, limit, or prohibit identified conflicting uses for significant resource sites. This decision shall be based upon and supported by the ESEE analysis. A decision to prohibit or limit conflicting uses protects a resource site. A decision to allow some or all conflicting uses for a particular site may also be consistent with Goal 5, provided it is supported by the ESEE analysis. One of the following determinations shall be reached with regard to conflicting uses for a significant resource site:

(a) A local government may decide that a significant resource site is of such importance compared to the conflicting uses, and the ESEE consequences of allowing the conflicting uses are so detrimental to the resource, that the conflicting uses should be prohibited.
(b) A local government may decide that both the resource site and the conflicting uses are important compared to each other, and, based on the ESEE analysis, the conflicting uses should be allowed in a limited way that protects the resource site to a desired extent.
(c) A local government may decide that the conflicting use should be allowed fully, notwithstanding the possible impacts on the resource site. The ESEE analysis must demonstrate that the conflicting use is of sufficient importance relative to the resource site, and must indicate why measures to protect the resource to some extent should not be provided, as per subsection (b) of this section.

Applicant Response: Based on the materials submitted with this application, including the ESEE analysis, the resource site will create little or no conflicts with existing or proposed uses within the 1,500-foot impact area. County may consider imposing a condition of approval for future land use applications for a conflicting use and require new development be located outside the 1,500-foot impact area. County could require a waiver of remonstrance with language stating that the applicant accepts normal mining activity at this significant aggregate site and restricts a landowner's ability to pursue a claim for relief or cause of action alleging injury from the aggregate operation.

County Findings and Conclusions: Umatilla County has determined, through the applicant's ESEE analysis, that the resource site and the conflicting uses (dwellings,

wetlands and public/private gathering spaces) are important compared to each other. Applicant is requesting that new conflicting uses be prohibited within the 1,500-foot impact area. However, this could be considered "taking" from property owners of lands within the impact area. Other quarry sites (new and expansions) have requested that new conflicting uses, identified in the ESEE analysis, be allowed with a recorded waiver of remonstrance. The waiver precludes the landowner's ability to pursue a claim for relief or cause of action against the aggregate operation. Therefore, Umatilla County finds that if the site could be approved, that proposed conflicting uses within the 1,500-foot impact area should be required to sign a waiver of remonstrance for the life of the Cox Quarry and is adequate to achieve Goal 5.

A condition of approval is imposed that any land use application for a proposed conflicting use within the 1,500-foot impact area requires a waiver of remonstrance prior to final approval. The waiver shall include language stating that the applicant accepts normal mining activity at this significant aggregate site and restricts a landowner's ability to pursue a claim for relief or cause of action alleging injury from the aggregate operation.

Umatilla County finds that the waiver of remonstrance requirement for proposed conflicting uses along with the mitigation measures proposed by the applicant are adequate to minimize conflicts for future uses that potentially locate within the mining impact area. The criterion is satisfied.

660-023-0050 Programs to Achieve Goal 5

(1) For each resource site, local governments shall adopt comprehensive plan provisions and land use regulations to implement the decisions made pursuant to OAR 660-023-0040(5). The plan shall describe the degree of protection intended for each significant resource site. The plan and implementing ordinances shall clearly identify those conflicting uses that are allowed and the specific standards or limitations that apply to the allowed uses. A program to achieve Goal 5 may include zoning measures that partially or fully allow conflicting uses (see OAR 660-023-0040(5) (b) and (c)).

Applicant Response: Umatilla County may find that Policy 41 of the Umatilla County Comprehensive Plan may be amended to list the quarry as a significant aggregate resource site.

The Umatilla County Zoning Map may be amended to apply the Aggregate Resource (AR) Overlay Zone to the subject property. In addition, county may apply a 1,500-foot buffer around the AR Overlay Zone which will be shown on the Zoning Map to acknowledge that conflicting uses (dwellings and public/private gathering spaces) may be limited.

Finally, as noted previously, county may require a condition of approval for any land use application that could present a conflict within the 1,500-foot impact area.

County Findings and Conclusions: Umatilla County finds that if the request is approved, Policy 41 of the Umatilla County Comprehensive Plan shall be amended to list the Cox

Quarry as a significant aggregate resource site.

The Umatilla County Zoning Map will be amended to apply the Aggregate Resource (AR) Overlay Zone to the subject property. In addition, a 1,500-foot buffer around the AR Overlay Zone will be shown on the Zoning Map to acknowledge that conflicting uses (dwellings and public/private gathering spaces) are limited.

As noted previously, a condition of approval is imposed that any land use application for a proposed conflicting use within the 1,500-foot impact area requires a waiver of remonstrance prior to final approval. The purpose of this condition is not to disallow these activities, but to ensure that applicants for these types of uses be made aware of the mining operation and waive their rights to remonstrate against aggregate mining activities allowed by this decision. This would be consistent with current Umatilla County Development Code provisions found at 152.063(D) that are applicable to permitted mining activities. This criterion is met.

(2) When a local government has decided to protect a resource site under OAR 660-023-0040(5)(b), implementing measures applied to conflicting uses on the resource site and within its impact area shall contain clear and objective standards. For purposes of this division, a standard shall be considered clear and objective if it meets any one of the following criteria:

(a) It is a fixed numerical standard, such as a height limitation of 35 feet or a setback of 50 feet;
(b) It is a nondiscretionary requirement, such as a requirement that grading not occur beneath the dripline of a protected tree; or
(c) It is a performance standard that describes the outcome to be achieved by the design, siting, construction, or operation of the conflicting use, and specifies the objective criteria to be used in evaluating outcome or performance. Different performance standards may be needed for different resource sites. If performance standards are adopted, the local government shall at the same time adopt a process for their application (such as a conditional use, or design review ordinance provision).

Applicant Response: Applicant requests that Umatilla County find it valuable to limit conflicting uses within the 1,500-foot impact area for the life of the quarry in order to achieve Goal 5. Applicant also requests the Umatilla County Zoning Map be amended to apply the Aggregate Resource (AR) Overlay Zone to the 46.7-acre property. In addition, a 1,500-foot buffer around the AR Overlay Zone will be shown on the Zoning Map to acknowledge that conflicting uses (dwellings and public/private gathering spaces) are limited. Finally, applicant requests a condition of approval be imposed on any land use application for a proposed conflicting use within the 1,500-foot impact area requires a waiver of remonstrance prior to final approval.

County Findings and Conclusions: Umatilla County finds that proposed conflicting uses within the 1,500-foot impact area are required to sign a waiver of remonstrance to achieve Goal 5. The purpose of this condition is not to disallow these activities, but to ensure that applicants for these types of uses be made aware of the mining operation and also waive their rights to remonstrate against aggregate mining activities allowed by this decision. This is

consistent with Umatilla County Development Code provision 152.063(D) which is applicable to the permitted mining activities.

If approved, the Umatilla County Zoning Map will be amended to apply the Aggregate Resource (AR) Overlay Zone to the subject property. In addition, a 1,500-foot buffer around the AR Overlay Zone will be shown on the Zoning Map to acknowledge that conflicting uses (dwellings and public/private gathering spaces) are limited.

Umatilla County finds a condition of approval is imposed that any land use application for a proposed conflicting use within the 1,500-foot impact area requires a waiver of remonstrance prior to final approval. This criterion is satisfied.

(3) In addition to the clear and objective regulations required by section (2) of this rule, except for aggregate resources, local governments may adopt an alternative approval process that includes land use regulations that are not clear and objective (such as a planned unit development ordinance with discretionary performance standards), provided such regulations:

(a) Specify that landowners have the choice of proceeding under either the clear and objective approval process or the alternative regulations; and
(b) Require a level of protection for the resource that meets or exceeds the intended level determined under OAR 660-023-0040(5) and 660-023-0050(1).

Umatilla County finds that this request is related to aggregate resources. Therefore, this criterion is not applicable.

29. STANDARDS OF THE UMATILLA COUNTY DEVELOPMENT CODE FOR ESTABLISHING AN AR OVERLAY ZONE are found in Sections 152.487 and 152.488. The following standards of approval are underlined and the findings are in normal text.

152.487 CRITERIA FOR ESTABLISHING AN AR OVERLAY ZONE: Section 152.487 of the Umatilla County Development Code lists required criteria the Planning Commission must consider for establishing an AR Overlay Zone. Criteria are listed and underlined. Evaluation responses are provided in normal text.

(A) At the public hearing the Planning Commission shall determine if the following criteria can be met:
(1) The proposed overlay would be compatible with the Comprehensive Plan;

Applicant Response: The Umatilla County Comprehensive Plan and Technical Report apply to this application that seeks to protect the proposed aggregate site under Goal 5 as a significant site. Applicant requests county apply the Aggregate Resource Overlay Zone to the mining site, and to allow mining and processing on the site.

Comprehensive Plan Finding 38: Extraction of non-renewable aggregate and mineral resources requires ongoing exploration, reclamation, separation from adjacent incompatible land uses and

access.

Comprehensive Plan Policy 38.
(a) The County shall encourage mapping of future agencies sites, ensure their protection from conflicting adjacent land uses, and required reclamation plans.
(b) Aggregate and mineral exploration, extraction, and reclamation shall be conducted in conformance with the regulations of the Department of Geology and Mineral Industries.
(c) The County Development Ordinance shall include conditional use standards and other provisions to limit or mitigate conflicting uses between aggregate sites and surrounding land uses.

The applicant is seeking protection of the aggregate site by the application of the Aggregate Resource Overlay Zone and protection from encroaching and conflicting uses by mapping of the buffer area. The applicant hired a certified geologist to evaluate the site and prepare a map of the extraction and reclamation area for the Department of Geology and Mineral Industries. Based on this the application can be found to comply with Comprehensive Plan Policy 38.

Finding 41: Several aggregate sites were determined to be significant enough to warrant protection from surrounding land uses in order to preserve the resource.
Umatilla County [may] find that the applicant's request for limitations of conflicting residential and social gathering spaces would be required only in very limited circumstance but that they would be reasonable to provide protection of a significant Goal 5 resource.
The applicant's application and professional geology report demonstrate that the inventory of aggregate material at [the site] meets ODOT quality specifications and exceeds the 500,000 tons minimum. The application complies with quality and quantity standards in OAR 660-023-0180(3).

There are no residences or properties zoned for residential use within 1,000 feet of the proposed overlay.

The mining area will have some screen with trees and other vegetation between the mining area and Highway 730. Some of the mining operation may be visible from state Highway 730 but not from other vistas.

Based on the above, the applicant requests that the Comprehensive Plan be updated to include the proposed quarry in order to preserve the resource, in compliance with Finding 41.

County Findings and Conclusions: The Umatilla County Comprehensive Plan and Technical Report apply to the applicant’s request. The existing ODOT site, also located on the subject property, north of Highway 730 has been added to the Comprehensive Plan Aggregate Resource Large Significant Site inventory indicating that the site is significant and warrants protection. This ODOT aggregate site has also been approved for mining activities. The applicant’s request seeks to similarly protect the proposed aggregate site under Goal 5 as a significant site, to apply the Aggregate Resource Overlay Zone to the mining site, and to allow mining and processing (including an asphalt batch plant) on the site.

Comprehensive Plan Findings and Policies are also applicable. Finding 38 states, "Extraction of non-renewable aggregate and mineral resources requires ongoing exploration, reclamation, separation from adjacent incompatible land uses and access." The accompanying policy is also applicable:

> Policy 38. (a) The County shall encourage mapping of future agencies sites, ensure their protection from conflicting adjacent land uses, and required reclamation plans.
> (b) Aggregate and mineral exploration, extraction, and reclamation shall be conducted in conformance with the regulations of the Department of Geology and Mineral Industries.
> (c) The County Development Ordinance shall include conditional use standards and other provisions to limit or mitigate conflicting uses between aggregate sites and surrounding land uses.

The applicant is seeking protection of the aggregate site by the application of the Aggregate Resource Overlay Zone and protection from encroaching and conflicting uses by mapping of the buffer area to best achieve both this Finding and Policy.

Finding 41 is also applicable and states, "Several aggregate sites were determined to be significant enough to warrant protection from surrounding land uses in order to preserve the resource." Based on this application, the applicant requests that the accompanying Policy be updated to list the Cox Quarry.

Umatilla County finds that the applicant's request for application of the AR Overlay zone and limitations of conflicting new residential and social gathering space uses is reasonable under the Goal 5 protection program and appears to be compatible with the Umatilla County Comprehensive Plan. This criterion is met.

> (2) There is sufficient information supplied by the applicant to show that there exists quantities of aggregate material that would warrant the overlay;
>
> The Umatilla County Planning Commission found that the applicant's PAPA application and laboratory reports demonstrated that the inventory of aggregate material at the Cox Quarry is estimated at 4,738,409 tons which exceeds the minimum 500,000 tons, however this was not verifiable with a representative set of samples, as only one aggregate sample was provided, as found above. This criterion is not met.
>
> (3) The proposed overlay is located at least 1,000 feet from properties zoned for residential use or designated on the Comprehensive Plan for residential;
>
> Umatilla County finds that there are no properties zoned for residential use within 1,000 feet of the proposed overlay. This criterion is met.
>
> (4) Adequate screening, either natural or man-made, is available for protecting the site from surrounding land uses.
>
> **Applicant Response:** No response.

County Findings and Conclusions: The proposed quarry will be sited south of Highway 730 and east of Highway 207. The proposed mining area will be set back from the two highways, and the existing wetlands and shrubbery will provide some screening. The Planning Commission found and concluded that the applicant did not meet all criteria of approval, thus adequate screening was not addressed. The County Board of Commissioners may find that additional screening is required along the site boundaries and may impose an additional condition of approval.

(5) The site complies with Oregon Administrative Rules (OAR) 660-023-0180.

The Umatilla County Planning Commission found that several standards found in (OAR) 660-023-0180 were not met by the proposed mining operation, as provided above. This criterion is not satisfied.

152.488 MINING REQUIREMENTS: Section 152.488 of the Umatilla County Development Code lists mining requirements for aggregate sites under the AR Overlay Zone. Criteria are listed and underlined. Evaluation responses are provided in standard text.

(A) All work done in an AR Overlay Zone shall conform to the requirements of DOGAMI or its successor, or the applicable state statutes.
Applicant Response: Applicant's geologist has prepared an application to DOGAMI and the application will be submitted concurrently with the land use application. Applicant will comply with all mining and reclamation required by DOGAMI.

County Findings and Conclusions: Umatilla County finds and concludes that the applicant shall provide to the Umatilla County Planning Division a copy of the DOGAMI operating permit and, as a condition of approval, will be required to obtain all necessary State Permits before commencing mining activities.

(B) In addition to those requirements, an aggregate operation shall comply with the following standards:

(1) For each operation conducted in an AR Overlay Zone the applicant shall provide the Planning Department with a copy of the reclamation plan that is to be submitted under the county's reclamation ordinance;

Applicant Response: See attached reclamation plan prepared for DOGAMI permits.

County Findings and Conclusions: Umatilla County finds that the reclamation plan requirements must meet the standards of DOGAMI and that a copy of the approved reclamation plan is to be submitted to the Planning Division. A subsequent condition of approval is imposed requiring the applicant to submit a copy of the DOGAMI approved reclamation plan to Planning, the condition of approval satisfies the criterion.

(2) Extraction and sedimentation ponds shall not be allowed within 25 feet of a public road or within 100 feet from a dwelling, unless the extraction is into an area that is above the grade

of the road, then extraction may occur to the property line;

Applicant Response: The applicant will mine the aggregate resource leaving a 25-foot buffer area around the perimeter of the subject property. There is one home on property adjacent to the proposed mining area, located to the south and west of the mining site. Mining will not be done within 100 feet of the home. There are no other homes within the 1,500-foot impact area. Sedimentation pond will be more than 25 feet from any county roads. See attached mining plan and site plan.

County Findings and Conclusions: Umatilla County finds and concludes that the applicant has submitted a site plan demonstrating that extraction and sedimentation ponds are not within 25-feet of a public road or within 100-feet of a dwelling. A subsequent condition of approval imposing that this site plan accompany the final zoning permit satisfies the criterion.

(3) Processing equipment shall not be operated within 500 feet of an existing dwelling at the time of the application of the Overlay Zone. Dwellings built after an AR Overlay Zone is applied shall not be used when computing this setback.

Applicant Response: The nearest dwelling is located to the south and west of the quarry area. Although the property lines abut, the dwelling will be approximately 1,500 feet from the mining area. Additionally, processing equipment will be sited in such a way as to create a further and more physical buffer.
County Findings and Conclusions: Umatilla County finds as a condition of approval, the applicant shall provide a site plan demonstrating that processing equipment will be sited to retain the 500-foot setback to the existing dwellings. Umatilla County concludes imposition of this condition of approval satisfies the criterion.

(4) All access roads shall be arranged in such a manner as to minimize traffic danger and nuisance to surrounding properties and eliminate dust.

Applicant Response: The parcel has direct access to Highway 730 and has applied to ODOT to move the access for the purpose of minimizing congestion and conflicts with traffic. A new road on the parcel will be constructed to standard.

County Findings and Conclusions: Umatilla County finds that the proposed Cox Quarry site has frontage along both Highway 730 and Highway 207. The applicant has indicated that Highway 730 will be utilized for access. A new access point will need to be approved and constructed to Highway 730 to support the mining activity. A subsequent condition of approval is imposed that the applicant obtain access permit approval from ODOT to Highway 730. Internal haul roads shall be constructed to minimize traffic danger and nuisance to surrounding properties and eliminate dust. Umatilla County finds and concludes a subsequent condition of approval requiring haul roads to be constructed to minimize traffic danger and nuisance to surrounding properties and eliminate dust satisfies the criterion.

30. ANALYSIS OF STATEWIDE PLANNING GOALS 1 THROUGH 14.

Goal 1 Citizen Involvement: *To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

Applicant Response: Umatilla County's Comprehensive Plan and Umatilla County Development Ordinance includes robust provisions for citizen involvement program, including notice of Planning Commission and Board of Commissioners public hearings and opportunity for persons to participate in the hearings. This combined legislative and quasi-judicial request will be publicly noticed and heard at two public hearings where citizens will be afforded opportunity to participate in person and/or in writing.

County Finding: Umatilla County finds that the applicant's request will go through the public hearing process and therefore complies with Statewide Planning Goal 1 (Citizen Involvement).

Goal 2 Planning: *To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

Applicant Response: By following UCDO and ORS notice and hearing requirements this request is in compliance with Goal 2.

County Finding: Umatilla County finds that through this amendment process, the applicant's request complies with the County's Comprehensive Plan and Development Code and therefore complies with Statewide Planning Goal 2 (Planning).

Goal 3 Agricultural Lands: *To preserve and maintain agricultural lands.*

Applicant Response: The application and materials demonstrate that the proposed quarry will be compatible with uses allowed in the EFU zone while also allowing mining of a Goal 5 significant site. The only potential impact for agricultural lands is dust, which, as noted above, will be mitigated with water for dust control and air filters on equipment. An aggregate operation is consistent with Oregon Revised Statute 215.203, designating the zoning as Exclusive Farm Use (EFU). That is, rock quarries are allowed on land zoned EFU provided the resource is designated as a significant resource under the Goal 5 process which is precisely the request here. Additionally, most quarries in Oregon are located on EFU zoned land. Where there is any doubt about compatibility with agricultural lands, above the application shows that only minor dust has the potential to impact farm and the applicant proposes to use dust abatement and filtering to prevent impacts. No place has the application found the proposed use is contrary to preservation of agricultural lands in the area. Oregon law does not prioritize Statewide Planning Goals and has developed Administrative Rules with clear and objective standards for permitting Goal 5 resources while balancing impacts to farmland. The applicant has demonstrated that Goal 3 farmland will be protected while allowing the designation and development of a Goal 5 aggregate resource at this location. Statewide Planning Goals 3 and 5 are complimentary at this location.

County Finding: Umatilla County finds that the applicant's request appears to **not** be consistent with Statewide Planning Goal 3 (Agricultural Lands) as demonstrated throughout this document. Potential conflicts with the proposed mining operation and existing agricultural operations were analyzed and identified by the County, Applicant and the public during testimony. Farmers within the vicinity provided testimony stating that the proposed aggregate site and associated mining activities, including the asphalt batch plant, will have a negative impact on their existing farm crops (namely alfalfa hay), and livestock. The applicant did not provide mitigation measures for impacts to farming activities. The proposed site is not located on high value farmland soils, nor is it removing productive farmland. As the applicant has provided, aggregate extraction and associated mining activities are allowed in the EFU zone, thus, a Goal Exception to Statewide Planning Goal 3 is not required however, due to the impacts on nearby farming operations, Umatilla County concludes the request is not compliant with Goal 3.

Goal 4 Forest Lands: *To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.*

Applicant Response: There are no forest lands in this region of the county and no forest lands impacted by this request.

County Finding: Umatilla County finds that Statewide Planning Goal 4 (Forest Lands) does not directly apply to the applicant's request.

Goal 5 Open Spaces, Scenic and Historic Areas, and Natural Resources: *To protect natural resources and conserve scenic and historic areas and open spaces.*

Applicant Response: The application and materials demonstrate the aggregate site is a significant resource and should be protected to allow mining. The existing Goal 5 aggregate site located north of Highway 730 is not available to private sector. The site contains wetlands listed on the National Wetlands Inventory map. A wetland delineation was reviewed by Department of State Lands. The quarry and mining area was configured to avoid impacts to wetlands.

County Finding: As demonstrated throughout this document, other Goal 5 resources are present on the subject property: a significant wetland and an ODOT aggregate site. The ODOT site will not be impacted by the proposed quarry site. However, impacts to the Goal 5 wetland and associated wildlife are not clear and could not be determined. The applicant provided ESEE analysis demonstrates the importance and benefit of establishing the proposed Goal 5 site. Umatilla County finds and concludes that the applicant's request is to apply Goal 5 protection to the site, the request has been reviewed under the necessary Goal 5 process and does not appear to be consistent with Statewide Planning Goal 5 (Open Spaces, Scenic and Historic Areas, and Natural Resources).

Goal 6 Air, Water and Land Resources Quality: *To maintain and improve the quality of the air, water and land resources of the state.*

Applicant Response: The application and materials demonstrate that proposed mining will or can comply with applicable federal and state environmental standards for air and water quality. Additionally, applicant will utilize best management practices.

County Finding: Umatilla County finds that the applicant's request does not adequately addresses air, water and land resource quality. The applicant stated that they will obtain necessary permits and implement best practices to be consistent with Statewide Planning Goal 6 (Air, Water and Land Resource Quality). However, the applicant did not address all air quality issues raised by opponents, nor share the proposed best management practices as demonstrated throughout this document.

Goal 7 Areas Subject to Natural Hazards and Disasters: *To protect people and property from natural hazards.*

Applicant Response: Natural hazards known in this general vicinity include wildfire and flooding. The property is not located in a designated flood zone as designated by the Federal Emergency Management Agency. The property is not subject to flooding. While there is no evidence of wildfire on the property, wildfires are generally known to occur. The subject property is not located in a high-risk wildfire area according to the 2021 Umatilla County Natural Hazard Mitigation Plan (NHMP WF-2). Operation of the quarry would not create additional challenges to wildfire mitigation.

County Finding: The subject property is not within the FEMA mapped floodplain, nor is it prone to flooding. Wildfires are generally known to occur along the Highway 730 corridor, however, the property is not located in a high-risk wildfire area in Umatilla County's 2021 Natural Hazard Mitigation Plan. Operation of the quarry would likely not create additional challenges to wildfire mitigation. Umatilla County finds that Statewide Planning Goal 7 (Areas Subject to Natural Hazards and Disasters) does not directly apply to this request.

Goal 8 Recreation Needs: *To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.*

Applicant Response: The application does not impact recreational opportunities.

County Finding: Umatilla County finds that the applicant's request appears to be consistent with Statewide Planning Goal 8 (Recreation Needs) and Goal 8 does not directly apply to this request.

Goal 9 Economy: *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

Applicant Response: The approval of a new aggregate site will provide economic benefit to the region by increasing the supply of rock and asphalt for new development, repair and construction of roads and other uses. Currently, given the level of development in West Umatilla and North Morrow Counties there is a deficit of aggregate and asphalt. The new quarry will create 3-4 new

jobs in the area. Overall, the new quarry will have positive effect on the local and regional economy.

County Finding: Umatilla County finds that the applicant's request will provide an economic benefit to the region, as described in the ESEE analysis, and will increase the supply of rock and asphalt for development. Therefore, the request appears to be consistent with Statewide Planning Goal 9 (Economy).

Goal 10 Housing: *To provide for the housing needs of citizens of the state.*

Applicant Response: Approval of this site would increase supply of aggregate and asphalt used in housing construction such as for roads and infrastructure.

County Finding: Umatilla County finds housing is not a direct consideration of this request, however, the requested activities will allow for aggregate to be available for use in the housing and commercial construction business. Thus, the request is consistent with Statewide Planning Goal 10.

Goal 11 Public Services: *To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

Applicant Response: The proposed quarry does not have a direct impact on Goal 11 however, it would provide rock and asphalt resources necessary for infrastructure development.

County Finding: Umatilla County finds that the applicant's request appears to support Statewide Planning Goal 11 (Public Services).

Goal 12 Transportation: *To provide and encourage a safe, convenient and economic transportation system.*

Applicant Response: Applicant has submitted an Access Permit application to ODOT to relocate the existing driveway to a location that will minimize congestion and be better suited for vision clearance. Additionally, the relocated access and internal roadway will avoid impacts to wetlands. Traffic from the mining area will vary based on the time of year. At peak applicant estimates 12 trucks per day and two to three employee vehicles. Average Daily Trips will be under the 250 trips identified within the Umatilla County Development Code UCDC 152.019(B)(2)(a) and Transportation System Plan (TSP) as the trigger for requiring a Traffic Impact Study. However, county staff indicated they could not deem the application complete without a traffic impact analysis. Applicant then employed Kittelson and Associates, Inc. to conduct a transportation impact analysis which is attached. The TIA concludes that "the proposed Aggregate Resources Overlay Zone and mining and asphalt operation is not anticipated to result in a significant impact to the transportation network or require offsite mitigation." Kittelson & Associates recommended two conditions which the applicant supports.

- Construct a new site access roadway connection to US 730. A STOP (R1-1) sign should be installed on the northbound approach to US 730 in accordance with ODOT and County standards and the *Manual on Uniform Traffic Control Devices* (MUTCD) in conjunction with site development.
- To provide and maintain adequate intersection sight distance at the site access road connection to US 730, locate any proposed signage or landscaping appropriately such that the minimum intersection sight distance can be maintained.

Based on the TIA and the above, the application can be found to be in compliance with the county Transportation System Plan, County Development Code 152.019(B) and Goal 12.

County Finding: Umatilla County finds as part of this application approval process; the applicant will be required to construct a new access point to serve the proposed mining operation that complies with ODOT requirements. The applicant submitted a Traffic Impact Analysis (Exhibit F) which found that the proposed mining operations will add approximately 356 daily trips on local roads, which overall will have minimal impact on both Highway 207 and Highway 730. The current 15-minute traffic count for the intersection of these two state highways is nearly equivalent to the average daily trips of the mining operation. Therefore, the proposed mining operation is not anticipated to have a significant effect on the local transportation network. Umatilla County finds that the applicant's request appears to support Statewide Planning Goal 12 (Transportation).

Goal 13 Energy: *To conserve energy.*

Applicant Response: Application does not directly affect energy conservation, however, by approving this new quarry and mining operation truck hauling can be reduced which in turn decreases energy consumption.
County Finding: Umatilla County finds that the addition of this site on the Goal 5 Aggregate Resource inventory will reduce the hauling distances of aggregate trucks for projects in the vicinity. Decreasing hauling distances reduces fossil fuel consumption. Therefore, the applicant's request appears to be consistent with Statewide Planning Goal 13 (Energy).

Goal 14 Urbanization: *To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.*

Applicant Response: The proposed quarry and mining operation is a rural use. Goal 14 does not apply.

County Finding: Mining operations are not necessarily an urban land use and are typically located outside of urban areas. Umatilla County finds that Statewide Planning Goal 14 (Urbanization) is not specifically applicable to this request.

PAPA DECISION: DENIAL

BASED UPON THE FINDINGS OF FACT AND CONCLUSIONS OF LAW, THE

REQUEST TO AMEND THE COMPREHENSIVE PLAN TO ADD THIS SIGNIFICANT SITE TO THE COUNTY'S INVENTORY OF SIGNIFICANT SITES AND ESTABLISH AN AGGREGATE RESOURCE OVERLAY TO THE COX SITE IS DENIED.

DECISION TO ALLOW MINING: DENIAL

BASED UPON THE FINDINGS OF FACT AND CONCLUSIONS OF LAW, THE REQUEST TO ALLOW MINING OF THE COX SITE IS DENIED.

THE PLANNING COMMISSION FOUND THAT THE FOLLOWING CRITERIA OF APPROVAL WERE NOT MET BY THE APPLICANT:

1. OAR 660-023-130 (3)(a) A representative set of samples of aggregate material in the deposit on the site

2. OAR 660-023-130 (5) (b) [Conflicts created by the site]

3. OAR 660-023-130 (5) (c) [If conflicts exist, measures to minimize]

4. UCDC 152.487(A)(2) There is sufficient information supplied by the applicant to show that there exists quantities of aggregate material that would warrant the overlay

5. UCDC 152.487(A)(5) The site complies with Oregon Administrative Rules (OAR) 660-023-0180.

IF THE SITE COULD BE APPROVED, IT WOULD BE SUBJECT TO THE FOLLOWING CONDITIONS.

MINING ACTIVITIES ARE NOT ALLOWED UNTIL A COUNTY ZONING PERMIT HAS BEEN ISSUED

Precedent Conditions: The following precedent conditions must be fulfilled prior to final approval of this request:

1. Obtain approval for the Post Acknowledgement Plan Amendment (PAPA) request to list the site as a Large Significant Aggregate Site in the Comprehensive Plan, and apply the Aggregate Resource (AR) Overlay Zone.

2. Pay notice costs as invoiced by the County Planning Division.

Subsequent Conditions: The following subsequent conditions must be fulfilled following final approval of this request:

1. Obtain all other federal and state permits necessary for development. Provide copies of these permit approvals to the Planning Division.

    a. Obtain an ODOT road approach permit to Highway 730. Provide a copy of the access approval to the Planning Division.

    b. Obtain all applicable permits for the mining operations from DOGAMI before these activities begin. Applicant will obtain approval from DOGAMI for the reclamation plan and submit a copy of the reclamation plan to the Planning Department.

    c. Obtain all applicable permits for the mining operation from DEQ (air, noise, and water quality issues) before these activities begin.

2. Submit a blasting plan to the Planning Division explaining how blasting impacts will be mitigated. The plan shall detail blast procedures, how the procedures will be implemented, how time-delays will be utilized and implemented, and monitoring procedures including how vibration data will be collected. The blasting plan shall be implemented for all blasting activities for the life of the Cox Quarry.

3. Obtain a Zoning Permit from Umatilla County Planning Division to finalize the approval of mining the aggregate site. The site plan shall demonstrate that the extraction and sedimentation ponds are not located within 25-feet of a public road or within 100-feet from a dwelling. Processing equipment shall not be located within 500-feet of an existing dwelling. Additionally, all mining activities shall be setback a minimum of 100-feet from wetlands.

4. The applicant and its contractors shall implement best management practices, including obtaining necessary permits to manage dust, stormwater and other discharges.

5. If the site were to lay inactive for a period of greater than one year, a new zoning permit must be obtained.

6. Adhere to DEQ Noise Standard as found in OAR 340-035-0035, *Noise Control Regulations for Industry and Commerce*.

7. Develop internal haul roads in a manner that minimize traffic danger and nuisance to surrounding properties and eliminate dust.

8. If cultural artifacts are observed during ground-disturbing work, that work must cease in the development area until the find is assessed by qualified cultural resource personnel from the State Historic Preservation Office and the Confederated Tribes of the Umatilla Indian Reservation (CTUIR). Once qualified cultural resource personnel from SHPO and CTUIR are satisfied, the ground-disturbing work may continue.

9. Contour and revegetate the quarry for agricultural or wildlife habitat purposes during post-mining activities according to the requirements of the DOGAMI application.

10. Any land use application for a proposed conflicting use within the 1,500-foot impact area requires a waiver of remonstrance prior to final approval. The waiver shall include language stating that the applicant accepts normal mining activity at this significant aggregate site and restricts a landowner's ability to pursue a claim for relief or cause of action alleging injury from the aggregate operation.

UMATILLA COUNTY BOARD OF COMMISSIONERS

Dated the _____day of _____, 2023

_____
Celinda A. Timmons, *Commissioner*

_____
John M. Shafer, *Commissioner*

_____
Daniel N. Dorran, *Commissioner*

Proposed Umatilla County Comprehensive Plan Text Amendment

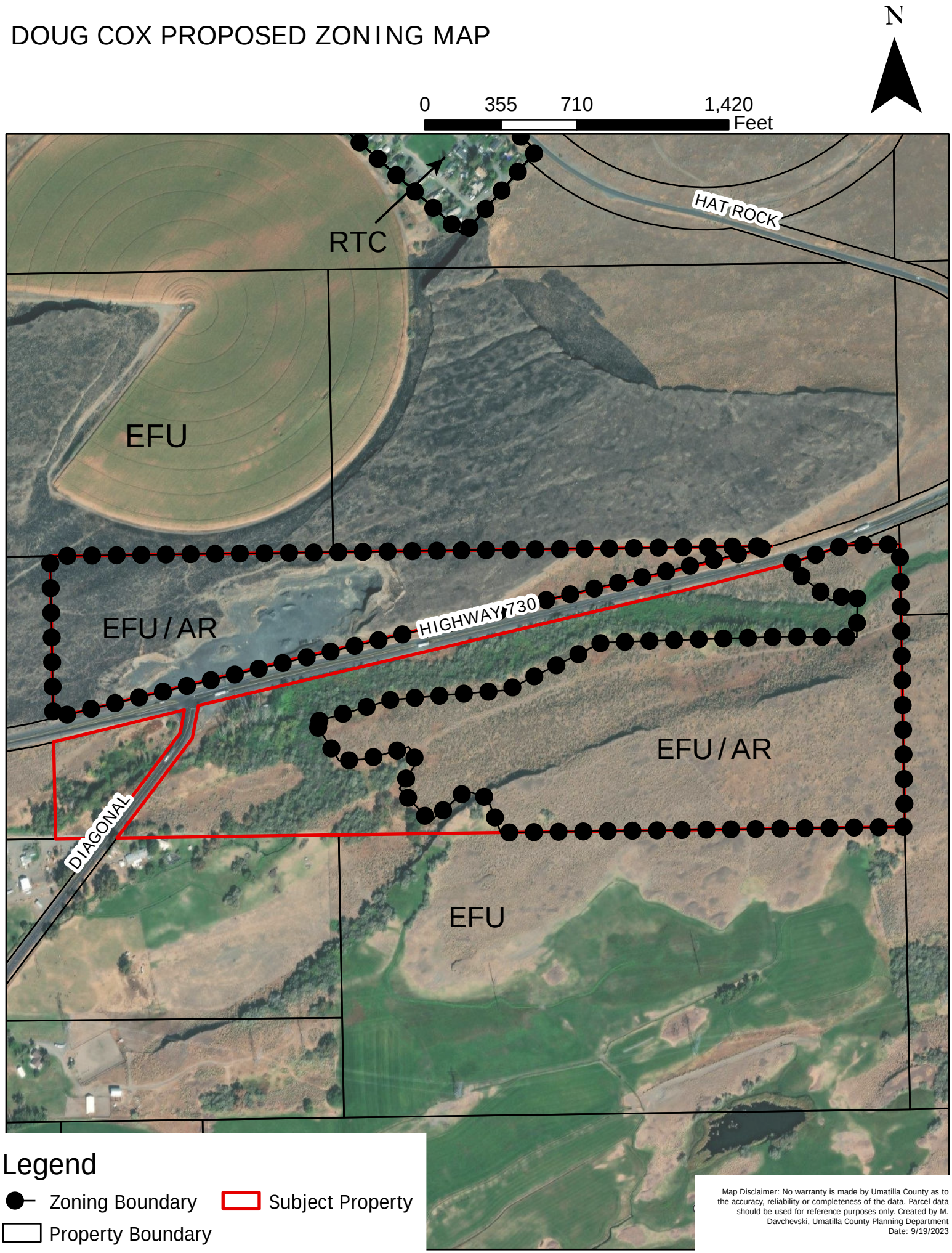
DOUG COX QUARRY
Comprehensive Plan Text Amendment T-093-23
Zoning Map Amendment #Z-323-23
Township 5N, Range 29E, Section 22, Tax Lot 400

This proposed amendment to the Umatilla County Comprehensive Plan is to add to the Doug Cox Quarry Site to the list of Goal 5 protected, significant resource aggregate sites. The following proposed changes will be made in Chapter 8, Open Space, Scenic and Historic Areas, and Natural Resources:

Note: Proposed changes are in underlined text.

41. Several aggregate sites were determined to be significant enough to warrant protection from surrounding land uses in order to preserve the resource (see Technical Report).	41. In order to protect the aggregate resource, the County shall apply an aggregate resource overlay zone to the following existing sites: (1) ODOT quarry, T5N, R35E, Section 35, TL 6200, 5900. (2) ODOT quarry, T5N, R29E, Section 22, TL 800 ("Sharp's Corner") (3) Private, commercial pit, T4N, R38E, Section 27, TL 1100. (4) Upper Pit, T4N, R28E, Sections 28, 29, TL 4000. (5) ODOT quarry, T3N, R33E, Section 23, TL 100, 600, 700 (6) Several quarries, T2N, R31E, Section 15, 16, 17, TL 400, 800, 3100. (See Technical report for specific site information). (7) ODOT quarry, T3S, R30 1/2, Section 12, 13, TL 503. (8) ODOT quarry, T4N, R35, TL 7303. (9) Private, commercial pit, T4N, R28E, Sections 30, 31, TL 300, 2200, 2202, 2203. (10) ODOT quarry, T1N, R35, Section 34, TL 800, 900, 1000, and T1S, R35, Section 03, TL 100. (11) ODOT quarry, T1S, R30, TL 1901. (12) ODOT quarry, T2N, R27, TL 2700. (13) Private, commercial pit, T4N, R27E, Section 25, TL 900, Section 36, TL 400, 500, 600, 700, 800, 1400, 1500. (14) Private, commercial pit, T2N, R32, Section 04, TL 400. (15) [Intentionally left blank] (16) Private, commercial pit, T5N, R29, Section 22, TL 400

DOUG COX PROPOSED ZONING MAP



Legend

- Zoning Boundary
- Subject Property
- Property Boundary

Map Disclaimer: No warranty is made by Umatilla County as to the accuracy, reliability or completeness of the data. Parcel data should be used for reference purposes only. Created by M. Davchevski, Umatilla County Planning Department
Date: 9/19/2023

NV5

January 31, 2023

CRP & Hauling, LLC
PO Box 131
Hermiston, OR 97838

Attention: Doug Cox

Mine Resource Evaluation Report
Proposed Mine Site
Umatilla County, Oregon
Project: CRPHauling-1-01

INTRODUCTION

NV5 is pleased to submit this report to CRP & Hauling, LLC (CRP) summarizing our mine resource evaluation for a proposed mine in the southeast portion of Tax Lot 400, southeast of the intersection of US 730 and Diagonal Boulevard (OR 207) in unincorporated Umatilla County, Oregon. Figure 1 presents a vicinity map of the site. The subject property consists of 74.5 acres. Figure 2 presents an aerial photograph and the existing topography for the subject property. Figure 3 shows the final topography for a potential mine extraction area based on the interpreted geology underlying the site, discussed later in this report. Figure 4 shows cross sections reflecting the existing and final topographies and the estimated resource volume.

CRP intends to develop a surface aggregate mine at the subject property and will be applying for land-use entitlement through a Goal 5 process to rezone the property into Umatilla County's Aggregate Resource overlay. To facilitate this process, the site must be determined to be "significant" in accordance with Oregon Administrative Rules (OAR) Section 660-023-0180. The criteria rely on demonstration of the location, quantity, and quality of aggregate resources. To address these criteria, NV5 conducted a study of the aggregate resource at the property and has prepared this mine resource evaluation report to support a determination of whether the property has "significant" resources in accordance with OAR 660-023-0180(3).

SCOPE OF SERVICES

Our specific scope of services consisted of the following:

- Reviewed readily available geologic data for the site, including geologic maps, soil maps, and previous laboratory testing of a collected rock sample from the site.
- Conducted surface reconnaissance of the site and vicinity for site conditions, surface geologic exposures, and possible sensitive areas for potential permitting constraints.
- Collected a representative sample from natural bedrock exposures at the site.
- Arranged for aggregate quality testing of the sample with a qualified laboratory including air degradation, abrasion, and soundness testing.
- Developed a potential mined excavation that would maximize the extent of the interpreted resource within the confines of what overseeing agencies would likely permit, created a 3-D geologic model for the site, and calculated an estimated volume of the resource.
- Summarized our findings in this mine resource evaluation report prepared by a registered geologist licensed in Oregon, including the estimated resource volume and tonnage at the site and supporting figures.

SITE CONDITIONS

SURFACE CONDITIONS

NV5 visited the site on December 13, 2022, to observe site conditions. The site topography consists of a well-defined bluff about 30 to 50 feet tall and running roughly east to west, which separates a flat upland in the southeast site from the gently sloped, lower property to the north, as shown by the topographic contours on Figure 2. Elevations on the site range from 400 to 500 feet above mean sea level (MSL). The upper part of the bluff consists of a discontinuous bedrock escarpment with near-vertical exposures of hard, gray to brownish gray, hackly jointed to narrowly columnar basalt. The exposed basalt ranges from 10 to 20 vertical feet.

The upland south of the basalt escarpment is generally well vegetated by grasses, shrubs, and isolated trees. Basalt is also exposed as isolated, lenticular knobs rising about 5 to 6 feet above the surrounding ground surface and oriented parallel to the escarpment. These bedrock knobs are visible in aerial photos and suggest the soil on top of the upland bedrock is fairly shallow, likely no more than a few feet thick.

Downslope of the exposed basalt, there is a gradually decreasing, well-vegetated slope covered by grasses and brush. An existing access road traverses the area from east to west. We observed exposures of loose, fine- to medium-grained sand with few fines along the gently sloped area.

Farther north is a densely vegetated drainage with abundant trees, bushes, and tall grasses. It is identified as the Cold Springs Wash on maps and runs parallel to US 730 across most of the property except for the easternmost site, where a narrow drainage runs through a pasture. The wash turns south near its western extent to continue off site. The western wash creates an interior division of the property between the main area to the east and a much smaller area to the west (as shown on Figure 2). This wash is apparently wet and green most of the year, based on our on-site observations of standing water and review of historical aerial imagery. At the time of our site visit, the region had experienced several inches of snow followed by rain, which

melted the snow and resulted in significant runoff draining into the wash from the surrounding area. There also was runoff through the pasture east of the wash that flowed off site and collected as standing water in the off-site pasture.

Wetlands

According to the National Wetlands Inventory (NWI), the on-site wash is identified as a freshwater emergent wetland categorized as PEM1C for Palustrine, Emergent, Persistent, and Seasonally Flooded.[1] NWI also maps a small, isolated wetland in the southeast corner of the upland property, also categorized as PEM1C. The Oregon State Department of State Lands (DSL) provided an off-site wetlands determination report that incorporated the NWI data with additional wetland areas based on interpretation of aerial imagery (Attachment A). The mapped wetlands shown on Figures 2 and 3 are based on the information from the DSL report, except for the isolated NWI wetland shown in the southeast corner. Based on our review of historical aerial imagery and the aerials included in the DSL report, this isolated wetland polygon does not show any difference in vegetation from the surrounding upland nor any historical accumulation of water. Instead, there is an area roughly the same size as the isolated wetland polygon south of the subject property that has consistent green vegetation, trees, and water accumulation in historical aerials. The NWI does not map this area as an isolated wetland, even though these features are apparent in aerial imagery. We interpret the isolated polygon mapped by NWI as a mapping error of the area located off site, to the south. As such, this polygon is not considered accurate and does not affect the resource interpreted in this report.

Topsoil

We reviewed soil maps available online from the U.S. Department of Agriculture Natural Resources Conservation Service (NRCS) for the project area.[2] The soils mapped by NRCS within the proposed mine area shown on Figures 2 and 3 consist of Quincy-Rock outcrop complex on the upland and Quincy loamy fine sand between the escarpment and the wetlands. The topsoil thickness described for these units (where topsoil is present) is reported to be 15 inches.
A criterion under OAR 660-023-0180(3)(d) requires that a "significant" aggregate resource property cannot have more than 35 percent of the proposed mine area covered by Class 1 or Class 2 soil. NRCS assigns a land capability class to each mapped soil unit to categorize its potential for agricultural use. Neither of the mapped soil units is Class 1 or Class 2 soil.

SITE GEOLOGY

The proposed mine site is on the south side of the Columbia River valley within the Deschutes-Columbia Plateau physiographic province.[3] The regional topography is characterized by relatively broad, flat areas with gently undulating topography interrupted by abrupt bedrock hills, steep bluffs, terraces, and canyons. The uplands and canyons typically expose bedrock of the Columbia River Basalt Group (CRBG). The CRBG consists of dense, hard basalt flows that were

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1 U.S. Fish and Wildlife Service, n.d. National Wetlands Inventory web mapping application. Retrieved January 24, 2023, from https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/.
2 U.S. Department of Agriculture Natural Resources Conservation Service, n.d. Web Soil Survey. Retrieved January 24, 2023, from https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm.
3 Orr, E. L., and Orr, W. N., 1999. *Geology of Oregon.* Iowa: Kendall/Hunt Publishing, 254 pp.

emplaced over vast areas of the Pacific Northwest. The CRBG underlies much of the region, including the site vicinity.[4] Many of the flattened uplands correspond to basalt flow tops truncated by the steeply eroded bedrock exposures.

The CRBG is considered to have significant resource potential for aggregate due to the durability and lateral consistency of the basalt flows. Another portion of Tax Lot 400 north of US 730 is currently mined by the Oregon Department of Transportation (ODOT), which extracts basalt bedrock for roadway aggregate. There is a similar basalt escarpment north of US 730 to the one observed on site. We observed that the exposed basalt is similarly hard and jointed like the on-site basalt.

The Columbia River valley was subjected to multiple glacial-outburst floods from Glacial Lake Missoula (i.e., the Missoula floods) over several glacial cycles, the most recent occurring approximately 15,500 to 13,000 years ago. These turbulent floods resulted from the bursting of glacial ice dams that formed Glacial Lake Missoula, inundating the site vicinity. The flood waters scoured much of the soil and weathered rock from the area and also carved channels and terraces that are still evident today. US 730 occupies an elongate lowland between the two bedrock escarpments discussed above. We interpret the lowland to represent a glacial flood channel between the on-site bluff and the hillside to the north of US 730 (Figure 2). Later, less-turbulent flooding deposited accumulations of sand and gravel as stream bars and hummocky bedload over the scoured basalt surface. We interpret the fine to medium sand observed on site in the gently sloped area as Missoula flood deposits from the later stages of glacial flooding.

RESOURCE QUANTITY

In accordance with OAR 660-023-0180(3), a potential "significant" aggregate site must demonstrate it has adequate quantity and quality of aggregate resource to deserve listing. Per OAR code, a potential site must have at least 500,000 tons of aggregate resource, and the material must pass certain ODOT quality tests. The following sections describe our estimate of the quantity of basalt aggregate resource potentially available at the site within the confines of what permitting agencies would likely allow for mining.

MINING LIMITS AND GROSS CUT VOLUME

To estimate the quantity of available rock material at the site, we first developed a three-dimensional model using AutoCAD-Civil3D software to estimate a gross cut volume of material. The limits of the model were determined using the following parameters:

- Topographic data downloaded from Google Earth Pro to characterize the ground surface.
- A 25-foot setback from the property boundary for mine extraction. Extraction activities typically must observe a setback from property boundaries to avoid accidental trespass during mining and allow access around the site perimeter.

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[4] Madin, I. P., and Geitgey, R. P., 2007. *Preliminary Geologic Map of the Umatilla Basin, Morrow and Umatilla Counties, Oregon*. Department of Geology and Mineral Industries Open-File Report O-07-15, plate 1, scale 1:100,000 (compiled at 1:44,000).

- A 25-foot setback from the wetland areas shown on Figures 2 and 3, for similar reasons.
- A simplified boundary between the interpreted occurrence of basalt bedrock and sand deposits, drawn as a vertical contact. This is more conservative than what would be expected at the site, since the sand should overlie basalt. This should result in a lesser volume of basalt than what may actually underlie the site.
- A final mined floor elevation of 420 feet above MSL. This would allow the mine floor to drain to a stormwater pond or other management system.
- Excavated basalt mine slopes with a net gradient of 1H:1V, which is more conservative than using a simple vertical cut.

The final cut topography resulting from these mining limits is presented on the map on Figure 3 and in the cross sections on Figure 4. The extraction limits include a basalt extraction area and a sand extraction area. The resulting gross cut volume in the basalt extraction area is estimated to be 2,125,679 cubic yards, as summarized in Table 1 and in the table on Figure 4. There is an additional estimated volume of 694,419 cubic yards of sand (see table on Figure 4), but this sand volume is not considered part of the "significant" resource analysis in this report and simply represents additional, potential resource available at the site.

OVERBURDEN REDUCTION

We reduced the gross cut volume in the basalt extraction area using an assumed average topsoil and overburden thickness of 2 feet. This is based on the vegetative cover and occurrence of bedrock knobs observed on the upland and the soil unit description from NRCS. The total overburden volume was estimated at 65,501 cubic yards in the basalt extraction area. This reduces the gross cut to an in situ resource volume of 2,060,178 cubic yards, as summarized in Table 1.

RESOURCE TONNAGE

For listing as a "significant" resource, a property in Umatilla County must have at least 500,000 tons of aggregate. To convert the estimated in situ rock volume (cubic yards) of basalt resource to mass (tons), we used a typical density for in-place basalt resource of 2.3 tons per cubic yard. This is on the lower end of published values for basalt density, which range from 2.3 to 2.5 tons per cubic yard.[5,6] Using this density, the resulting tonnage of resource rock would be 4,738,409 tons, as summarized in Table 1.

Our estimate indicates the potential basalt resource in our analysis results in more than nine times the required tonnage to be considered "significant." This does not include the additional resource that may be present at greater depths than the model mine floor, nor does it include the additional sand resource at the site.

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[5] GeoSci Developers, 2017. Densities of Igneous Rocks. Retrieved from https://gpg.geosci.xyz/content/physical_properties/tables/density_igneous_rocks.html.

[6] Caterpillar Inc., 2018. *Caterpillar Performance Handbook*. Peoria, Illinois, 2,442 pp.

Table 1. Resource Quantity Estimate for the Basalt Extraction Area

Material	Estimated Quantity
Gross Cut Volume	2,125,679 cubic yards
Topsoil Volume	- 65,501 cubic yards
In Situ Rock Volume	**2,060,178 cubic yards**
Resource Tonnage	**4,738,409 tons**

RESOURCE QUALITY

CRP previously tested the quality of a grab sample from the exposed basalt on site. Laboratory testing was performed by Budinger and Associates of Spokane Valley, Washington. The results are provided in Appendix B. NV5 collected an additional grab sample from the exposed on-site basalt during our reconnaissance. Laboratory testing was performed by Carlson Testing, Inc. of Tigard, Oregon. Test result reports are presented in Appendix B. Quality tests included the following:

- Los Angeles Abrasion (AASHTO T 96): Used to evaluate the abrasion resistance of an aggregate. This test measures the toughness of an aggregate and provides an indication of how readily a crushed aggregate may further break down through transport and handling.
- Oregon Degradation Value (ODOT TM 208): Used to determine the susceptibility of an aggregate to degrade under repeated traffic loading. The test measures the production of fines when particles are abraded in the presence of water by means of air jets.
- Sulfate Soundness (AASHTO T 104): This test determines an aggregate's resistance to disintegration by weathering and, in particular, freeze-thaw cycles. Salt crystals precipitate in the aggregate pores, which simulate ice-crystal formation.

The test results summarized in Table 2 are compared to standard acceptance criteria for various aggregate products in accordance with the 2021 ODOT Specifications Manual.[7] The test reports indicate that the submitted samples meet the ODOT acceptance criteria for base rock summarized in Table 2. These three tests correspond to the ODOT quality tests required for an aggregate resource to be considered "significant" per OAR 660-023-0180(3). The laboratory testing indicates the on-site aggregate resource meets the quality requirements for listing as "significant."

[7] Oregon Department of Transportation, 2022. *Oregon Standard Specifications for Construction, 2021.* Retrieved from https://www.oregon.gov/odot/Business/Specs/2021_STANDARD_SPECIFICATIONS.pdf.

Table 2. Aggregate Quality Requirements and Laboratory Test Results

Quality Test Method	Requirement to Pass per OAR 660-023-0180(3)(a)	Results for Farmington Quarry Aggregate
Abrasion (AASHTO T 96)[1]	Loss not more than 35 percent by weight	10 to 14 percent (pass)
Oregon Air Degradation (ODOT TM 208)[2]	Loss not more than 30 percent by weight	1.4 percent (pass)
Sodium Sulfate Soundness (AASHTO T 104)[3]	Loss not more than 12 percent by weight	0.8 percent (pass)

1. AASHTO T 96, Standard Method of Test for Resistance to Degradation of Small-Size Coarse Aggregate by Abrasion and Impact in the Los Angeles Machine
2. ODOT Test Method 208-12, Method of Test for Oregon Air Aggregate Degradation
3. AASHTO T 104, Standard Method of Test for Soundness of Aggregate by Use of Sodium Sulfate or Magnesium Sulfate

CONCLUSION

The results of our study indicate the proposed mine site has basalt resource at the property of sufficient quantity and quality to warrant considering the site as a "significant" aggregate resource in accordance with OAR 660-023-0180(3).

LIMITATIONS

We prepared this mine resource evaluation report for use by CRP for the proposed mine project in Umatilla County, Oregon. Our report, conclusions, and interpretations should not be construed as warranty of the subsurface conditions and are not applicable to areas other than the subject site.

Our interpretations of the mining and geologic conditions are based on discussions with the client, review of publicly available information, and exposures of soil and rock at the project area. The accuracy of outside information is beyond our control. If subsurface conditions differing from those described in this report are noted during the course of site development, re-evaluation will be necessary.

Within the limitations of scope, schedule, and budget, our services have been executed in accordance with generally accepted practices in this area at the time the report was prepared. No warranty or other conditions, express or implied, should be understood.

♦ ♦ ♦

We appreciate the opportunity to be of service to you. Please call if you have questions concerning this report or if we can provide additional services.

Sincerely,

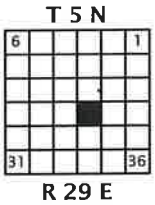
NV5

Erick J. Staley, C.E.G.
Principal Engineering Geologist

Expires 06/01/2023

EJS:sn
Attachments
One copy submitted
Document ID: CRPHauling-1-01-013123-geolr

FIGURES



SITE COORDINATES:

LATITUDE: 45° 54' 7.5" N

LONGITUDE: 119° 10' 1.2" W

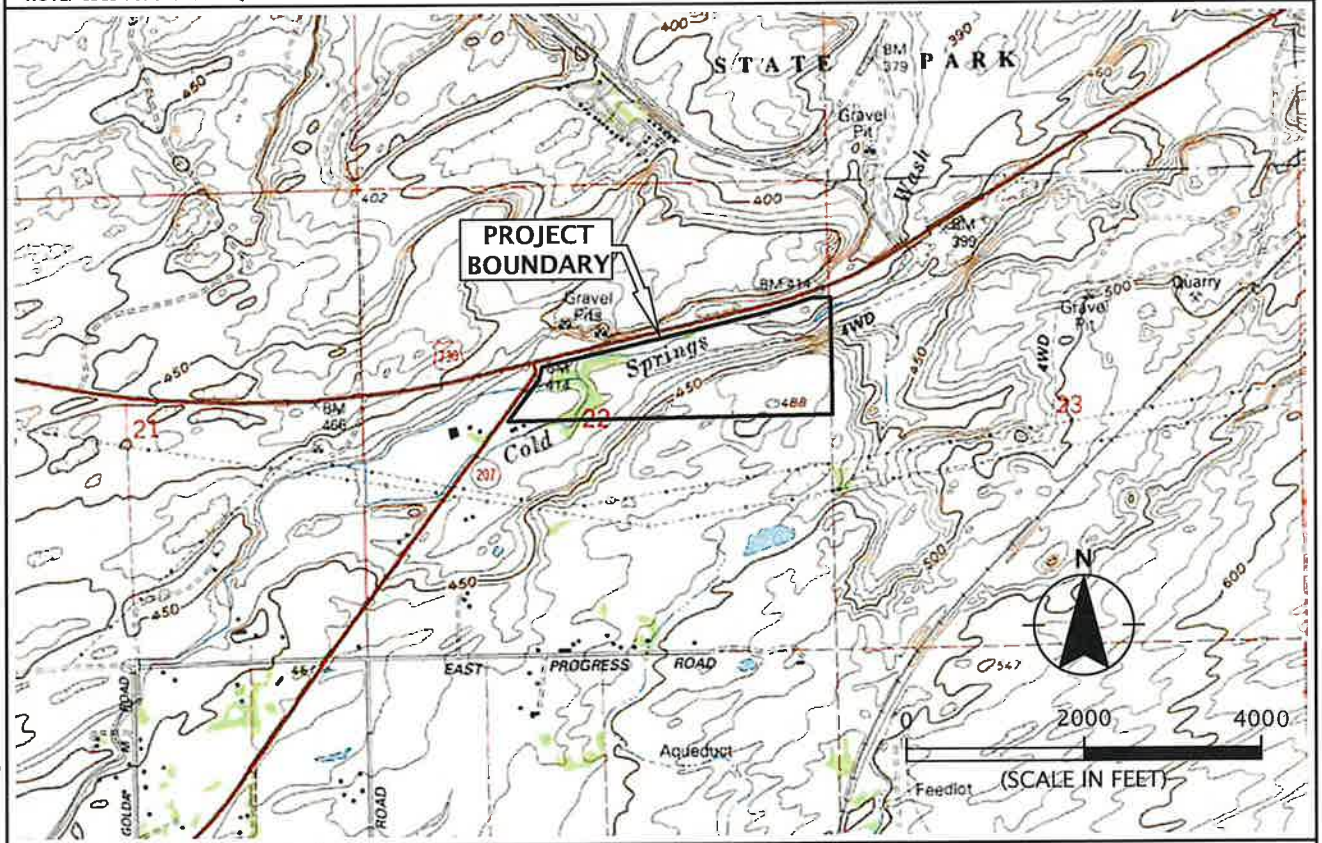
EASTERN OREGON

LEGAL DESCRIPTION

THE PROPERTY BOUNDARY IS LOCATED IN PORTIONS OF THE FOLLOWING QUARTER-QUARTER SECTIONS:

- SE QUARTER OF THE NE QUARTER OF SECTION 22
- SW QUARTER OF THE NE QUARTER OF SECTION 22
- SE QUARTER OF THE NW QUARTER OF SECTION 22

NOTE: USGS TOPOGRAPHIC QUADRANGLE MAPS REPRODUCED USING MAPTECH TERRAIN NAVIGATOR PRO®.



NV5	CRP & HAULING, LLC	VICINITY MAP	
	CRPHAULING-1-01 JANUARY 2023	UMATILLA COUNTY, OR SECTION 22, TOWNSHIP 5N, RANGE 29E, W.M.	FIGURE 1

Printed By: mmiller | Print Date: 1/31/2023 8:46:40 AM
File Name: J:\A-D\CRPHauling\CRPHauling-1\CRPHauling-1-01\Figures\CAD\CRPHauling-1-01-VM02.dwg [Layout: FIGURE 1

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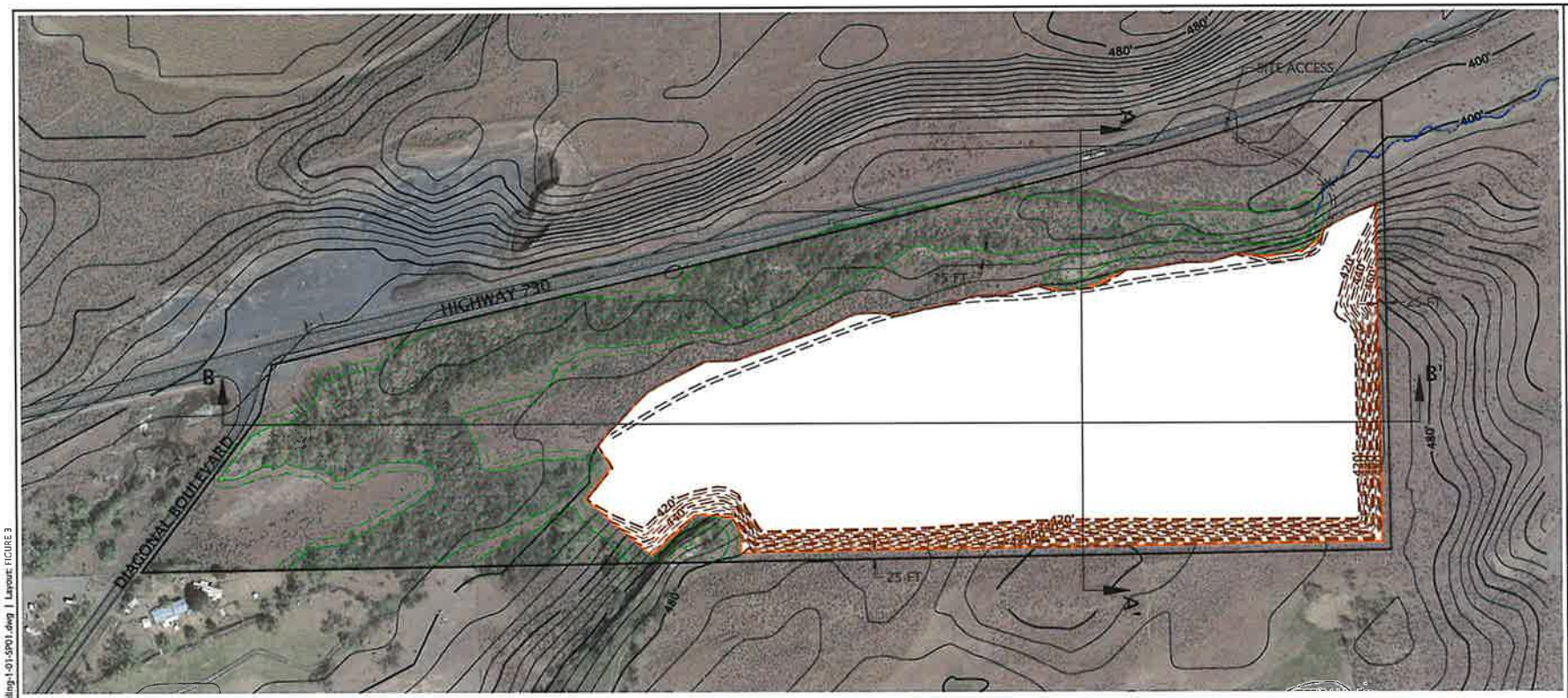
LEGEND:

- PROJECT BOUNDARY (74.5 ACRES)
- SAND EXTRACTION AREA (16.5 ACRES)
- BASALT BEDROCK EXTRACTION AREA (20.3 ACRES)
- 480' EXISTING TOPOGRAPHY (5-FOOT INTERVALS; 20-FOOT INDEX CONTOURS)
- WETLAND
- 25-FOOT WETLAND BUFFER
- ARTIFICIAL DRAINAGE PATH
- PROPOSED AND EXISTING SITE ACCESS ROAD
- PROPOSED CULVERT
- A A' CROSS SECTION

NOTES:
1. EXISTING TOPOGRAPHY OBTAINED FROM GOOGLE EARTH PRO.
2. AERIAL PHOTOGRAPH DATED APRIL 14, 2021, OBTAINED FROM GOOGLE EARTH PRO.
3. WETLAND AREAS CREATED FROM NWI MAPS, DSL WETLAND DETERMINATION REPORT WD#2022-0606, AND GOOGLE EARTH AERIAL PHOTOGRAPH DATED APRIL 14, 2021.

NV5	CRP & HAULING, LLC	EXISTING TOPOGRAPHY MAP WITH AERIAL
	CRPHAULING-1-01 JANUARY 2023	UMATILLA COUNTY, OR SECTION 22, TOWNSHIP 5N, RANGE 29E, W.M.
		FIGURE 2



LEGEND:

- PROJECT BOUNDARY (74.5 ACRES)
- LIMITS OF EXCAVATION (20.3 ACRES)
- FINAL TOPOGRAPHY (5-FOOT INTERVALS; 20-FOOT INDEX CONTOURS)
- EXISTING TOPOGRAPHY (5-FOOT INTERVALS; 20-FOOT INDEX CONTOURS)
- WETLAND
- 25-FOOT WETLAND BUFFER
- ARTIFICIAL DRAINAGE PATH
- SITE ACCESS ROAD
- CULVERT
- A A' CROSS SECTION

N

0 300 600

(SCALE IN FEET)

NOTES:

1. EXISTING TOPOGRAPHY OBTAINED FROM GOOGLE EARTH PRO.
2. AERIAL PHOTOGRAPH DATED APRIL 14, 2021, OBTAINED FROM GOOGLE EARTH PRO.
3. WETLAND AREAS CREATED FROM NWI MAPS, DSL WETLAND DETERMINATION REPORT WD#2022-0606, AND GOOGLE EARTH AERIAL PHOTOGRAPH DATED APRIL 14, 2021.

FINAL TOPOGRAPHY MAP WITH AERIAL

UMATILLA COUNTY, OR
SECTION 22, TOWNSHIP 5N, RANGE 29E, W.M.

FIGURE 3

CRP & HAULING, LLC

CRPHAULING-1-01
JANUARY 2023

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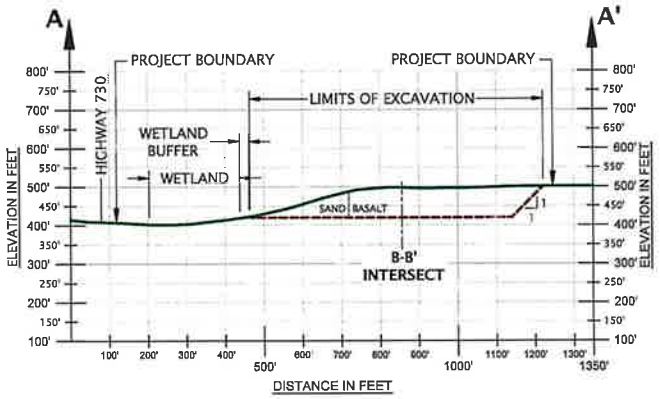
File Name: I:\A-D\CRPHauling\CRPHauling-1\CRPHauling-1-01\Figures\CAD\CRPHauling-1-01-SP01.dwg | Layout: FIGURE 3



LEGEND:

EXISTING TOPOGRAPHY

FINAL TOPOGRAPHY

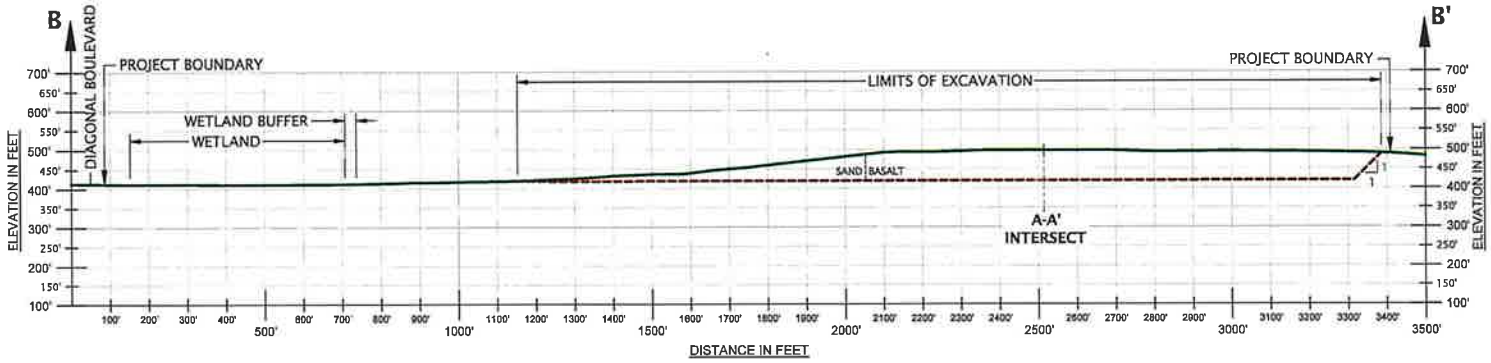
EXCAVATION VOLUME TABLE	
RESOURCE	VOLUME
SAND	694,419 CUBIC YARDS
BASALT	2,125,679 CUBIC YARDS

0 300 600

(VERTICAL SCALE IN FEET)

0 300 600

(HORIZONTAL SCALE IN FEET)



CROSS SECTIONS A-A' AND B-B'

CRP & HAULING, LLC

CRPHAULING-1-01
JANUARY 2023

UMATILLA COUNTY, OR
SECTION 22, TOWNSHIP 5N, RANGE 29E, W.M.

FIGURE 4

NV5

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Budinger & Associates

Proudly serving the Inland Northwest since 1976

Geotechnical Engineering
Environmental Engineering
Construction Materials Testing
Subsurface Exploration
Special Inspection

Guy Copenhaver
Copenhaver Construction
22393 State Route 2 E
Creston, WA 99117

August 24, 2022

Project Number L22010

PROJECT: **Copenhaver 2022 Materials**

SUBJECT: **Results of Laboratory Testing**
Report #19

At your request, we provided laboratory testing services for the subject project. Services were limited to the performance of specific laboratory tests, selected at your discretion.

For this period, our involvement was limited to laboratory testing of one sample delivered to our laboratory us on August 18, 2022. Laboratory tests were performed in general accordance with methods listed in the attached *Laboratory Summary* sheets.

If you have questions regarding this report, please call.

Respectfully Submitted,
Budinger & Associates, Inc.

Terri Ballard
Laboratory Manager

TJB/lat/Addressee –
Guy Copenhaver - guywcopenhaver@gmail.com
gmcopenhaver@odessaoffice.com
kanconst@hotmail.com
Jim Derrer – cci.concrete@hotmail.com

Attachments:
Aggregate Laboratory Summary – 1 page

AGGREGATE
LABORATORY SUMMARY

LABORATORY NUMBER			22-0911
SAMPLED BY			Client
SAMPLE TYPE			Bulk
DATE RECEIVED			8/18/22
SAMPLE SOURCE			Rupp Quarry
	Units	Test Method	
LA WEAR (Method A)	% loss	AASHTO T-96	14
WA DEGRADATION	D	WSDOT T-113	70

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Carlson Testing, Inc.

Bend Office (541) 330-9155
Geotechnical Office (503) 601-8250
Eugene Office (541) 345-0289
Salem Office (503) 589-1252
Tigard Office (503) 684-3460

January 26, 2023
CTI Job #T2207311
Lab Log #22-0613

NV5 - Erick Staley
9450 SW Commerce Cir Ste. 300
Wilsonville, OR 97070

RE: GOAL 5 RESOURCES EVALUATION TESTING
NV5 - UMATILLA #1 - LABORATORY TESTING

As requested, Carlson Testing Inc. has completed LA Abrasion, Oregon Air Degradation, and Soundness of Aggregates tests conducted on a sample of out-crop basalt-bedrock material from the Umatilla #1 site. The sample was collected by your representative on December 13, 2022 from the site and delivered to our Tigard facility on December 15, 2022. Testing was completed on January 24, 2023. ODOT Section 2630.11 and 00745 specifications applied at client's request. Following are the test results:

LOS ANGELES ABRASION – AASHTO T96:

Sample Identification	Test Results
Sample Number	1
Nominal Maximum Aggregate Size, inch	1/2"
Grading	B
Revolutions	1000
Percent Loss to Abrasion, %	10.1%
ODOT Section 2630.11 Specification	35.0% Maximum

OREGON AIR DEGRADATION (OAD) – ODOT TM 208:

Test Identification	Test Results	ODOT Section 2630.11 Specifications
Sediment Height, inch	0.6	3.0" Maximum
% Passing the #20 Sieve, %	1.4	30.0% Maximum

SOUNDNESS IN AGGREGATE USING MAGNESIUM SULFATE (COARSE AGGREGATE) – AASHTO T104:

Sieve Fraction	Weight Before Test, gms	Weight After Test, gms	Weight Loss After 5 Cycles, gms	Percent Loss After 5 Cycles, %
3/4" to 3/8"	1001	995	6	0.6
3/8" to #4	299	296	3	1.0

Average Percent Loss after 5 Cycles: 0.8%

ODOT Section 00745 Specification: 12.0% Maximum

This sample meets specifications and requirements of the Goal 5 Resources evaluation testing.

Our reports pertain to the material tested/inspected only. Information contained herein is not to be reproduced, except in full, without prior authorization from this office. Under all circumstances, the information contained in this report is provided subject to all terms and conditions of CTI's General Conditions in effect at the time this report is prepared. No party other than those to whom CTI has distributed this report shall be entitled to use or rely upon the information contained in this document.

Respectfully submitted,

CARLSON TESTING, INC.

Jason Bryant
QA Manager

cb
cc: NVS - ERICK STALEY

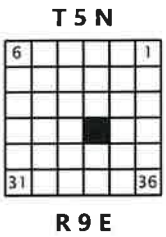
ERICK.STALEY@NVS.COM

Printed By: Mike_Miller | Print Date: 8/24/2023 8:28:48 AM
File Name: J:\E-L\FulcrumGeo\FulcrumGeo-1\FulcrumGeo-1-01\Figures\FulcrumGeo 007_01_01\CAD\007_01_01-AR02.dwg | Layout: FIGURE 1

NOTES:

1. PROPERTY BOUNDARY AND EASEMENTS BASED ON SURVEY DATED AUGUST 4, 2022, PREPARED BY SURVEY ONE, LLC.
2. EXISTING TOPOGRAPHY OBTAINED FROM GOOGLE EARTH PRO.
3. AERIAL PHOTOGRAPH DATED APRIL 14, 2021, OBTAINED FROM GOOGLE EARTH PRO.

FULCRUM GEO RESOURCES LLC	CRP & HAULING, LLC	SITE PLAN - AGGREGATE RESOURCE OVERLAY	
	PROJECT 007.01.01 AUGUST 2023	UMATILLA COUNTY, OR SECTION 22, TOWNSHIP 5N, RANGE 29E., W.M.	FIGURE 1



EASTERN OREGON

SITE COORDINATES:

LATITUDE: **45° 54' 7.5" N**

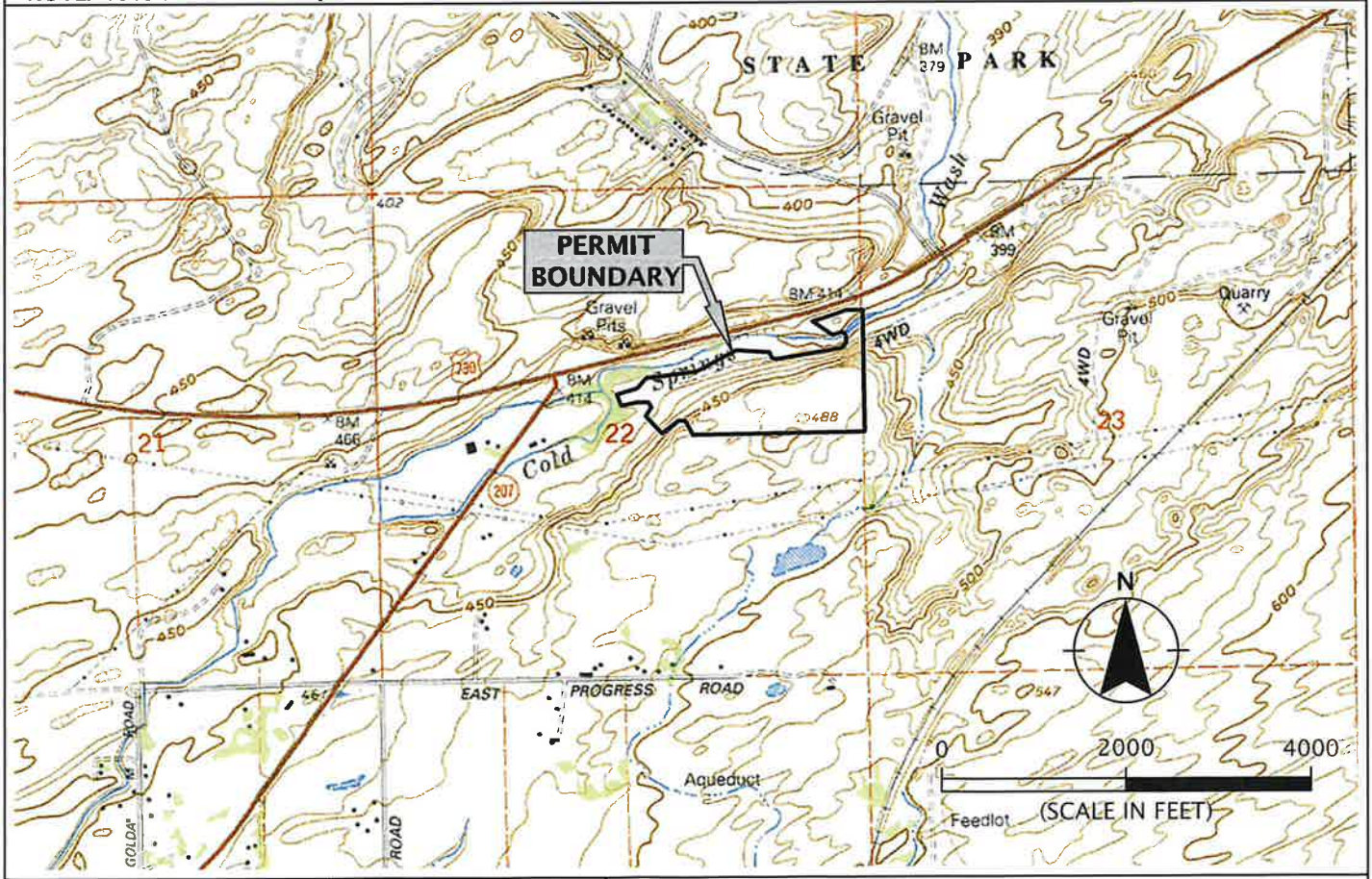
LONGITUDE: **119° 10' 1.2" W**

LEGAL DESCRIPTION

THE PERMIT BOUNDARY IS LOCATED IN PORTIONS OF THE FOLLOWING QUARTER-QUARTER SECTIONS:

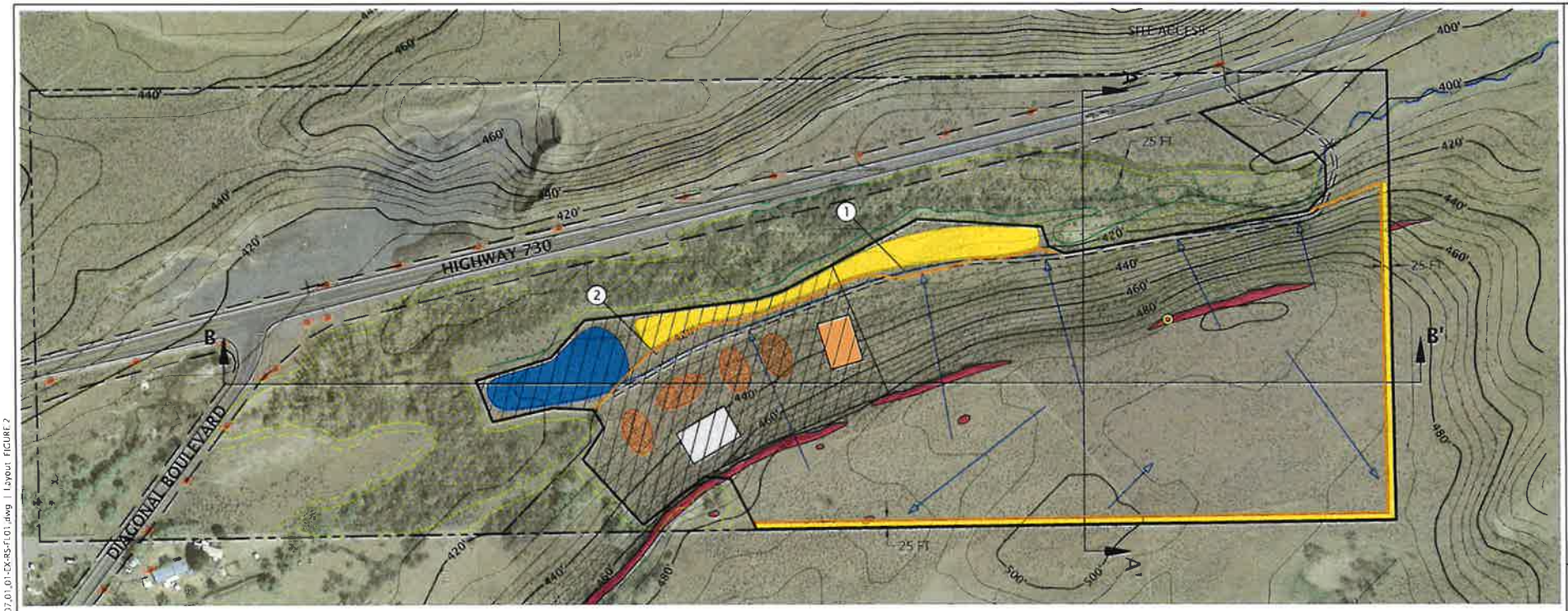
- SE QUARTER OF THE NE QUARTER OF SECTION 22
- SW QUARTER OF THE NE QUARTER OF SECTION 22

NOTE: USGS TOPOGRAPHIC QUADRANGLE MAPS REPRODUCED USING MAPTECH TERRAIN NAVIGATOR PRO®.



FULCRUM GEO RESOURCES	CRP & HAULING, LLC	**VICINITY MAP**	
	PROJECT 007.01.01 SEPTEMBER 2023	UMATILLA COUNTY, OR SECTION 22, TOWNSHIP 5N, RANGE 29E, W.M.	**FIGURE 1**

Printed By: Mike.Miller | Print Date: 9/11/2023 2:15:47 PM
File Name: J:\E-L\FulcrumGeo\FulcrumGeo-1\FulcrumGeo-1-01\Figures\FulcrumGeo 007.01.01\CAD\007.01.01-VM01.dwg | Layout: FIGURE 1



LEGEND:

- PROPERTY BOUNDARY
- PERMIT BOUNDARY (46.7 ACRES)
- EASEMENT
- LIMITS OF EXTRACTION (38.0 ACRES)
- OPERATIONS, PROCESSING, AND STOCKPILING AREA
- 400' EXISTING TOPOGRAPHY (5-FOOT INTERVALS; 20-FOOT INDEX CONTOURS)
- WETLAND
- 25-FOOT WETLAND BUFFER
- ARTIFICIAL DRAINAGE PATH
- EXISTING DRAINAGE PATTERNS
- OVERHEAD POWER POLE
- BASALT OUTCROP
- SAMPLE LOCATION
- PROPOSED AND EXISTING SITE ACCESS ROAD
- PROPOSED STORMWATER DIVERSION DITCH
- PROPOSED CULVERT
- PROPOSED PRODUCT STOCKPILE
- PROPOSED ROCK CRUSHER
- PROPOSED ASPHALT BATCH PLANT
- (1) PROPOSED SCALES LOCATION
- (2) PROPOSED OFFICE LOCATION
- PROPOSED TOPSOIL STOCKPILE AREAS
- PROPOSED STORMWATER POND
- A A' CROSS SECTION

N

0 300 600

(SCALE IN FEET)

NOTES:

1. PROPERTY BOUNDARY AND EASEMENTS BASED ON SURVEY DATED AUGUST 4, 2022, PREPARED BY SURVEY ONE, LLC.
2. EXISTING TOPOGRAPHY OBTAINED FROM GOOGLE EARTH PRO.
3. AERIAL PHOTOGRAPH DATED APRIL 14, 2021, OBTAINED FROM GOOGLE EARTH PRO.
4. WETLAND AREAS CREATED FROM NWI MAPS, OREGON DEPARTMENT OF STATE LAND WETLAND DETERMINATION REPORT WD#2022-0606, AND GOOGLE EARTH AERIAL PHOTO DATED APRIL 14, 2021.

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SITE PLAN - EXISTING TOPOGRAPHY WITH AERIAL

UMATILLA COUNTY, OR
SECTION 22, TOWNSHIP 5N, RANGE 29E, W.M.

FIGURE 2

CRP & HAULING, LLC

PROJECT 007.01.01
SEPTEMBER 2023

FULCRUM GEO RESOURCES

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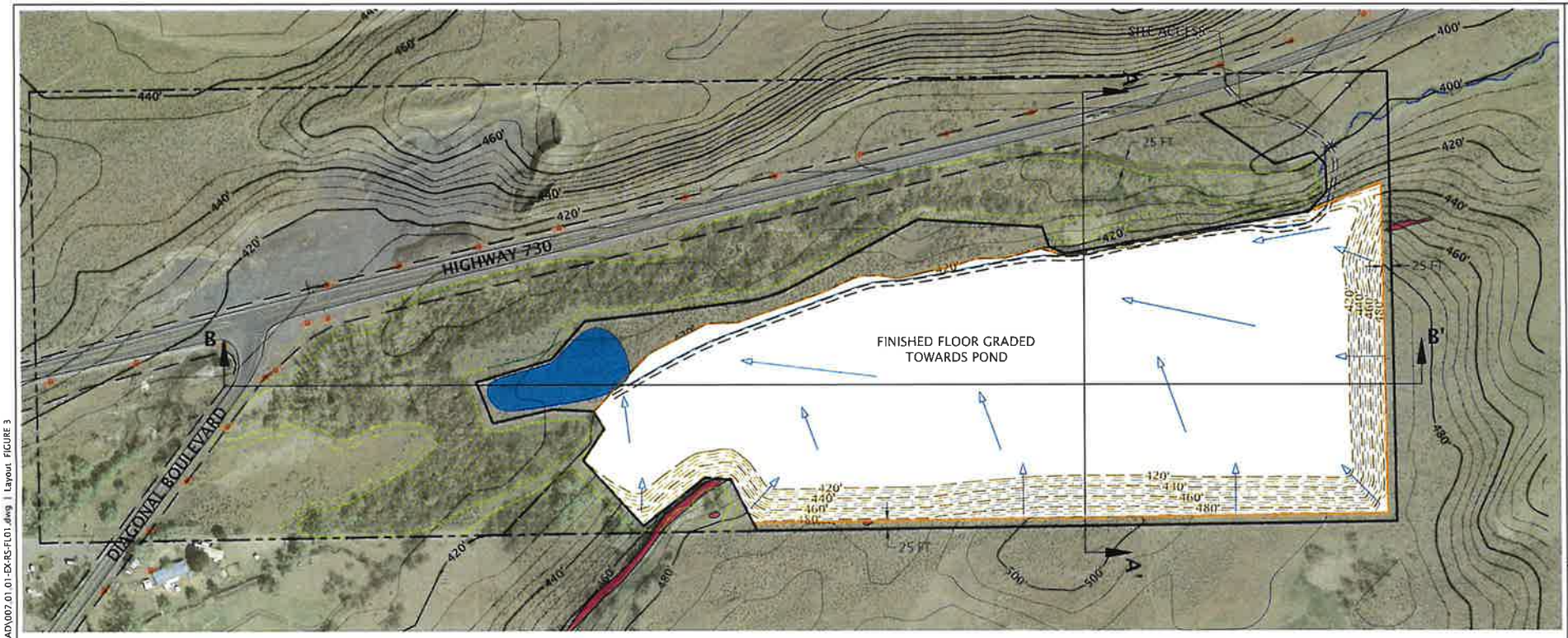
File Name: J:\E-F\FulcrumGeo\FulcrumGeo-1\FulcrumGeo-1-01\Figures\FulcrumGeo 007.01.01\CAD\007_01_01-EX-RS-FI-01.dwg | Layout: FIGURE 2



LEGEND:

- PROPERTY BOUNDARY
- PERMIT BOUNDARY (46.7 ACRES)
- EASEMENT
- LIMITS OF EXCAVATION (38.0 ACRES)
- 420' FINAL TOPOGRAPHY (5-FOOT INTERVALS; 20-FOOT INDEX CONTOURS)
- 400' EXISTING TOPOGRAPHY (5-FOOT INTERVALS; 20-FOOT INDEX CONTOURS)
- WETLAND
- 25-FOOT WETLAND BUFFER
- FINAL DRAINAGE PATTERNS
- OVERHEAD POWER POLE
- BASALT OUTCROP
- ARTIFICIAL DRAINAGE PATH
- SITE ACCESS ROAD
- STORMWATER DIVERSION DITCH
- CULVERT
- STORMWATER POND
- A A' CROSS SECTION

N

0 300 600

(SCALE IN FEET)

NOTES:

1. PROPERTY BOUNDARY AND EASEMENTS BASED ON SURVEY DATED AUGUST 4, 2022, PREPARED BY SURVEY ONE, LLC.
2. EXISTING TOPOGRAPHY OBTAINED FROM GOOGLE EARTH PRO.
3. AERIAL PHOTOGRAPH DATED APRIL 14, 2021, OBTAINED FROM GOOGLE EARTH PRO.
4. WETLAND AREAS CREATED FROM NWI MAPS, OREGON DEPARTMENT OF STATE LAND WETLAND DETERMINATION REPORT WD#2022-0606, AND GOOGLE EARTH AERIAL PHOTO DATED APRIL 14, 2021.

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SEP 13 2023
UMATILLA COUNTY
PLANNING DEPARTMENT

RECLAMATION PLAN - FINAL TOPOGRAPHY WITH AERIAL

UMATILLA COUNTY, OR
SECTION 22, TOWNSHIP 5N, RANGE 29E, W.M.

FIGURE 3

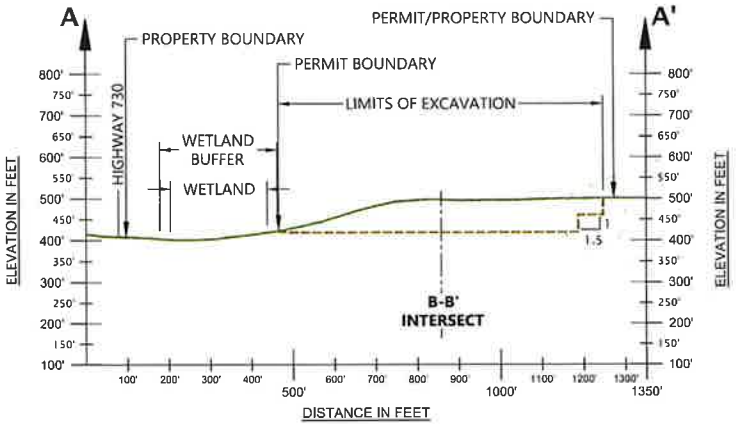
CRP & HAULING, LLC

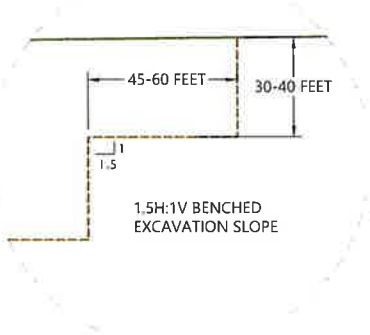
PROJECT 007.01.01
SEPTEMBER 2023

FULCRUM GEO RESOURCES LLC

80

Printed By: Mike.Miller | Print Date: 9/11/2023 2:16:44 PM
File Name: J:\4.1\FulcrumGeo\1\FulcrumGeo-1-01\Figures\FulcrumGeo 007.01.01\CADD\007.01.01-EX-RS-FL01.dwg | Layout: FIGURE 3





CUT SLOPE DETAIL (TYP.)
(1 INCH = 50 FEET)

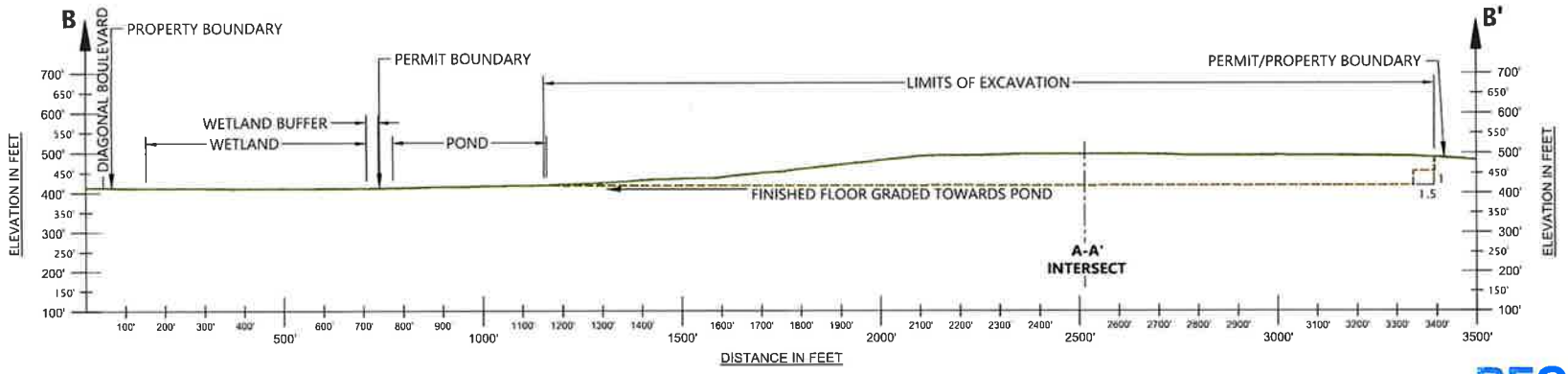
LEGEND:

EXISTING TOPOGRAPHY

FINAL TOPOGRAPHY

0 300 600
(VERTICAL SCALE IN FEET)

0 300 600
(HORIZONTAL SCALE IN FEET)



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UMATILLA COUNTY
PLANNING DEPARTMENT

CROSS SECTIONS A-A' AND B-B'

UMATILLA COUNTY, OR
SECTION 22, TOWNSHIP 5N, RANGE 29E, W.M.

FIGURE 4

CRP & HAULING, LLC

PROJECT 005.01.01
SEPTEMBER 2023

FULCRUM GEO RESOURCES LLC

81

FULCRUM
GEO RESOURCES LLC
17600 Pacific Highway, Unit 357
Marylhurst, Oregon 97036
503.250.2247

August 25, 2023

Corey, Byler & Rew, LLP
222 S.E. Dorion Avenue
Pendleton, Oregon 97801-0218

Attention: Patrick Gregg

Anticipated Impacts from Blasting
Proposed CRP & Hauling Quarry
Umatilla County, Oregon
Project: 007.01.01

INTRODUCTION

On behalf of CRP & Hauling, LLC (CRP), Fulcrum GeoResources LLC (Fulcrum) presents this report discussing anticipated impacts from blasting at the proposed CRP & Hauling Quarry located in unincorporated Umatilla County, Oregon. CRP is in the process of applying to be added to Umatilla County's Aggregate Resource (AR) Overlay. The primary resource comprises bedrock of the Columbia River Basalt Group, consisting of dense, hard basalt that forms a prominent bluff at the site. The slope below the bluff also has a sand deposit overlying the basalt that represents an additional product for aggregate use.

CRP expects to use controlled blasting as part of mine operations to extract the basalt. We understand Umatilla County is concerned of the impacts mine blasting may have on the surrounding area, particularly to structures on neighboring properties and public roadways that border the property. CRP requested that Fulcrum evaluate potential impacts of blasting to the site vicinity.

BACKGROUND

The project is located in the southeast corner of tax lot 400 in the SW¼ and SE¼ of the NE¼ of Section 22, Township 5 North, Range 29 East, Willamette Meridian (Figure 1). Tax lot 400 covers a much larger area than the proposed mine project boundaries including lands north and west of Diagonal Boulevard and U.S. Route 730. The proposed AR Overlay area, shown on Figure 2, corresponds to the proposed mine permit boundary submitted to the Oregon Department of Geology and Mineral Resources (DOGAMI) for an Operating Permit application and consists of

46.7 acres. The AR Overlay boundary is defined by the south and east property lines and a boundary to the north and west to avoid wetlands and their buffers.

Within the proposed permit boundary are the limits of excavation, shown as an orange line on Figure 2. This is where the basalt and sand resource will be extracted. Blasting to extract basalt is anticipated to occur from the southern limits of excavation to approximately 100 feet north of the bluff visible on Figure 2.

SITE VICINITY

Fulcrum reviewed aerial imagery available on Google Earth Pro to identify features in the site vicinity and distances to the proposed area of blasting. The only structures for human occupancy within 1,500 feet are located west-southwest of the project and appear to be rural residences (Figure 2). One is located approximately 1,100 feet away and the other approximately 1,200 feet away from the westernmost proposed blasting area.

The limits of excavation are located within 300 feet of the south margin of U.S. Route 730 (Figure 2). However, these limits include areas north of the basalt bluff where only sand resource will be extracted. Blasting for basalt extraction will be located at least 500 feet from U.S. Route 730. Blasting will be located much farther from Diagonal Boulevard, at least 1,000 feet to the west.

Electrical utility poles and aerial transmission lines are located north, west, and south of the limits of extraction. There may also be buried utilities along the easements of the public roadways. Individual electrical poles are located along the east side of Diagonal Boulevard and the north side of U.S. Route 730 and are thus located more than 500 feet away from the proposed blasting area. Larger, cross-braced transmission poles and towers are located no closer than about 500 feet south of the project.

VIBRATIONS FROM BLASTING

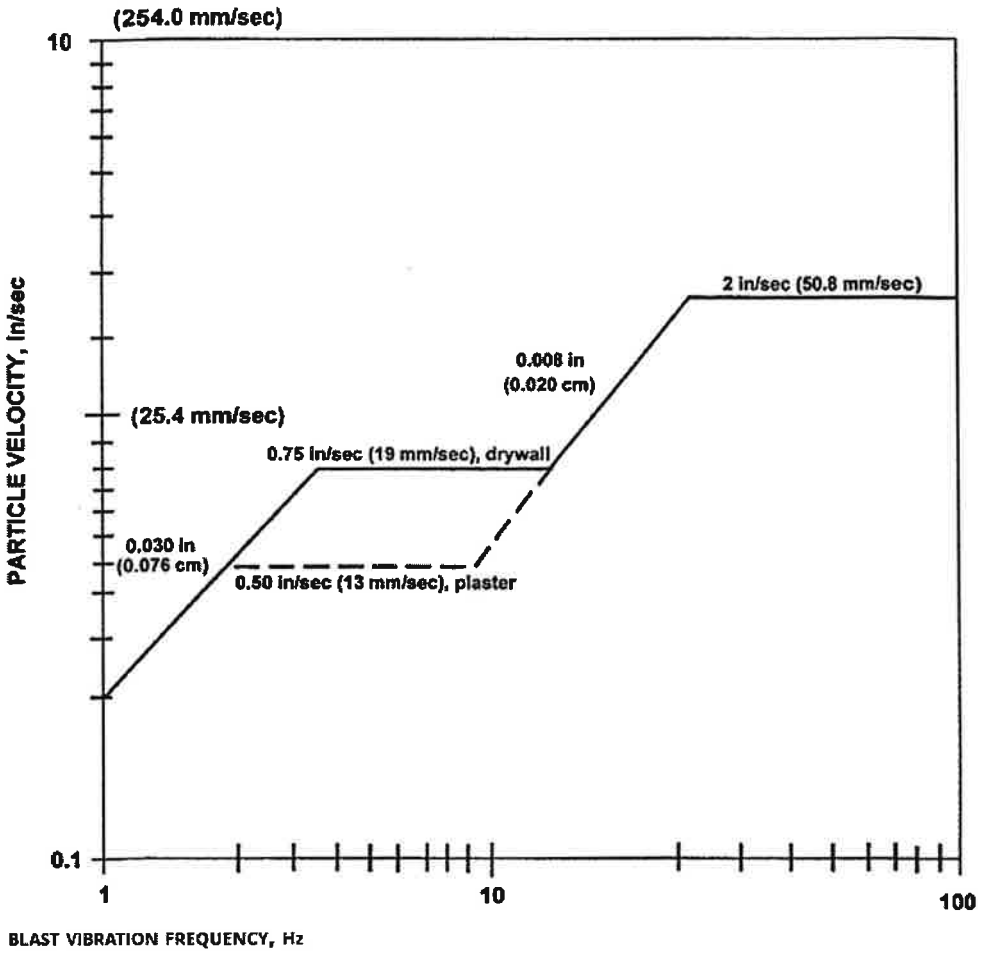
Controlled blasting is a common means used by mine operators to break rock out of its in-situ condition and move it into a manageable area. Only a portion of the blast energy is consumed in breaking up the rock and moving it from the mine highwall. The remaining energy is emitted in waves through the surrounding vicinity. The energy decreases significantly with distance as the waves travel outward from the source into a progressively larger area.

VIBRATION THRESHOLDS

Ground-borne waves emitted by blasting cause oscillatory motion in the rock particles, but the material generally does not have a net displacement – the particles vibrate. Vibrations from blasting are typically characterized using vibration amplitude (the intensity of the vibration in terms of particle displacement, velocity, or acceleration) and frequency (the number of cycles per second, or hertz [Hz]). Particle velocity is typically used to evaluate the potential for damage to structures and subsurface infrastructure. Vibration thresholds for blasting damage consider

the peak particle velocity (PPV), defined as the maximum instantaneous peak of the vibratory motion, expressed in units of inches per second (in/sec).

Vibration monitors (i.e., seismographs) are used to collect data of the particle velocities and vibration frequencies generated by blasting and compare the readings to regulatory vibration thresholds to prevent damage. Blast vibration limits used by many state and municipal regulations are derived from a study conducted by the former United States Bureau of Mines (USBM)[1]. The USBM study involved blasting at mines and monitoring the effects in residential homes. The blasts varied in intensity and distance from the buildings to determine thresholds that would result in different degrees of damage to the homes. The limits resulting from the study were intended to protect residential-type structures from the least amount of observable damage – cosmetic cracking – which can also develop in homes independent of blasting. Typical regulatory limits are summarized in the figure below.



[1] Siskind, D. E., Stagg, M. S., Kopp, J. W., and Dowding, C. H., 1980. Structure Response and Damage Produced by Ground Vibration from Surface Mine Blasting: United States Department of the Interior, Bureau of Mines, Report of Investigations RI-8507.

Because the USBM-derived vibration thresholds were developed for cosmetic damage to residential-type structures, they are generally not applicable to roadways or utility infrastructure like aerial transmission lines or pipelines. USBM conducted another study related to the sensitivity of buried pipelines to ground vibrations from surface mines and determined a vibratory threshold of 5 in/sec to prevent damage to pressurized steel and PVC pipes[2]. This threshold can be referenced for buried utilities along public roadway easements. Engineered features such as utility poles should be more tolerant of vibrations and changes in air pressure than the thresholds used for residential cosmetic damage. These structures are designed to resist wind loads far greater than what a typical mine blast would generate.

BLAST MONITORING AND ANTICIPATED BLAST VIBRATIONS

It is a common requirement for blasters to use seismographs to monitor controlled blasting at mine sites. Fulcrum's principal engineering geologist, Erick Staley, C.E.G., has reviewed blasting data from many quarries and heavy construction projects. A plot of blast vibration data versus distance, shown on Figure 3, includes data collected from three quarries in Yakima, Dallesport, and Hermiston. These quarries extract Columbia River Basalt resource and thus reflect similar subsurface and climatic conditions to the CRP site.

The plot on Figure 3 also shows the attenuation relationship between vibration intensity and distance. For reference, the anticipated vibrations at distances of 500 feet and 1,100 feet from a blast are shown, which have corresponding PPVs of 0.84 in/sec and 0.29 in/sec, respectively. The PPV of 0.29 in/sec at 1,100 feet distance can be used to anticipate vibrations at the nearest residential structure to the site. This is significantly lower than the most conservative vibration threshold of 0.5 in/sec for older homes with lath-and-plaster wall construction and at vibration frequencies less than 10 Hz. From our experience, mine blasts typically produce higher vibration frequencies where higher vibration thresholds up to 2 in/sec should be considered.

The PPV of 0.84 in/sec at 500 feet can be used to anticipate vibrations experienced at the closest portion of U.S. Route 730 to the north and electrical towers to the south. From the prior discussion, a damage threshold of 5 in/sec can be considered for buried utilities. The damage thresholds for electrical poles and towers should be greater than that for cosmetic damage to residential structures, or greater than 2 in/sec. Thus, the anticipated vibrations at 500 feet are below these vibration thresholds. Even the highest readings collected from the three quarries, from blasts larger than would likely be used at the CRP site, are still below damage thresholds.

Moreover, it is worth noting that the Oregon Department of Transportation has an existing quarry in Columbia River Basalt north of and adjacent to U.S. Route 730. This bedrock quarry has operated for years and is located much closer to the highway than the proposed CRP quarry. We are not aware of any damage blasting has caused to the roadway or utility

[2] Siskind, D. E., Stagg, M. S., Wiegand, J. W., and Schulz, D. L., 1994. Surface Mine Blasting Near Pressurized Transmission Pipelines: United States Department of the Interior, Bureau of Mines, Report of Investigations RI-9523.

infrastructure along the highway. It thus seems likely that blasting at the proposed CRP quarry has a low potential for damaging the highway and utilities.

CONCLUSIONS AND RECOMMENDATIONS

Based on our review, we do not anticipate offsite structures or features will be damaged by the use of controlled blasting to extract basalt resource from the site. Blasting activities should be planned and conducted by appropriately experienced and licensed blasters in accordance with state and local regulations. This should include the use of blast procedures and time-delays that prevent excessive vibrations or other emissions from blasting. Blasting should be monitored using seismographs or similar equipment to collect vibration data and compare the results to regulatory damage thresholds.

LIMITATIONS

We have prepared this report for use by CRP & Hauling, LLC to evaluate anticipated blast vibrations for the proposed CRP & Hauling Quarry. The services described in this report were provided consistent with generally accepted professional consulting principles and practices. Our findings, conclusions, and interpretations should not be construed as warranty of the site conditions.

Our interpretations of the mining and geologic conditions are based on information from publicly available sources and our experience in the region and with the mining industry. The accuracy of outside information is beyond our control.

Within the limitations of scope, schedule, and budget, our services have been executed in accordance with generally accepted practices in this area at the time this report was prepared. No warranty or other conditions, express or implied, should be understood.

———— ♦♦ ————

If you have questions concerning the information provided, please call.

Sincerely,

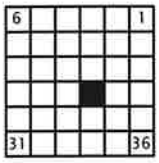
Fulcrum GeoResources LLC

Erick J. Staley, C.E.G.
Principal Engineering Geologist

Expires 06/01/2024

Document ID: 007.01.01_2023-08-25 blast rpt.docx

T 5 N



R 29 E

EASTERN OREGON

SITE COORDINATES:

LATITUDE: **45° 54' 7.5" N**

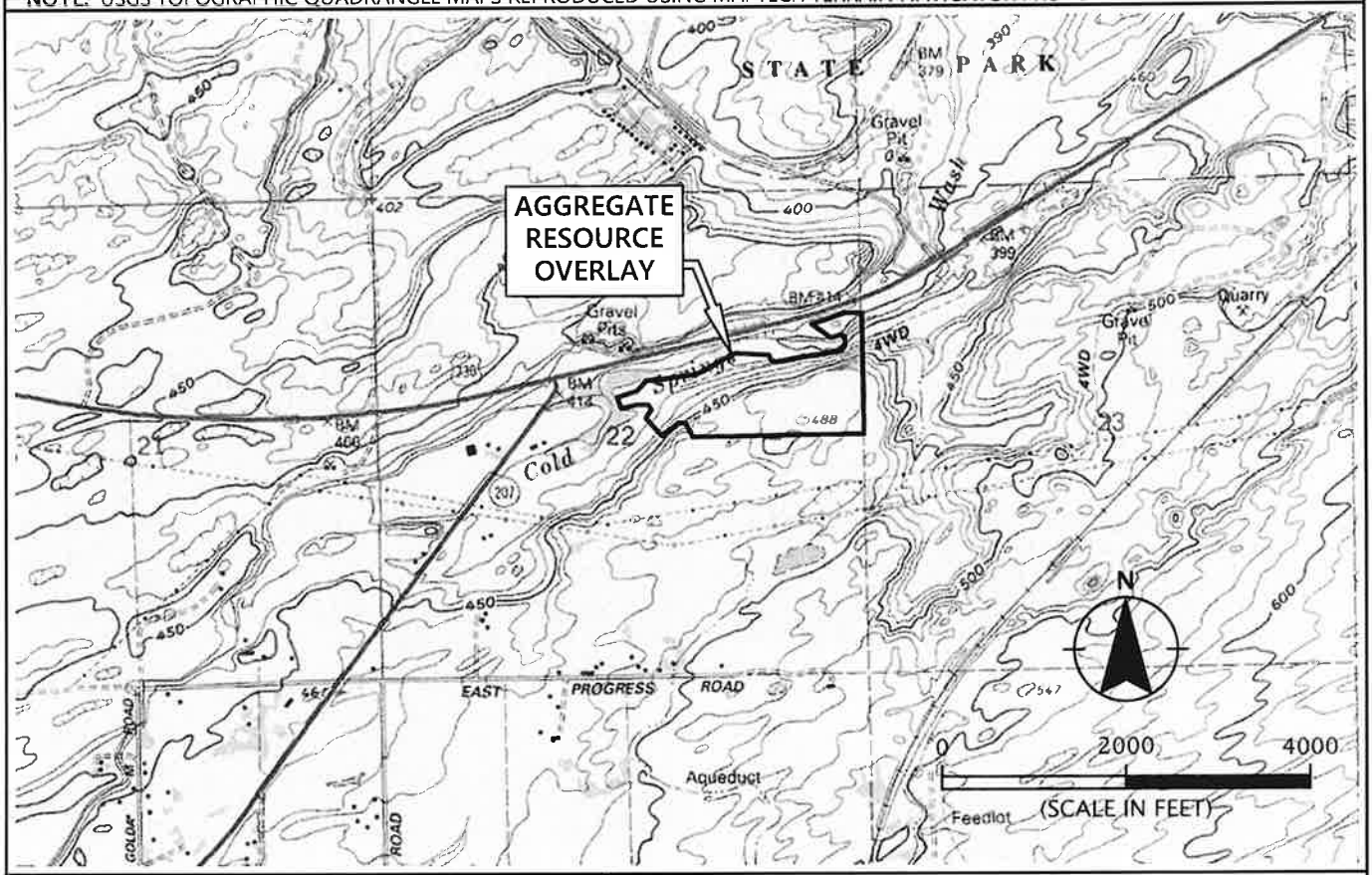
LONGITUDE: **119° 10' 1.2" W**

LEGAL DESCRIPTION

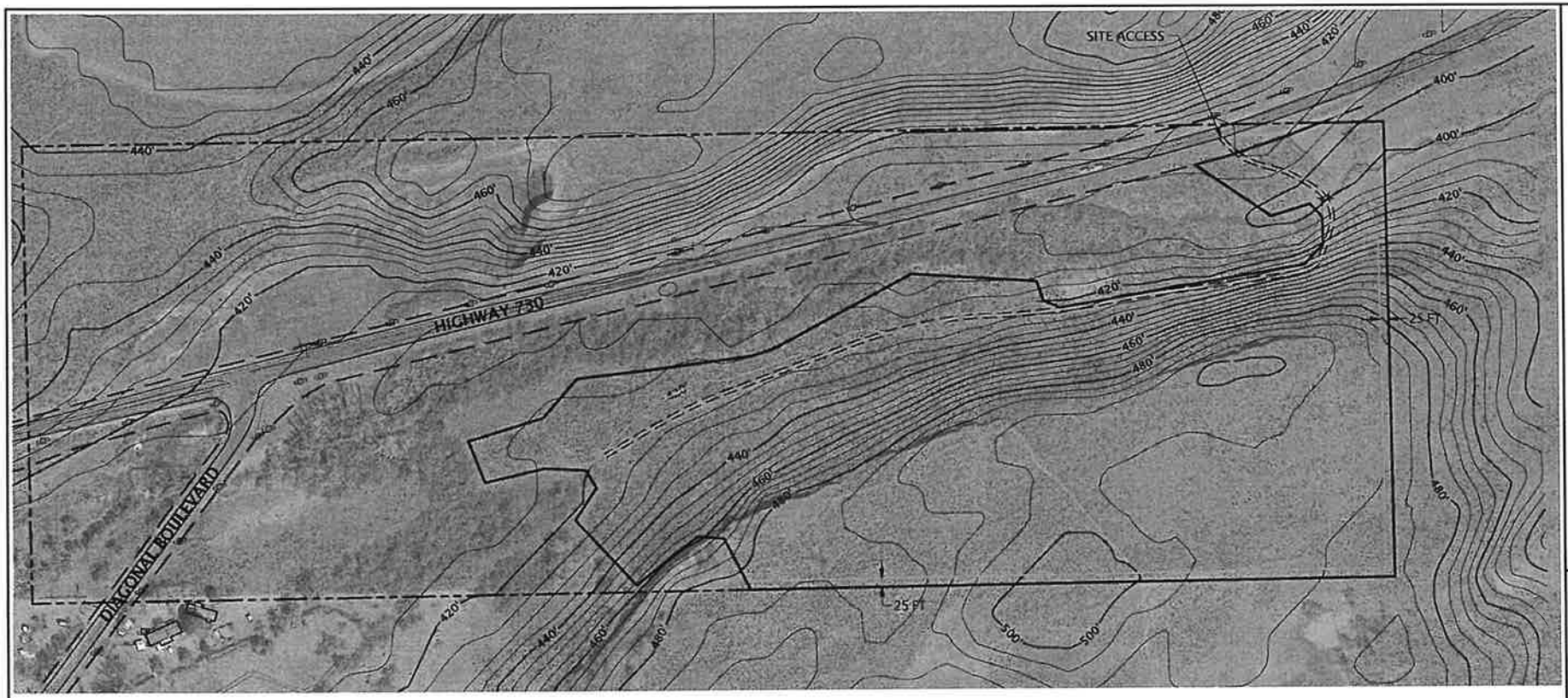
THE PERMIT BOUNDARY IS LOCATED IN PORTIONS OF THE FOLLOWING QUARTER-QUARTER SECTIONS:

- SE QUARTER OF THE NE QUARTER OF SECTION 22
- SW QUARTER OF THE NE QUARTER OF SECTION 22

NOTE: USGS TOPOGRAPHIC QUADRANGLE MAPS REPRODUCED USING MAPTECH TERRAIN NAVIGATOR PRO®.



FULCRUM GEO RESOURCES	CRP & HAULING, LLC	**VICINITY MAP**	
	PROJECT 007.01.01 AUGUST 2023	UMATILLA COUNTY, OR SECTION 22, TOWNSHIP 5N, RANGE 29E, W.M.	**FIGURE 1**



LEGEND:

- PROPERTY BOUNDARY
- AGGREGATE RESOURCE OVERLAY (46.7 ACRES)
- EASEMENT
- LIMITS OF EXTRACTION (38.0 ACRES)
- 400' EXISTING TOPOGRAPHY (5-FOOT INTERVALS; 20-FOOT INDEX CONTOURS)
- OVERHEAD POWER POLE
- PROPOSED AND EXISTING SITE ACCESS ROAD
- PROPOSED CULVERT
- RESIDENTIAL STRUCTURE

N

0 300 600

(SCALE IN FEET)

NOTES:

1. PROPERTY BOUNDARY AND EASEMENTS BASED ON SURVEY DATED AUGUST 4, 2022, PREPARED BY SURVEY ONE, LLC.
2. EXISTING TOPOGRAPHY OBTAINED FROM GOOGLE EARTH PRO.
3. AERIAL PHOTOGRAPH DATED APRIL 14, 2021, OBTAINED FROM GOOGLE EARTH PRO.
4. WETLAND AREAS CREATED FROM NWI MAPS, OREGON DEPARTMENT OF STATE LAND WETLAND DETERMINATION REPORT WD#2022-0606, AND GOOGLE EARTH AERIAL PHOTO DATED APRIL 14, 2021.

SITE PLAN - EXISTING TOPOGRAPHY WITH AERIAL

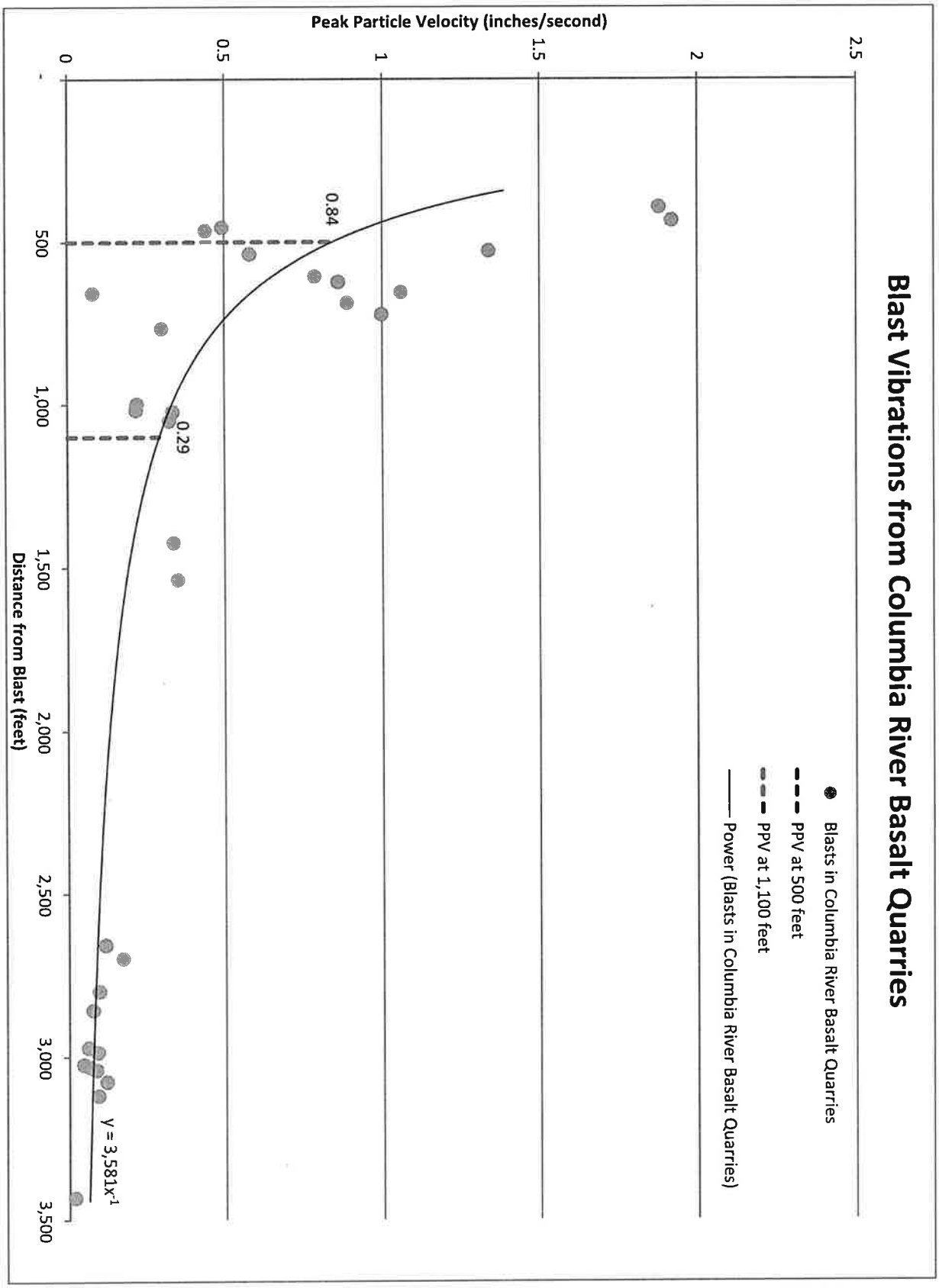
UMATILLA COUNTY, OR
SECTION 22, TOWNSHIP 5N, RANGE 29E, W.M.

FIGURE 2

CRP & HAULING, LLC

PROJECT 007.01.01
AUGUST 2023

FULCRUM GEO RESOURCES LLC



FULCRUM GEO RESOURCES	CRP & HAULING, LLC	BLAST VIBRATIONS - COLUMBIA RIVER BASALT QUARRIES	
	PROJECT 007.01.01 AUGUST 2023	UMATILLA COUNTY, OR SECTION 22, TOWNSHIP 5N, RANGE 29E, W.M.	FIGURE 3

KITTELSON & ASSOCIATES
851 SW 6th Avenue, Suite 600
Portland, OR 97204
P 503.228.5230

May 22, 2023

Project #: 29134

Robert Waldher and Megan Davchevski
Umatilla County Department of Land Use Planning
216 SE 4th Street
Pendleton, OR 97801

RE: Aggregate Overlay Zone/Asphalt Batch Plant Transportation Assessment

Dear Robert and Megan,

This letter presents a Traffic Impact Analysis supporting a proposed plan map amendment that would add an Aggregate Resource Overlay to approximately 47.6 acres of existing Exclusive Farm Use (EFU) zoned property in Umatilla County.

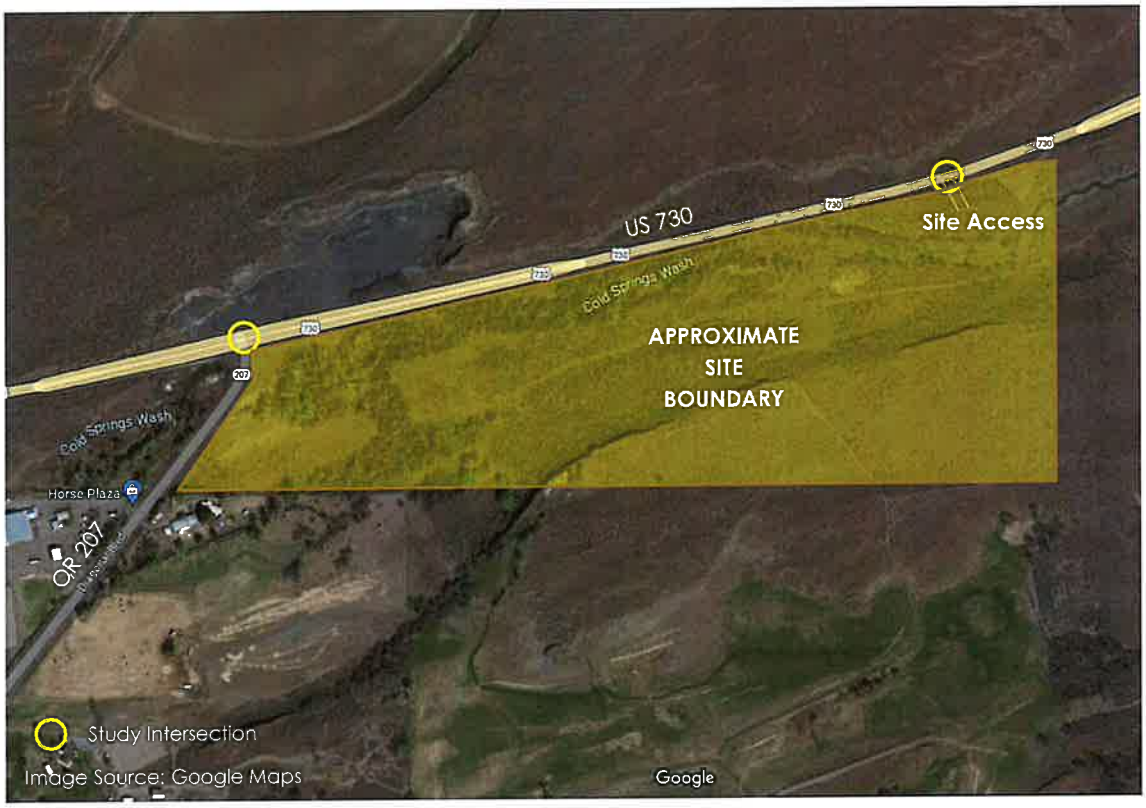
Based on the results of the transportation analysis outlined in this report, the proposed Aggregate Resource Overlay zone and the subsequent development of a proposed aggregate mining/asphalt batch plant operation is not anticipated to result in a significant effect on the surrounding transportation network or require offsite transportation improvements. Additional details of our analyses are summarized herein.

PROJECT BACKGROUND

The 47.6-acre property consists of Tax Lot 400 of Map 5N 29 22 (see Figure 1) and is currently zoned Exclusive Farm Use (EFU). In order to support a proposed aggregate mining and asphalt batch plant operation, the owner is requesting that Umatilla County apply the Aggregate Resource Overlay zone to the subject property.

Modifications to existing zoning designations must be shown to meet the applicable criteria in Oregon Administrative Rule 660-012-0060, also known as the Transportation Planning Rule (TPR). Per the TPR, an analysis of whether the zoning overlay has the potential to create a significant effect to a transportation facility must be reviewed. The following report addresses the TPR requirements and the specific transportation-related impacts of a proposed aggregate mining operation.

Figure 1 – Site Vicinity Map and Study Intersections



STUDY SCOPE & ANALYSIS METHODOLOGY

The proposed land use action is a unique case in that the existing use of the property (agricultural use) already represents a reasonable maximum development scenario under the existing EFU zoning, as the zone typically generates no consistent or measurable peak hour trips. As such, the focus of this analysis is on incremental impacts of the potential allowed uses under the proposed Aggregate Resource Overlay zone.

STUDY SCOPE

This analysis identifies the transportation-related impacts associated with the application of the Aggregate Resource Overlay zone. The study was prepared in accordance with scoping direction from Umatilla County staff. The study scope and overall study area for this project were selected based on an analysis of current and future traffic volumes at study intersections and discussions with County staff. The analysis addresses the following:

- Existing land use and transportation system conditions within the site vicinity;
- Review of regional traffic growth, seasonal traffic patterns and planned transportation improvements;
- Site trip generation and distribution estimates for reasonable worst-case development scenario for the proposed Aggregate Resource Overlay zone;
- Planning horizon year 2043 traffic operations under existing EFU zoning and proposed Aggregate Resource Overlay zone scenarios;
- Transportation system adequacy to accommodate the proposed reasonable worst case development scenarios for the proposed Aggregate Resource Overlay zone;
- Assessment of overlay zone change compliance with the TPR (OAR Section 660-12-060); and,
- Conclusions and recommendations.

STUDY INTERSECTIONS

The study intersections were identified in collaboration with County staff and a review of local and regional transportation infrastructure that could potentially be impacted by the overlay zone and subsequent development. Figure 1 illustrates the location of the study intersections that are listed below. For ease of review, each intersection is referenced within this report using a numerical ID.

1. US 730/OR 207
2. US 730/Proposed Site Access

TRAFFIC ANALYSIS TIME PERIODS

Study intersection operations were analyzed during the weekday morning (intersection peak hour between 7:00-9:00 AM) and evening peak hour (intersection peak hour between 4:00-6:00 PM).

ANALYSIS METHODOLOGY

The unsignalized and signalized intersection operational analyses presented in this report were prepared following *Highway Capacity Manual 7th Edition* (Reference 1) analysis procedures using PTV Vistro software.

APPLICABLE MOBILITY STANDARDS

Intersection operating targets adopted by the Oregon Department of Transportation (ODOT) and Umatilla County are summarized below.

ODOT MOBILITY TARGETS

ODOT uses volume-to-capacity (v/c) ratios to assess intersection operations. Table 6 of the *Oregon Highway Plan* (OHP) provides maximum volume-to-capacity ratio mobility targets for all signalized/roundabout and unsignalized intersections located outside the major metropolitan areas. Table 1 summarizes the v/c ratio that will be used to identify the existing and potential future operational issues at the ODOT owned/maintained US 730/OR 207 intersection.

Table 1 - ODOT Mobility Targets

Intersection	OHP Mobility Target
US 730/OR 207	0.70
US 730 Proposed Site Access	V/C ≤ 0.70 major approach/0.75 minor approach

UMATILLA COUNTY OPERATING STANDARDS

Umatilla County's standards specify that LOS "E" or better is considered acceptable at unsignalized intersections.

EXISTING CONDITIONS TRAFFIC ANALYSIS

The existing conditions analysis identifies field conditions and the current operational, traffic control, and geometric characteristics of the roadways and other transportation facilities within the study vicinity. These conditions will be compared with future year conditions later in this report. Kittelson staff visited the study area and inventoried the existing transportation system to identify lane configurations, traffic control devices, bicycle and pedestrian facilities, transit stops, and geometric features at the study intersections in April of 2023.

SITE CONDITIONS AND ADJACENT LAND USES

The overall site is located on the southeast corner of the US 730/OR 207 intersection, the site frontage continues along the south side of US 730 and the east side of OR 207. The land is currently undeveloped and has historically been used for miscellaneous agricultural purposes. A separate unrelated aggregate mining operation is located opposite the site on the north side of US 730.

TRANSPORTATION FACILITIES

Table 2 summarizes the attributes of key roadways in the site vicinity. Figure 2 illustrates the existing lane configurations and traffic control devices at the study intersection.

Table 2 – Existing Transportation Facilities

Roadway	Jurisdictional Authority	Functional Classification[1]	Number of Auto Lanes	Posed Speed (mph)	Sidewalks Present?	Bike Lanes Present?	On-Street Parking Allowed?
US 730	ODOT	Regional Highway (Freight Route)	2	55	No	No	No
OR 207	ODOT	Regional Highway	2	55	No	No	No

[1]Source: *Oregon Highway Plan*

INTERSECTION CRASH HISTORY

ODOT provided crash records for the study intersection and adjacent highway segment for the five-year period from January 1, 2016 through December 31, 2020. Table 3 summarizes the ODOT crash data. As shown in the table, there was one crash at the study intersection and one crash along the US 730 site frontage, both occurring on the same day when ice was present. *Appendix A contains the crash data summary sheets.*

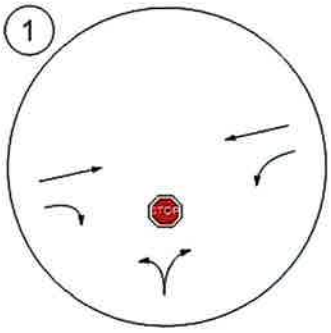
Table 3 - Reported Crash History (January 1, 2016 - December 31, 2020)

Study Intersection	Crash Type					Severity			Total
	Rear End	Turning	Angle	Fixed Object	Other	PDO	Injury	Fatal	
US 730/OR 207	0	0	0	0	1[1]	0	1	0	1
US 730 site frontage	0	0	0	0	1[2]	0	1	0	1

[1]Non-collision overturn (ice), [2] Non-collision (ice)

Figure 2 - Existing Lane Configurations & Traffic Control Devices

Lane Configuration and Traffic Control



EXISTING CONDITIONS

Turning movement counts at the study intersection was conducted on a mid-week day in mid-April 2023. *Appendix B contains the intersection turning movement count sheets.*

SEASONAL ADJUSTMENT

To determine an appropriate seasonal factor, the On-Site ATR method was utilized as outlined in ODOT's *Analysis Procedures Manual* (APM).

On-Site ATR Method

The On-Site ATR Method is used when an Automatic Traffic Recorder (ATR) is within or near the project area. There is one ATR within relatively close proximity of the site. ATR 30-002 is located along US 730 near the US 730/OR 37 intersection approximately 2.5 miles to the east. The ATR was not operational in 2020 and 2021 so data was used from 2015 to 2019 to develop the seasonal adjustment factor. As shown in Table 4, the seasonal factors was calculated as 1.22. This factor was applied to the existing traffic volumes.

Table 4 - Seasonal Adjustment Calculations for ATRs

	2019	2018	2017	2016	2015	Average
ATR 30-002						
Count Month (April)	~~110~~	104	~~95~~	103	102	103
Peak Month	124	126	~~157~~	~~123~~	129	126

- ATR 30-002 Season Adjustment Factor = 126%/103% = 1.22

EXISTING INTERSECTION OPERATIONS

Figure 3 illustrates the seasonally adjusted 2023 existing traffic volumes at the study intersection; Table 5 summarizes the corresponding traffic operations during the weekday AM and PM peak hours (7:40-8:40 AM and 4:00 – 5:00 PM). As shown in Table 5 and detailed in *Appendix C* (which includes the existing conditions operations analysis worksheets), the study intersection operations satisfy applicable ODOT performance targets and County standards during the AM and PM peak hours.

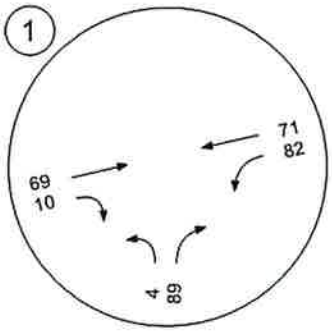
Table 5 – Existing Traffic Conditions

Intersection	Critical Approach	Weekday AM Peak Hour			Weekday PM Peak Hour		
		V/C	Approach Delay (sec)	Approach LOS	V/C	Approach Delay (sec)	Approach LOS
US 730/OR 207	NB	0.13	9.9	A	0.14	10.7	B

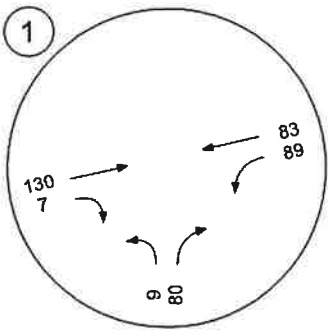
Figure 3 - Existing Traffic Conditions, Weekday AM & PM Peak Hours

Traffic Volume - Base Volume

AM Peak Hour



PM Peak Hour



YEAR 2043 TRAFFIC CONDITIONS

This section of the report contains a detailed assessment of the long-term traffic impacts associated with and without the proposed plan map amendment. More specifically, it evaluates the impacts of an aggregate mining operation which would be allowed under the Aggregate Resource Overlay zone. The analysis of long-term traffic conditions is required by the State's Transportation Planning Rule (TPR, OAR Section 660-12-0060), given that the proposed plan map amendment would require an amendment to an acknowledged land use regulation and may have the potential to significantly affect a transportation facility.

To test for a significant effect and development-related impacts, an analysis of traffic conditions was conducted under the existing EFU land use designation (assuming continued farming use of the site) and the proposed Aggregate Resource Overlay zone (assuming the development of an aggregate mining/asphalt batch plant operation).

Based on the required analysis, the impacts of traffic generated by the potential Aggregate Resource Overlay zone (using the proposed aggregate mining/asphalt batch plant operation as a reasonable worst-case proxy) were examined in the following manner:

- Anticipated future traffic growth patterns were identified for the weekday AM and PM peak hour under the 2043 planning horizon year. This horizon year assumes no overlay zone and is indicative of future conditions with no land use modifications beyond those allowed under the Exclusive Farm Use designation.
- A reasonable worst-case land development scenario (aggregate mining/asphalt batch plant operation) was developed under the proposed Aggregate Resource Overlay zone. Estimates of average daily, weekday AM, and weekday PM peak hour site trips were prepared for the potential Aggregate Resource Overlay zone using the proposed aggregate mining/asphalt batch plant operation.
- A site trip distribution pattern was derived through a review of existing traffic volumes and the site's proximity to the regional and interstate transportation network.
- Weekday AM and PM peak hour site-generated trips from the proposed aggregate mining/asphalt batch plant operations were assigned to the surrounding streets and study intersection.
- Planning horizon year 2043 traffic volumes and operations were analyzed for the weekday AM and PM peak hour under existing background conditions and for the proposed Aggregate Resource Overlay zone designation.

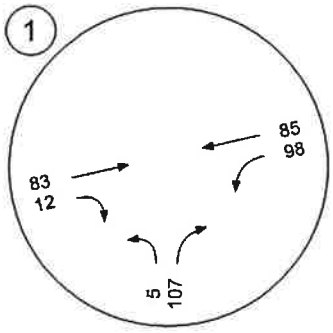
YEAR 2043 EXISTING ZONING SCENARIO TRAFFIC FORECAST

To achieve a reasonable estimate of existing zoning scenario traffic levels during the 2043 planning horizon year, a 1% per year growth rate was applied to the study intersection traffic volumes. This growth rate was derived through a review of ODOT's Future Year Volume tables and other recent traffic studies performed in the area.

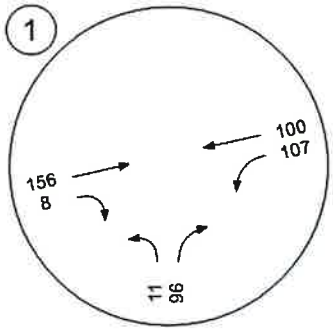
The resulting year 2043 existing zoning scenario traffic volumes forecast for the weekday AM and PM peak hour are illustrated in Figure 4. The volumes shown reflect background traffic levels without any changes to the underlying zoning on the subject site.

Traffic Volume - Base Volume

AM Peak Hour



PM Peak Hour



YEAR 2043 EXISTING ZONING INTERSECTION OPERATIONS

Study intersection operations under the 2043 Existing Zoning Scenario were assessed to understand the base future year operations assuming no changes are made to the site zoning and the land continues to be used for agricultural purposes. Table 6 summarizes the operational analyses for the weekday AM and PM peak hours reflective of anticipated regional and local traffic volume growth. As shown, the study intersection is forecast to continue to operate acceptably during both the weekday AM and PM peak hours. *Appendix D includes the 2043 existing zoning intersection operations analysis worksheets.*

Table 6 – Year 2043 Existing Zoning Traffic Conditions

Intersection	Critical Approach	Weekday AM Peak Hour			Weekday PM Peak Hour		
		V/C	Approach Delay (sec)	Approach LOS	V/C	Approach Delay (sec)	Approach LOS
US 730/OR 207	NB	0.16	10.2	B	0.18	11.3	B

PROPOSED AGGREGATE RESOURCE OVERLAY ZONE

Under the proposed Aggregate Resource Overlay zone, an aggregate mining/asphalt batch plant operation is proposed. This use represents a reasonable worst-case development scenario for the site considering its rural location. Based on discussions with the applicant/owner, anticipated operational features of the proposed aggregate mining/asphalt batch plant operation include:

- A rock mining operation consisting of the following activities:
  - Extraction of aggregate
  - Delivery of aggregate to off-site locations
  - Pick-up of aggregate by customers
- An onsite asphalt batch plant consisting of the following:
  - Production of asphalt using aggregate mined at the site
  - Delivery of asphalt to off-site locations
  - Pick-up of asphalt by customers

In recognition of these unique characteristics and the fact that there are no comparable land uses in the *Trip Generation Manual*, detailed discussions were had with the applicant to identify the trip making potential of such an operation. *Appendix E* contains a detailed breakdown of the mining and asphalt operations and the associated trip making characteristics. Table 7 summarizes the resulting number of new trips that can be expected on a typical weekday and during the weekday AM and PM peak hours.

Table 7 – Aggregate Mining/Asphalt Batch Plant Trip Generation Estimates

Land Use	Daily Trips	Weekday AM Peak Hour			Weekday PM Peak Hour		
		Total	In	Out	Total	In	Out
Aggregate Mining/ Asphalt Batch Plant	356	34	17	17	6	0	6

SITE TRIP DISTRIBUTION AND ASSIGNMENT

The site-generated trips from the proposed aggregate mining/asphalt batch plant operation were distributed onto the study area roadway system via an assumed future driveway connection east of the US 730/OR 207 intersection. This access connection was assumed to be a two-lane driveway that would be stop-controlled. The regional distribution was determined via a combination of existing traffic patterns and destinations afforded by the regional transportation facilities within the site vicinity. Figure 5 illustrates the resulting trip distribution pattern and site-generated trip assignment at the study intersections.

YEAR 2043 OVERLAY ZONE INTERSECTION OPERATIONS

To reflect conditions anticipated under the proposed Aggregate Resource Overlay zone, the weekday AM and PM peak hour site generated traffic volumes shown in Figure 5 were added to the existing zoning traffic volumes shown in Figure 4 to arrive at the cumulative 2043 traffic volumes shown in Figure 6.

Operations of the study intersections under 2043 conditions (with the site converted to an aggregate mining operation) are summarized in Table 8 for the weekday AM and PM peak hours. As shown, all of the study intersections are forecast to continue to operate acceptably during both the weekday AM and PM peak hours. *Appendix F includes the 2043 total traffic conditions intersection operations analysis worksheets.*

Table 8 – Year 2043 Aggregate Overlay Zoning Traffic Conditions

Intersection	Critical Approach	Weekday AM Peak Hour			Weekday PM Peak Hour		
		V/C	Approach Delay (sec)	Approach LOS	V/C	Approach Delay (sec)	Approach LOS
US 730/OR 207	NB	0.17	10.3	B	0.18	11.3	B
US 730/ Proposed Site Access	NB	0.03	11.2	B	0.01	12.0	B

Traffic Volume - Net New Site Trips

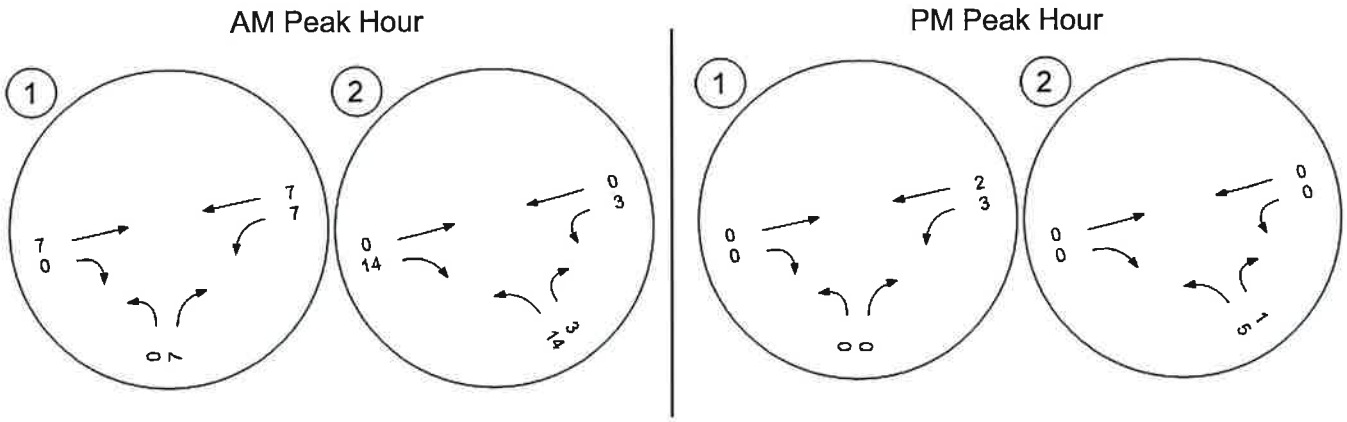
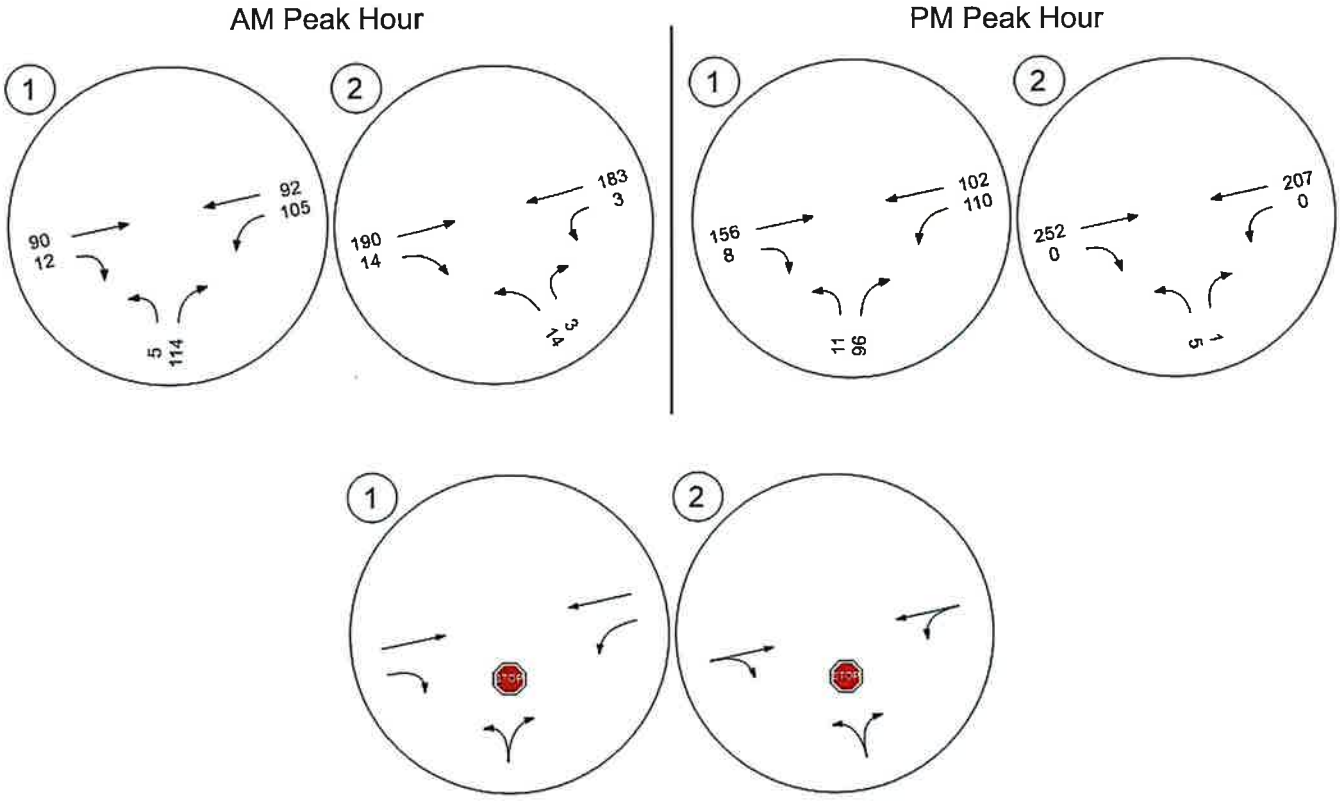


Figure 6 – 2043 Proposed Overlay Zone Traffic Conditions, Weekday AM & PM Peak Hours

Traffic Volume - Future Total Volume



TRANSPORTATION PLANNING RULE COMPLIANCE

This section addresses the Oregon Administrative Rule Section 660-12-0060 of the Oregon Transportation Planning Rule (TPR) requirements for the proposed zone change.

TRANSPORTATION PLANNING RULE

OAR Section 660-12-0060 Plan and Land Use Regulation Amendments of the TPR sets forth the criteria for evaluating plan and land use regulation amendments. The criteria establish the determination of significant effect on a transportation system resulting from a land use action; where a significant effect is identified, the criteria establish the means for achieving compliance. The relevant portion of this section of the TPR is reproduced below in italics followed by the response for this project in standard text.

660-12-0060 Plan and Land Use Regulation Amendments

(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:

(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

Response: The proposed Aggregate Resource Overlay zone will not require or result in any changes to the functional classification of any transportation facility in the vicinity of the site.

(b) Change standards implementing a functional classification system; or

Response: The proposed Aggregate Resource Overlay zone will not require changes to the standards that implement the functional classification system.

(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection. If a local government is evaluating a performance standard based on projected levels of motor vehicle traffic, then the results must be based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.

(A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

Response: The proposed Aggregate Resource Overlay zone would result in future traffic volumes that remain consistent with the functional classifications of the roadways in the study area.

(B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or

Response: The proposed Aggregate Resource Overlay zone would not degrade operations of the study intersections below adopted performance targets.

SITE ACCESS

As noted herein, the study intersections and site access can operate acceptably assuming the development of an aggregate mining/asphalt batch plant operation. To support a specific land use application for the aggregate mining/asphalt batch plant operation, the following section includes a more detailed assessment of the proposed site access to US 730 including turn lane, sight distance, and traffic control needs.

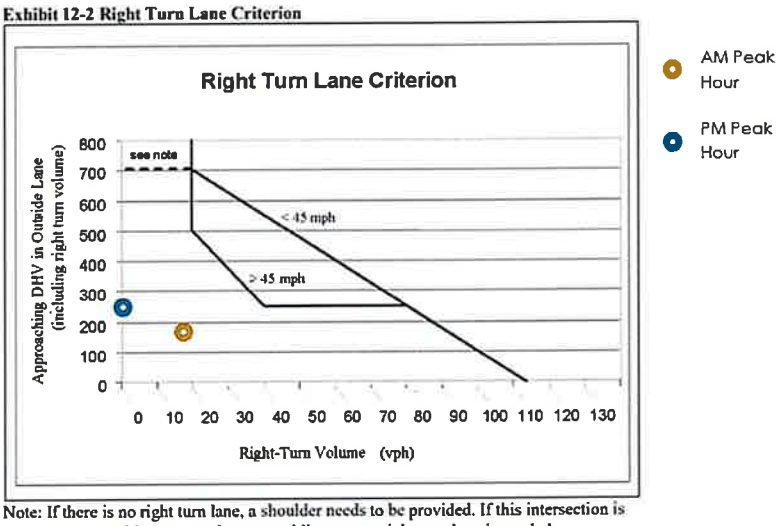
Turn Lane Assessment

To accommodate future traffic movements to the site access road, the need for left- and right-turn lanes were evaluated for the proposed US 730/Site Access intersection.

RIGHT-TURN LANE WARRANT ANALYSIS

The proposed US 730/ Site Access intersection was evaluated to determine if a right-turn lane on the eastbound US 730 approach is appropriate to accommodate future site-generated traffic volumes. The procedures used to determine the need for a right-turn lane were based on ODOT's right-turn lane criterion. Based on this analysis, it was determined that ODOT's volume-based right-turn lane volume criterion at the US 730/ Site Access intersection is not met under the 2043 Total traffic scenarios. Exhibit 1 contains the right-turn lane criterion.

Exhibit 1 -US 730 Site Access Right-Turn Lane Assessment (Source: Analysis Procedures Manual)



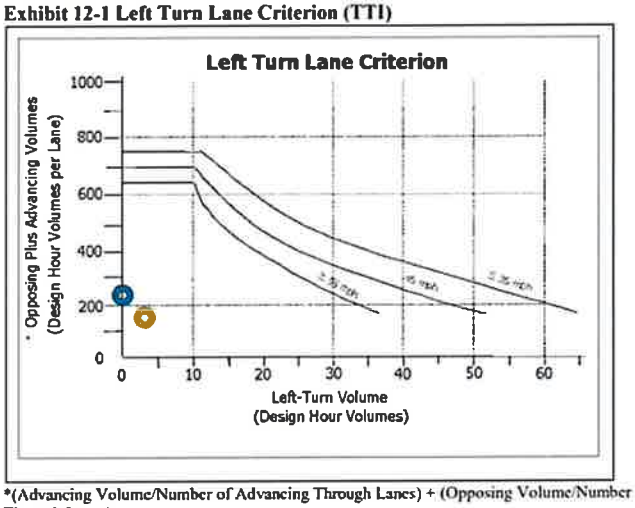
Note: If there is no right turn lane, a shoulder needs to be provided. If this intersection is in a rural area and is a connection to a public street, a right turn lane is needed.

LEFT-TURN LANE WARRANT ANALYSIS

The proposed US 730/ Site Access intersection was evaluated to determine if a left-turn lane on the westbound US 730 approach is appropriate to accommodate future site-generated traffic volumes. The procedures used to determine the need for a left-turn lane were based on ODOT's left-turn lane criterion. Based on this analysis, it was determined that ODOT's volume-based left-turn lane volume criterion at the US 730/ Site Access intersection is not met under the 2043 Total traffic scenarios. Exhibit 2 contains the left-turn lane criterion.

Exhibit 2 US 730 Site Access Left-Turn Lane Assessment (Source: Analysis Procedures Manual)

Exhibit 12-1 Left Turn Lane Criterion (TTI)



*(Advancing Volume/Number of Advancing Through Lanes) + (Opposing Volume/Number of Opposing Through Lanes)
Opposing left turns are not counted as opposing volumes

Preliminary Intersection Sight Distance

Intersection sight distance (ISD) was evaluated at the proposed site access driveway to US 730. For this assessment, preliminary intersection sight distance measurements were evaluated using the recommended observation reference points[1] outlined in *A Policy on Geometric Design of Highways and Streets*. As noted in *A Policy on Geometric Design of Highways and Streets*, the minimum passenger car intersection sight distance requirement for a 55-mph design speed is 610 feet (left-turn from stop) and 530 feet (right-turn from stop). For combination trucks, the minimum intersection sight distance requirement for a 55-mph design speed is 930 (left-turn from stop) and 850 feet (right-turn from stop).

From the approximate location of the proposed site access driveway approach to US 730, there is adequate sight distance (>850 feet) looking to the west and adequate sight distance (>930 feet) looking to the east.

[1] For passenger cars, an eye height of 3.5 feet, an object height of 3.5 feet, and an observation point located 14.5 feet from the edge of the cross-street travel lane. For combination trucks, an eye height of 7.6 feet, an object height of 3.5 feet, and an observation point located 14.5 feet from the edge of the cross-street travel lane.

To provide and maintain adequate intersection sight distance post development, it is recommended that any proposed signage or landscaping be appropriately located such that the minimum intersection sight distance can be maintained.

Site Access Traffic Control

To accommodate future traffic movements on the site access road, a STOP (R1-1) sign should be installed on the northbound approach to US 730 in accordance with ODOT and County standards and the *Manual on Uniform Traffic Control Devices (MUTCD)* in conjunction with site development.

CONCLUSIONS

Based on the results of the transportation analysis outlined in this report, the proposed Aggregate Resource Overlay zone and the assumed aggregate mining/asphalt batch plant operation is not anticipated to result in a significant effect on the surrounding transportation network or require offsite mitigation. To support the land use application for an aggregate mining/asphalt batch plant operation, the following is recommended:

- Construct a new site access roadway connection to US 730. A STOP (R1-1) sign should be installed on the northbound approach to US 730 in accordance with ODOT and County standards and the *Manual on Uniform Traffic Control* Devices (MUTCD) in conjunction with site development.
- To provide and maintain adequate intersection sight distance at the site access road connection to US 730, locate any proposed signage or landscaping appropriately such that the minimum intersection sight distance can be maintained.

We trust this traffic impact analysis adequately addresses impacts associated with the proposed Aggregate Resource Overlay Zone and proposed aggregate mining/asphalt batch plant operation. Please contact us if you have any questions or comments regarding the contents of this report or the analyses performed.

Sincerely,
KITTELSON & ASSOCIATES, INC.

Matt Hughart, AICP
Principal Planner

Alec Kauffman
Analyst

Julia Kuhn, P.E.
Senior Principal Engineer

Appendix A Crash Data

OREGON DEPARTMENT OF TRANSPORTATION - POLICY, DATA AND ANALYSIS DIVISION
TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING UNIT
CRASH SUMMARIES BY YEAR BY COLLISION TYPE

Intersectional Crashes at US-730, Columbia River Hwy (#002) & OR-207, Hermiston Hwy (#333)
January 1, 2016 through December 31, 2020

COLLISION TYPE	FATAL CRASHES	NON-FATAL CRASHES	PROPERTY DAMAGE ONLY	TOTAL CRASHES	PEOPLE KILLED	PEOPLE INJURED	TRUCKS	DRY SURF	WET SURF	DAY	DARK	INTER-SECTION	INTER-SECTION RELATED	OFF-ROAD
YEAR:														
TOTAL														
FINAL TOTAL														

Disclaimers: *Effective 2016,* ***collection of "Property Damage Only" (PDO) crash data elements was reduced for vehicles and participants.*** *Age, Gender, License, Error and other elements are no longer available for PDO crash reporting. Please keep this in mind when comparing 2016 PDO crash data to prior years.*

A higher number of crashes may be reported as of 2011 compared to prior years. This does not necessarily reflect an increase in annual crashes. The higher numbers may result from a change to an internal departmental process that allows the Crash Analysis and Reporting Unit to add previously unavailable, non-fatal crash reports to the annual data file. Please be aware of this change when comparing pre-2011 crash statistics. For all disclaimers, see https://www.oregon.gov/ODOT/Data/documents/Crash_Data_Disclaimers.pdf.

OREGON DEPARTMENT OF TRANSPORTATION - POLICY, DATA AND ANALYSIS DIVISION
TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING UNIT
CRASH SUMMARIES BY YEAR BY COLLISION TYPE

Intersectional Crashes at US-730, Columbia River Hwy from Milepoint 191.40 through Milepoint 192.00.
January 1, 2016 through December 31, 2020

COLLISION TYPE	FATAL CRASHES	NON-FATAL CRASHES	PROPERTY DAMAGE ONLY	TOTAL CRASHES	PEOPLE KILLED	PEOPLE INJURED	TRUCKS	DRY SURF	WET SURF	DAY	DARK	INTER-SECTION	INTER-SECTION RELATED	OFF-ROAD
YEAR: 2017														
NON-COLLISION	0	1	0	1	0	1	0	0	1	1	0	0	0	1
2017 TOTAL	0	1	0	1	0	1	0	0	1	1	0	0	0	1
FINAL TOTAL	0	1	0	1	0	1	0	0	1	1	0	0	0	1

Disclaimers: *Effective 2016,* ***collection of "Property Damage Only" (PDO) crash data elements was reduced for vehicles and participants.*** *Age, Gender, License, Error and other elements are no longer available for PDO crash reporting. Please keep this in mind when comparing 2016 PDO crash data to prior years.*

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OREGON DEPARTMENT OF TRANSPORTATION - POLICY, DATA AND ANALYSIS DIVISION
TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING UNIT
CONTINUOUS SYSTEM CRASH LISTING

002 COLUMBIA RIVER

Intersectional Crashes at US-730, Columbia River Hwy from Milepoint 191.40 through Milepoint 192.00.
January 1, 2016 through December 31, 2020

SER# / INVEST / UNLOC?	SPED	ALC	DRUGS	SCHL	WORK	DATE / DAY/TIME / LAT/LONG	COUNTY / CITY / URBAN AREA	RD# / CMPT/MLG / MILEPNT / LRS	FC / FIRST STREET / SECOND STREET / INTERSECTION SEQ#	RD CHAR / DIRECT / LOCTN	INT-TYP (MEDIAN) / LEGS (#LANES)	INT-REL / TRAF- / CNTL	OFFRD / RNDBT / DRVWY	WTHR / SURF / LIGHT	CRASH TYP / COLL TYP / SVRTY	V#	SPCL USE / TRLR QTY / OWNER / VEH TYPE	MOVE / FROM / TO	P#	PRTC TYPE	INJ SVRTY	AGE	SEX	LICNS RES	PED LOC	ERROR	ACTN	EVENT	CAUSE
00171	Y	N	N	N	N	02/04/2017	UMATILLA	1 06		STRGHT		N	Y	CLD	OVERTURN	01	NONE 0	STRGHT										124	01
STATE		N				Sat 7A		MN 0		UN	(NONE)	UNKNOWN	N	ICE	NCOL		PRVTE	E W									000	124	00
								191.59		01			N	DAY	INJ		PSNGR CAR		01	DRVR	INJC	27	M	OTH-Y	047,080,081		017		01
No						45 54 11.37 -119 10 9.45		000200100S00			(02)													N-RES					

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ACTION CODE TRANSLATION LIST

ACTION CODE	SHORT DESCRIPTION	LONG DESCRIPTION
000	NONE	NO ACTION OR NON-WARRANTED
001	SKIDDED	SKIDDED
002	ON/OFF V	GETTING ON OR OFF STOPPED OR PARKED VEHICLE
003	LOAD OVR	OVERHANGING LOAD STRUCK ANOTHER VEHICLE, ETC.
006	SLOW DN	SLOWED DOWN
007	AVOIDING	AVOIDING MANEUVER
008	PAR PARK	PARALLEL PARKING
009	ANG PARK	ANGLE PARKING
010	INTERFERE	PASSENGER INTERFERING WITH DRIVER
011	STOPPED	STOPPED IN TRAFFIC NOT WAITING TO MAKE A LEFT TURN
012	STP/L TRN	STOPPED BECAUSE OF LEFT TURN SIGNAL OR WAITING, ETC.
013	STP TURN	STOPPED WHILE EXECUTING A TURN
014	EMR V PKD	EMERGENCY VEHICLE LEGALLY PARKED IN THE ROADWAY
015	GO A/STOP	PROCEED AFTER STOPPING FOR A STOP SIGN/FLASHING RED.
016	TRN A/RED	TURNED ON RED AFTER STOPPING
017	LOSTCTRL	LOST CONTROL OF VEHICLE
018	EXIT DWY	ENTERING STREET OR HIGHWAY FROM ALLEY OR DRIVEWAY
019	ENTR DWY	ENTERING ALLEY OR DRIVEWAY FROM STREET OR HIGHWAY
020	STR ENTR	BEFORE ENTERING ROADWAY, STRUCK PEDESTRIAN, ETC. ON SIDEWALK OR SHOULDER
021	NO DRVR	CAR RAN AWAY - NO DRIVER
022	PREV COL	STRUCK, OR WAS STRUCK BY, VEHICLE OR PEDESTRIAN IN PRIOR COLLISION BEFORE ACC. STABILIZED
023	STALLED	VEHICLE STALLED OR DISABLED
024	DRVR DEAD	DEAD BY UNASSOCIATED CAUSE
025	FATIGUE	FATIGUED, SLEEPY, ASLEEP
026	SUN	DRIVER BLINDED BY SUN
027	HDLGHTS	DRIVER BLINDED BY HEADLIGHTS
028	ILLNESS	PHYSICALLY ILL
029	THRU MED	VEHICLE CROSSED, PLUNGED OVER, OR THROUGH MEDIAN BARRIER
030	PURSUIT	PURSUING OR ATTEMPTING TO STOP A VEHICLE
031	PASSING	PASSING SITUATION
032	PRKOFFRD	VEHICLE PARKED BEYOND CURB OR SHOULDER
033	CROS MED	VEHICLE CROSSED EARTH OR GRASS MEDIAN
034	X N/SGNL	CROSSING AT INTERSECTION - NO TRAFFIC SIGNAL PRESENT
035	X W/ SGNL	CROSSING AT INTERSECTION - TRAFFIC SIGNAL PRESENT
036	DIAGONAL	CROSSING AT INTERSECTION - DIAGONALLY
037	BTWN INT	CROSSING BETWEEN INTERSECTIONS
038	DISTRACT	DRIVER'S ATTENTION DISTRACTED
039	W/TRAF-S	WALKING, RUNNING, RIDING, ETC., ON SHOULDER WITH TRAFFIC
040	A/TRAF-S	WALKING, RUNNING, RIDING, ETC., ON SHOULDER FACING TRAFFIC
041	W/TRAF-P	WALKING, RUNNING, RIDING, ETC., ON PAVEMENT WITH TRAFFIC
042	A/TRAF-P	WALKING, RUNNING, RIDING, ETC., ON PAVEMENT FACING TRAFFIC
043	PLAYINRD	PLAYING IN STREET OR ROAD
044	PUSH MV	PUSHING OR WORKING ON VEHICLE IN ROAD OR ON SHOULDER
045	WORK ON	WORKING IN ROADWAY OR ALONG SHOULDER
046	W/ TRAFIC	NON-MOTORIST WALKING, RUNNING, RIDING, ETC. WITH TRAFFIC
047	A/ TRAFIC	NON-MOTORIST WALKING, RUNNING, RIDING, ETC. FACING TRAFFIC
050	LAY ON RD	STANDING OR LYING IN ROADWAY
051	ENT OFFRD	ENTERING / STARTING IN TRAFFIC LANE FROM OFF ROAD
052	MERGING	MERGING

ACTION CODE TRANSLATION LIST

ACTION CODE	SHORT DESCRIPTION	LONG DESCRIPTION
055	SPRAY	BLINDED BY WATER SPRAY
088	OTHER	OTHER ACTION
099	UNK	UNKNOWN ACTION

CAUSE CODE TRANSLATION LIST

CAUSE CODE	SHORT DESCRIPTION	LONG DESCRIPTION
00	NO CODE	NO CAUSE ASSOCIATED AT THIS LEVEL
01	TOO-FAST	TOO FAST FOR CONDITIONS (NOT EXCEED POSTED SPEED
02	NO-YIELD	DID NOT YIELD RIGHT-OF-WAY
03	PAS-STOP	PASSED STOP SIGN OR RED FLASHER
04	DIS SIG	DISREGARDED TRAFFIC SIGNAL
05	LEFT-CTR	DROVE LEFT OF CENTER ON TWO-WAY ROAD; STRADDLING
06	IMP-OVER	IMPROPER OVERTAKING
07	TOO-CLOS	FOLLOWED TOO CLOSELY
08	IMP-TURN	MADE IMPROPER TURN
09	DRINKING	ALCOHOL OR DRUG INVOLVED
10	OTHR-IMP	OTHER IMPROPER DRIVING
11	MECH-DEF	MECHANICAL DEFECT
12	OTHER	OTHER (NOT IMPROPER DRIVING)
13	IMP LN C	IMPROPER CHANGE OF TRAFFIC LANES
14	DIS TCD	DISREGARDED OTHER TRAFFIC CONTROL DEVICE
15	WRNG WAY	WRONG WAY ON ONE-WAY ROAD; WRONG SIDE DIVIDED RO
16	FATIGUE	DRIVER DROWSY/FATIGUED/SLEEPY
17	ILLNESS	PHYSICAL ILLNESS
18	IN RDWY	NON-MOTORIST ILLEGALLY IN ROADWAY
19	NT VISBL	NON-MOTORIST NOT VISIBLE; NON-REFLECTIVE CLOTHIN
20	IMP PKNG	VEHICLE IMPROPERLY PARKED
21	DEF STER	DEFECTIVE STEERING MECHANISM
22	DEF BRKE	INADEQUATE OR NO BRAKES
24	LOADSHFT	VEHICLE LOST LOAD OR LOAD SHIFTED
25	TIREFAIL	TIRE FAILURE
26	PHANTOM	PHANTOM / NON-CONTACT VEHICLE
27	INATTENT	INATTENTION
28	NM INATT	NON-MOTORIST INATTENTION
29	F AVOID	FAILED TO AVOID VEHICLE AHEAD
30	SPEED	DRIVING IN EXCESS OF POSTED SPEED
31	RACING	SPEED RACING (PER PAR)
32	CARELESS	CARELESS DRIVING (PER PAR)
33	RECKLESS	RECKLESS DRIVING (PER PAR)
34	AGGRESV	AGGRESSIVE DRIVING (PER PAR)
35	RD RAGE	ROAD RAGE (PER PAR)
40	VIEW OBS	VIEW OBSCURED
50	USED MDN	IMPROPER USE OF MEDIAN OR SHOULDER
51	FAIL LN	FAILED TO MAINTAIN LANE
52	OFF RD	RAN OFF ROAD

COLLISION TYPE CODE TRANSLATION LIST

COLL CODE	SHORT DESCRIPTION	LONG DESCRIPTION
&	OTH	MISCELLANEOUS
-	BACK	BACKING
0	PED	PEDESTRIAN
1	ANGL	ANGLE
2	HEAD	HEAD-ON
3	REAR	REAR-END
4	SS-M	SIDESWIPE - MEETING
5	SS-O	SIDESWIPE - OVERTAKING
6	TURN	TURNING MOVEMENT
7	PARK	PARKING MANEUVER
8	NCOL	NON-COLLISION
9	FIX	FIXED OBJECT OR OTHER OBJECT

CRASH TYPE CODE TRANSLATION LIST

CRASH TYPE	SHORT DESCRIPTION	LONG DESCRIPTION
&	OVERTURN	OVERTURNED
0	NON-COLL	OTHER NON-COLLISION
1	OTH RDWY	MOTOR VEHICLE ON OTHER ROADWAY
2	PRKD MV	PARKED MOTOR VEHICLE
3	PED	PEDESTRIAN
4	TRAIN	RAILWAY TRAIN
6	BIKE	PEDALCYCLIST
7	ANIMAL	ANIMAL
8	FIX OBJ	FIXED OBJECT
9	OTH OBJ	OTHER OBJECT
A	ANGL-STP	ENTERING AT ANGLE - ONE VEHICLE STOPPED
B	ANGL-OTH	ENTERING AT ANGLE - ALL OTHERS
C	S-STRGHT	FROM SAME DIRECTION - BOTH GOING STRAIGHT
D	S-1TURN	FROM SAME DIRECTION - ONE TURN, ONE STRAIGHT
E	S-1STOP	FROM SAME DIRECTION - ONE STOPPED
F	S-OTHER	FROM SAME DIRECTION-ALL OTHERS, INCLUDING PARKING
G	O-STRGHT	FROM OPPOSITE DIRECTION - BOTH GOING STRAIGHT
H	O-1 L-TURN	FROM OPPOSITE DIRECTION-ONE LEFT TURN,ONE STRAIGHT
I	O-1STOP	FROM OPPOSITE DIRECTION - ONE STOPPED
J	O-OTHER	FROM OPPOSITE DIRECTION-ALL OTHERS INCL. PARKING

DRIVER LICENSE CODE TRANSLATION LIST

LIC CODE	SHORT DESC	LONG DESCRIPTION
0	NONE	NOT LICENSED (HAD NEVER BEEN LICENSED)
1	OR-Y	VALID OREGON LICENSE
2	OTH-Y	VALID LICENSE, OTHER STATE OR COUNTRY
3	SUSP	SUSPENDED/REVOKED
4	EXP	EXPIRED
8	N-VAL	OTHER NON-VALID LICENSE
9	UNK	UNKNOWN IF DRIVER WAS LICENSED AT TIME OF CRASH

DRIVER RESIDENCE CODE TRANSLATION LIST

RES CODE	SHORT DESC	LONG DESCRIPTION
1	OR<25	OREGON RESIDENT WITHIN 25 MILE OF HOME
2	OR>25	OREGON RESIDENT 25 OR MORE MILES FROM HOME
3	OR-?	OREGON RESIDENT - UNKNOWN DISTANCE FROM HOME
4	N-RES	NON-RESIDENT
9	UNK	UNKNOWN IF OREGON RESIDENT

ERROR CODE TRANSLATION LIST

ERROR CODE	SHORT DESCRIPTION	FULL DESCRIPTION
000	NONE	NO ERROR
001	WIDE TRN	WIDE TURN
002	CUT CORN	CUT CORNER ON TURN
003	FAIL TRN	FAILED TO OBEY MANDATORY TRAFFIC TURN SIGNAL, SIGN OR LANE MARKINGS
004	L IN TRF	LEFT TURN IN FRONT OF ONCOMING TRAFFIC
005	L PROHIB	LEFT TURN WHERE PROHIBITED
006	FRM WRNG	TURNED FROM WRONG LANE
007	TO WRONG	TURNED INTO WRONG LANE
008	ILLEG U	U-TURNED ILLEGALLY
009	IMP STOP	IMPROPERLY STOPPED IN TRAFFIC LANE
010	IMP SIG	IMPROPER SIGNAL OR FAILURE TO SIGNAL
011	IMP BACK	BACKING IMPROPERLY (NOT PARKING)
012	IMP PARK	IMPROPERLY PARKED
013	UNPARK	IMPROPER START LEAVING PARKED POSITION
014	IMP STRT	IMPROPER START FROM STOPPED POSITION
015	IMP LGHT	IMPROPER OR NO LIGHTS (VEHICLE IN TRAFFIC)
016	INATTENT	INATTENTION (FAILURE TO DIM LIGHTS PRIOR TO 4/1/97)
017	UNSF VEH	DRIVING UNSAFE VEHICLE (NO OTHER ERROR APPARENT)
018	OTH PARK	ENTERING/EXITING PARKED POSITION W/ INSUFFICIENT CLEARANCE; OTHER IMPROPER PARKING MANEUVER
019	DIS DRIV	DISREGARDED OTHER DRIVER'S SIGNAL
020	DIS SGNL	DISREGARDED TRAFFIC SIGNAL
021	RAN STOP	DISREGARDED STOP SIGN OR FLASHING RED
022	DIS SIGN	DISREGARDED WARNING SIGN, FLARES OR FLASHING AMBER
023	DIS OFCR	DISREGARDED POLICE OFFICER OR FLAGMAN
024	DIS EMER	DISREGARDED SIREN OR WARNING OF EMERGENCY VEHICLE
025	DIS RR	DISREGARDED RR SIGNAL, RR SIGN, OR RR FLAGMAN
026	REAR-END	FAILED TO AVOID STOPPED OR PARKED VEHICLE AHEAD OTHER THAN SCHOOL BUS
027	BIKE ROW	DID NOT HAVE RIGHT-OF-WAY OVER PEDALCYCLIST
028	NO ROW	DID NOT HAVE RIGHT-OF-WAY
029	PED ROW	FAILED TO YIELD RIGHT-OF-WAY TO PEDESTRIAN
030	PAS CURV	PASSING ON A CURVE
031	PAS WRNG	PASSING ON THE WRONG SIDE
032	PAS TANG	PASSING ON STRAIGHT ROAD UNDER UNSAFE CONDITIONS
033	PAS X-WK	PASSED VEHICLE STOPPED AT CROSSWALK FOR PEDESTRIAN
034	PAS INTR	PASSING AT INTERSECTION
035	PAS HILL	PASSING ON CREST OF HILL
036	N/PAS ZN	PASSING IN "NO PASSING" ZONE
037	PAS TRAF	PASSING IN FRONT OF ONCOMING TRAFFIC
038	CUT-IN	CUTTING IN (TWO LANES - TWO WAY ONLY)
039	WRNGSIDE	DRIVING ON WRONG SIDE OF THE ROAD (2-WAY UNDIVIDED ROADWAYS)

ERROR CODE TRANSLATION LIST

ERROR CODE	SHORT DESCRIPTION	FULL DESCRIPTION
040	THRU MED	DRIVING THROUGH SAFETY ZONE OR OVER ISLAND
041	F/ST BUS	FAILED TO STOP FOR SCHOOL BUS
042	F/SLO MV	FAILED TO DECREASE SPEED FOR SLOWER MOVING VEHICLE
043	TOO CLOSE	FOLLOWING TOO CLOSELY (MUST BE ON OFFICER'S REPORT)
044	STRDL LN	STRADDLING OR DRIVING ON WRONG LANES
045	IMP CHG	IMPROPER CHANGE OF TRAFFIC LANES
046	WRNG WAY	WRONG WAY ON ONE-WAY ROADWAY; WRONG SIDE DIVIDED ROAD
047	BASCRULE	DRIVING TOO FAST FOR CONDITIONS (NOT EXCEEDING POSTED SPEED)
048	OPN DOOR	OPENED DOOR INTO ADJACENT TRAFFIC LANE
049	IMPEDING	IMPEDING TRAFFIC
050	SPEED	DRIVING IN EXCESS OF POSTED SPEED
051	RECKLESS	RECKLESS DRIVING (PER PAR)
052	CARELESS	CARELESS DRIVING (PER PAR)
053	RACING	SPEED RACING (PER PAR)
054	X N/SGNL	CROSSING AT INTERSECTION, NO TRAFFIC SIGNAL PRESENT
055	X W/SGNL	CROSSING AT INTERSECTION, TRAFFIC SIGNAL PRESENT
056	DIAGONAL	CROSSING AT INTERSECTION - DIAGONALLY
057	BTWN INT	CROSSING BETWEEN INTERSECTIONS
059	W/TRAF-S	WALKING, RUNNING, RIDING, ETC., ON SHOULDER WITH TRAFFIC
060	A/TRAF-S	WALKING, RUNNING, RIDING, ETC., ON SHOULDER FACING TRAFFIC
061	W/TRAF-P	WALKING, RUNNING, RIDING, ETC., ON PAVEMENT WITH TRAFFIC
062	A/TRAF-P	WALKING, RUNNING, RIDING, ETC., ON PAVEMENT FACING TRAFFIC
063	PLAYINRD	PLAYING IN STREET OR ROAD
064	PUSH MV	PUSHING OR WORKING ON VEHICLE IN ROAD OR ON SHOULDER
065	WORK IN RD	WORKING IN ROADWAY OR ALONG SHOULDER
070	LAY ON RD	STANDING OR LYING IN ROADWAY
071	NM IMP USE	IMPROPER USE OF TRAFFIC LANE BY NON-MOTORIST
073	ELUDING	ELUDING / ATTEMPT TO ELUDE
079	F NEG CURV	FAILED TO NEGOTIATE A CURVE
080	FAIL LN	FAILED TO MAINTAIN LANE
081	OFF RD	RAN OFF ROAD
082	NO CLEAR	DRIVER MISJUDGED CLEARANCE
083	OVRSTEER	OVER-CORRECTING
084	NOT USED	CODE NOT IN USE
085	OVRLOAD	OVERLOADING OR IMPROPER LOADING OF VEHICLE WITH CARGO OR PASSENGERS
097	UNA DIS TC	UNABLE TO DETERMINE WHICH DRIVER DISREGARDED TRAFFIC CONTROL DEVICE

EVENT CODE TRANSLATION LIST

EVENT CODE	SHORT DESCRIPTION	LONG DESCRIPTION
001	FEL/JUMP	OCCUPANT FELL, JUMPED OR WAS EJECTED FROM MOVING VEHICLE
002	INTERFER	PASSENGER INTERFERED WITH DRIVER
003	BUG INTF	ANIMAL OR INSECT IN VEHICLE INTERFERED WITH DRIVER
004	INDRCT PED	PEDESTRIAN INDIRECTLY INVOLVED (NOT STRUCK)
005	SUB-PED	"SUB-PED": PEDESTRIAN INJURED SUBSEQUENT TO COLLISION, ETC.
006	INDRCT BIK	PEDALCYCLIST INDIRECTLY INVOLVED (NOT STRUCK)
007	HITCHIKR	HITCHHIKER (SOLICITING A RIDE)
008	PSNGR TOW	PASSENGER OR NON-MOTORIST BEING TOWED OR PUSHED ON CONVEYANCE
009	ON/OFF V	GETTING ON/OFF STOPPED/PARKED VEHICLE (OCCUPANTS ONLY; MUST HAVE PHYSICAL CONTACT W/ VEHI(
010	SUB OTRN	OVERTURNED AFTER FIRST HARMFUL EVENT
011	MV PUSHD	VEHICLE BEING PUSHED
012	MV TOWED	VEHICLE TOWED OR HAD BEEN TOWING ANOTHER VEHICLE
013	FORCED	VEHICLE FORCED BY IMPACT INTO ANOTHER VEHICLE, PEDALCYCLIST OR PEDESTRIAN
014	SET MOTN	VEHICLE SET IN MOTION BY NON-DRIVER (CHILD RELEASED BRAKES, ETC.)
015	RR ROW	AT OR ON RAILROAD RIGHT-OF-WAY (NOT LIGHT RAIL)
016	LT RL ROW	AT OR ON LIGHT-RAIL RIGHT-OF-WAY
017	RR HIT V	TRAIN STRUCK VEHICLE
018	V HIT RR	VEHICLE STRUCK TRAIN
019	HIT RR CAR	VEHICLE STRUCK RAILROAD CAR ON ROADWAY
020	JACKNIFE	JACKKNIFE; TRAILER OR TOWED VEHICLE STRUCK TOWING VEHICLE
021	TRL OTRN	TRAILER OR TOWED VEHICLE OVERTURNED
022	CN BROKE	TRAILER CONNECTION BROKE
023	DETACH TRL	DETACHED TRAILING OBJECT STRUCK OTHER VEHICLE, NON-MOTORIST, OR OBJECT
024	V DOOR OPN	VEHICLE DOOR OPENED INTO ADJACENT TRAFFIC LANE
025	WHEELOFF	WHEEL CAME OFF
026	HOOD UP	HOOD FLEW UP
028	LOAD SHIFT	LOST LOAD, LOAD MOVED OR SHIFTED
029	TIREFAIL	TIRE FAILURE
030	PET	PET: CAT, DOG AND SIMILAR
031	LVSTOCK	STOCK: COW, CALF, BULL, STEER, SHEEP, ETC.
032	HORSE	HORSE, MULE, OR DONKEY
033	HRSE&RID	HORSE AND RIDER
034	GAME	WILD ANIMAL, GAME (INCLUDES BIRDS; NOT DEER OR ELK)
035	DEER ELK	DEER OR ELK, WAPITI
036	ANML VEH	ANIMAL-DRAWN VEHICLE
037	CULVERT	CULVERT, OPEN LOW OR HIGH MANHOLE
038	ATENUATN	IMPACT ATTENUATOR
039	PK METER	PARKING METER
040	CURB	CURB (ALSO NARROW SIDEWALKS ON BRIDGES)
041	JIGGLE	JIGGLE BAR OR TRAFFIC SNAKE FOR CHANNELIZATION
042	GDRL END	LEADING EDGE OF GUARDRAIL
043	GARDRAIL	GUARD RAIL (NOT METAL MEDIAN BARRIER)
044	BARRIER	MEDIAN BARRIER (RAISED OR METAL)
045	WALL	RETAINING WALL OR TUNNEL WALL
046	BR RAIL	BRIDGE RAILING OR PARAPET (ON BRIDGE OR APPROACH)
047	BR ABUTMNT	BRIDGE ABUTMENT (INCLUDED "APPROACH END" THRU 2013)
048	BR COLMN	BRIDGE PILLAR OR COLUMN
049	BR GIRDR	BRIDGE GIRDER (HORIZONTAL BRIDGE STRUCTURE OVERHEAD)
050	ISLAND	TRAFFIC RAISED ISLAND
051	GORE	GORE
052	POLE UNK	POLE - TYPE UNKNOWN
053	POLE UTL	POLE - POWER OR TELEPHONE
054	ST LIGHT	POLE - STREET LIGHT ONLY
055	TRF SGNL	POLE - TRAFFIC SIGNAL AND PED SIGNAL ONLY
056	SGN BRDG	POLE - SIGN BRIDGE
057	STOPSIGN	STOP OR YIELD SIGN

EVENT CODE TRANSLATION LIST

EVENT CODE	SHORT DESCRIPTION	LONG DESCRIPTION
058	OTH SIGN	OTHER SIGN, INCLUDING STREET SIGNS
059	HYDRANT	HYDRANT
060	MARKER	DELINEATOR OR MARKER (REFLECTOR POSTS)
061	MAILBOX	MAILBOX
062	TREE	TREE, STUMP OR SHRUBS
063	VEG OHED	TREE BRANCH OR OTHER VEGETATION OVERHEAD, ETC.
064	WIRE/CBL	WIRE OR CABLE ACROSS OR OVER THE ROAD
065	TEMP SGN	TEMPORARY SIGN OR BARRICADE IN ROAD, ETC.
066	PERM SGN	PERMANENT SIGN OR BARRICADE IN/OFF ROAD
067	SLIDE	SLIDES, FALLEN OR FALLING ROCKS
068	FRGN OBJ	FOREIGN OBSTRUCTION/DEBRIS IN ROAD (NOT GRAVEL)
069	EQP WORK	EQUIPMENT WORKING IN/OFF ROAD
070	OTH EQP	OTHER EQUIPMENT IN OR OFF ROAD (INCLUDES PARKED TRAILER, BOAT)
071	MAIN EQP	WRECKER, STREET SWEEPER, SNOW PLOW OR SANDING EQUIPMENT
072	OTHER WALL	ROCK, BRICK OR OTHER SOLID WALL
073	IRRGL PVMT	OTHER BUMP (NOT SPEED BUMP), POTHOLE OR PAVEMENT IRREGULARITY (PER PAR)
074	OVERHD OBJ	OTHER OVERHEAD OBJECT (HIGHWAY SIGN, SIGNAL HEAD, ETC.); NOT BRIDGE
075	CAVE IN	BRIDGE OR ROAD CAVE IN
076	HI WATER	HIGH WATER
077	SNO BANK	SNOW BANK
078	LO-HI EDGE	LOW OR HIGH SHOULDER AT PAVEMENT EDGE
079	DITCH	CUT SLOPE OR DITCH EMBANKMENT
080	OBJ FRM MV	STRUCK BY ROCK OR OTHER OBJECT SET IN MOTION BY OTHER VEHICLE (INCL. LOST LOADS)
081	FLY-OBJ	STRUCK BY ROCK OR OTHER MOVING OR FLYING OBJECT (NOT SET IN MOTION BY VEHICLE)
082	VEH HID	VEHICLE OBSCURED VIEW
083	VEG HID	VEGETATION OBSCURED VIEW
084	BLDG HID	VIEW OBSCURED BY FENCE, SIGN, PHONE BOOTH, ETC.
085	WIND GUST	WIND GUST
086	IMMERSED	VEHICLE IMMERSED IN BODY OF WATER
087	FIRE/EXP	FIRE OR EXPLOSION
088	FENC/BLD	FENCE OR BUILDING, ETC.
089	OTHR CRASH	CRASH RELATED TO ANOTHER SEPARATE CRASH
090	TO 1 SIDE	TWO-WAY TRAFFIC ON DIVIDED ROADWAY ALL ROUTED TO ONE SIDE
091	BUILDING	BUILDING OR OTHER STRUCTURE
092	PHANTOM	OTHER (PHANTOM) NON-CONTACT VEHICLE
093	CELL PHONE	CELL PHONE (ON PAR OR DRIVER IN USE)
094	VIOL GDL	TEENAGE DRIVER IN VIOLATION OF GRADUATED LICENSE PGM
095	GUY WIRE	GUY WIRE
096	BERM	BERM (EARTHEN OR GRAVEL MOUND)
097	GRAVEL	GRAVEL IN ROADWAY
098	ABR EDGE	ABRUPT EDGE
099	CELL WTNSD	CELL PHONE USE WITNESSED BY OTHER PARTICIPANT
100	UNK FIXD	FIXED OBJECT, UNKNOWN TYPE.
101	OTHER OBJ	NON-FIXED OBJECT, OTHER OR UNKNOWN TYPE
102	TEXTING	TEXTING
103	WZ WORKER	WORK ZONE WORKER
104	ON VEHICLE	PASSENGER RIDING ON VEHICLE EXTERIOR
105	PEDAL PSGR	PASSENGER RIDING ON PEDALCYCLE
106	MAN WHLCHR	PEDESTRIAN IN NON-MOTORIZED WHEELCHAIR
107	MTR WHLCHR	PEDESTRIAN IN MOTORIZED WHEELCHAIR
108	OFFICER	LAW ENFORCEMENT / POLICE OFFICER
109	SUB-BIKE	"SUB-BIKE": PEDALCYCLIST INJURED SUBSEQUENT TO COLLISION, ETC.
110	N-MTR	NON-MOTORIST STRUCK VEHICLE
111	S CAR VS V	STREET CAR/TROLLEY (ON RAILS OR OVERHEAD WIRE SYSTEM) STRUCK VEHICLE
112	V VS S CAR	VEHICLE STRUCK STREET CAR/TROLLEY (ON RAILS OR OVERHEAD WIRE SYSTEM)
113	S CAR ROW	AT OR ON STREET CAR OR TROLLEY RIGHT-OF-WAY

EVENT CODE TRANSLATION LIST

EVENT CODE	SHORT DESCRIPTION	LONG DESCRIPTION
114	RR EQUIP	VEHICLE STRUCK RAILROAD EQUIPMENT (NOT TRAIN) ON TRACKS
115	DSTRCT GPS	DISTRACTED BY NAVIGATION SYSTEM OR GPS DEVICE
116	DSTRCT OTH	DISTRACTED BY OTHER ELECTRONIC DEVICE
117	RR GATE	RAIL CROSSING DROP-ARM GATE
118	EXPNSN JNT	EXPANSION JOINT
119	JERSEY BAR	JERSEY BARRIER
120	WIRE BAR	WIRE OR CABLE MEDIAN BARRIER
121	FENCE	FENCE
123	OBJ IN VEH	LOOSE OBJECT IN VEHICLE STRUCK OCCUPANT
124	SLIPPERY	SLIDING OR SWERVING DUE TO WET, ICY, SLIPPERY OR LOOSE SURFACE (NOT GRAVEL)
125	SHLDR	SHOULDER GAVE WAY
126	BOULDER	ROCK(S), BOULDER (NOT GRAVEL; NOT ROCK SLIDE)
127	LAND SLIDE	ROCK SLIDE OR LAND SLIDE
128	CURVE INV	CURVE PRESENT AT CRASH LOCATION
129	HILL INV	VERTICAL GRADE / HILL PRESENT AT CRASH LOCATION
130	CURVE HID	VIEW OBSCURED BY CURVE
131	HILL HID	VIEW OBSCURED BY VERTICAL GRADE / HILL
132	WINDOW HID	VIEW OBSCURED BY VEHICLE WINDOW CONDITIONS
133	SPRAY HID	VIEW OBSCURED BY WATER SPRAY
134	TORRENTIAL	TORRENTIAL RAIN (EXCEPTIONALLY HEAVY RAIN)
135	RAIL OCC	INJURED OCCUPANT OF RAILWAY TRAIN, LIGHT RAIL, STREET CAR OR CABLE CAR

FUNCTIONAL CLASSIFICATION TRANSLATION LIST

FUNC CLASS	DESCRIPTION
01	RURAL PRINCIPAL ARTERIAL - INTERSTATE
02	RURAL PRINCIPAL ARTERIAL - OTHER
06	RURAL MINOR ARTERIAL
07	RURAL MAJOR COLLECTOR
08	RURAL MINOR COLLECTOR
09	RURAL LOCAL
11	URBAN PRINCIPAL ARTERIAL - INTERSTATE
12	URBAN PRINCIPAL ARTERIAL - OTHER FREEWAYS AND EXP
14	URBAN PRINCIPAL ARTERIAL - OTHER
16	URBAN MINOR ARTERIAL
17	URBAN MAJOR COLLECTOR
18	URBAN MINOR COLLECTOR
19	URBAN LOCAL
78	UNKNOWN RURAL SYSTEM
79	UNKNOWN RURAL NON-SYSTEM
98	UNKNOWN URBAN SYSTEM
99	UNKNOWN URBAN NON-SYSTEM

HIGHWAY COMPONENT TRANSLATION LIST

CODE	DESCRIPTION
0	MAINLINE STATE HIGHWAY
1	COUPLET
3	FRONTAGE ROAD
6	CONNECTION
8	HIGHWAY - OTHER

INJURY SEVERITY CODE TRANSLATION LIST

CODE	SHORT DESC	LONG DESCRIPTION
1	KILL	FATAL INJURY (K)
2	INJA	SUSPECTED SERIOUS INJURY (A)
3	INJB	SUSPECTED MINOR INJURY (B)
4	INJC	POSSIBLE INJURY (C)
5	PRI	DIED PRIOR TO CRASH
7	NO<5	NO INJURY - 0 TO 4 YEARS OF AGE
9	NONE	NO APPARENT INJURY (O)

LIGHT CONDITION CODE TRANSLATION LIST

CODE	SHORT DESC	LONG DESCRIPTION
0	UNK	UNKNOWN
1	DAY	DAYLIGHT
2	DLIT	DARKNESS - WITH STREET LIGHTS
3	DARK	DARKNESS - NO STREET LIGHTS
4	DAWN	DAWN (TWILIGHT)
5	DUSK	DUSK (TWILIGHT)

MEDIAN TYPE CODE TRANSLATION LIST

CODE	SHORT DESC	LONG DESCRIPTION
0	NONE	NO MEDIAN
1	RSDMD	SOLID MEDIAN BARRIER
2	DIVMD	EARTH, GRASS OR PAVED MEDIAN

MILEAGE TYPE CODE TRANSLATION LIST

CODE	LONG DESCRIPTION
0	REGULAR MILEAGE
T	TEMPORARY
Y	SPUR
Z	OVERLAPPING

MOVEMENT TYPE CODE TRANSLATION LIST

CODE	SHORT DESC	LONG DESCRIPTION
0	UNK	UNKNOWN
1	STRGHT	STRAIGHT AHEAD
2	TURN-R	TURNING RIGHT
3	TURN-L	TURNING LEFT
4	U-TURN	MAKING A U-TURN
5	BACK	BACKING
6	STOP	STOPPED IN TRAFFIC
7	PRKD-P	PARKED - PROPERLY
8	PRKD-I	PARKED - IMPROPERLY
9	PARKNG	PARKING MANEUVER

NON-MOTORIST LOCATION CODE TRANSLATION LIST

CODE	LONG DESCRIPTION
00	AT INTERSECTION - NOT IN ROADWAY
01	AT INTERSECTION - INSIDE CROSSWALK
02	AT INTERSECTION - IN ROADWAY, OUTSIDE CROSSWALK
03	AT INTERSECTION - IN ROADWAY, XWALK AVAIL UNKNWN
04	NOT AT INTERSECTION - IN ROADWAY
05	NOT AT INTERSECTION - ON SHOULDER
06	NOT AT INTERSECTION - ON MEDIAN
07	NOT AT INTERSECTION - WITHIN TRAFFIC RIGHT-OF-WAY
08	NOT AT INTERSECTION - IN BIKE PATH OR PARKING LANE
09	NOT-AT INTERSECTION - ON SIDEWALK
10	OUTSIDE TRAFFICWAY BOUNDARIES
13	AT INTERSECTION - IN BIKE LANE
14	NOT AT INTERSECTION - IN BIKE LANE
15	NOT AT INTERSECTION - INSIDE MID-BLOCK CROSSWALK
16	NOT AT INTERSECTION - IN PARKING LANE
18	OTHER, NOT IN ROADWAY
99	UNKNOWN LOCATION

ROAD CHARACTER CODE TRANSLATION LIST

CODE	SHORT DESC	LONG DESCRIPTION
0	UNK	UNKNOWN
1	INTER	INTERSECTION
2	ALLEY	DRIVEWAY OR ALLEY
3	STRGHT	STRAIGHT ROADWAY
4	TRANS	TRANSITION
5	CURVE	CURVE (HORIZONTAL CURVE)
6	OPENAC	OPEN ACCESS OR TURNOUT
7	GRADE	GRADE (VERTICAL CURVE)
8	BRIDGE	BRIDGE STRUCTURE
9	TUNNEL	TUNNEL

PARTICIPANT TYPE CODE TRANSLATION LIST

CODE	SHORT DESC	LONG DESCRIPTION
0	OCC	UNKNOWN OCCUPANT TYPE
1	DRVR	DRIVER
2	PSNG	PASSENGER
3	PED	PEDESTRIAN
4	CONV	PEDESTRIAN USING A PEDESTRIAN CONVEYA
5	PTOW	PEDESTRIAN TOWING OR TRAILERING AN OB
6	BIKE	PEDALCYCLIST
7	BTOW	PEDALCYCLIST TOWING OR TRAILERING AN
8	PRKD	OCCUPANT OF A PARKED MOTOR VEHICLE
9	OTHR	OTHER TYPE OF NON-MOTORIST

TRAFFIC CONTROL DEVICE CODE TRANSLATION LIST

CODE	SHORT DESC	LONG DESCRIPTION
000	NONE	NO CONTROL
001	TRF SIGNAL	TRAFFIC SIGNALS
002	FLASHBCN-R	FLASHING BEACON - RED (STOP)
003	FLASHBCN-A	FLASHING BEACON - AMBER (SLOW)
004	STOP SIGN	STOP SIGN
005	SLOW SIGN	SLOW SIGN
006	REG-SIGN	REGULATORY SIGN
007	YIELD	YIELD SIGN
008	WARNING	WARNING SIGN
009	CURVE	CURVE SIGN
010	SCHL X-ING	SCHOOL CROSSING SIGN OR SPECIAL SIGNAL
011	OFCR/FLAG	POLICE OFFICER, FLAGMAN - SCHOOL PATROL
012	BRDG-GATE	BRIDGE GATE - BARRIER
013	TEMP-BARR	TEMPORARY BARRIER
014	NO-PASS-ZN	NO PASSING ZONE
015	ONE-WAY	ONE-WAY STREET
016	CHANNEL	CHANNELIZATION
017	MEDIAN BAR	MEDIAN BARRIER
018	PILOT CAR	PILOT CAR
019	SP PED SIG	SPECIAL PEDESTRIAN SIGNAL
020	X-BUCK	CROSSBUCK
021	THR-GN-SIG	THROUGH GREEN ARROW OR SIGNAL
022	L-GRN-SIG	LEFT TURN GREEN ARROW, LANE MARKINGS, OR SIGNAL
023	R-GRN-SIG	RIGHT TURN GREEN ARROW, LANE MARKINGS, OR SIGNAL
024	WIGWAG	WIGWAG OR FLASHING LIGHTS W/O DROP-ARM GATE
025	X-BUCK WRN	CROSSBUCK AND ADVANCE WARNING
026	WW W/ GATE	FLASHING LIGHTS WITH DROP-ARM GATES
027	OVRHD SGNL	SUPPLEMENTAL OVERHEAD SIGNAL (RR XING ONLY)
028	SP RR STOP	SPECIAL RR STOP SIGN
029	ILUM GRD X	ILLUMINATED GRADE CROSSING
037	RAMP METER	METERED RAMPS
038	RUMBLE STR	RUMBLE STRIP
040	AUTO. FLAG	AUTOMATED FLAGGER ASSISTANCE DEVICE
090	L-TURN REF	LEFT TURN REFUGE (WHEN REFUGE IS INVOLVED)
091	R-TURN ALL	RIGHT TURN AT ALL TIMES SIGN, ETC.
092	EMR SGN/FL	EMERGENCY SIGNS OR FLARES
093	ACCEL LANE	ACCELERATION OR DECELERATION LANES
094	R-TURN PRO	RIGHT TURN PROHIBITED ON RED AFTER STOPPING
095	BUS STPSGN	BUS STOP SIGN AND RED LIGHTS

VEHICLE TYPE CODE TRANSLATION LIST

CODE	SHORT DESC	LONG DESCRIPTION
00	PDO	NOT COLLECTED FOR PDO CRASHES
01	PSNGR CAR	PASSENGER CAR, PICKUP, LIGHT DELIVERY, ETC.
02	BOBTAIL	TRUCK TRACTOR WITH NO TRAILERS (BOBTAIL)
03	FARM TRCTR	FARM TRACTOR OR SELF-PROPELLED FARM EQUIPMENT
04	SEMI TOW	TRUCK TRACTOR WITH TRAILER/MOBILE HOME IN TOW
05	TRUCK	TRUCK WITH NON-DETACHABLE BED, PANEL, ETC.
06	MOPED	MOPED, MINIBIKE, SEATED MOTOR SCOOTER (REV. 2022)
07	SCHL BUS	SCHOOL BUS (INCLUDES VAN)
08	OTH BUS	OTHER BUS
09	MTRCYCLE	MOTORCYCLE, DIRT BIKE
10	OTHER	OTHER: FORKLIFT, BACKHOE, ETC.
11	MOTRHOME	MOTORHOME
12	TROLLEY	MOTORIZED STREET CAR/TROLLEY (NO RAILS/WIRES)
13	ATV	ATV
14	MTRSCTR	MOTORIZED SCOOTER (STANDING)
15	SNOWMOBILE	SNOWMOBILE
16	MTRZ/EBIKE	MOTORIZED OR ELECTRIC BICYCLE (E-BIKE) (EFF.2022)
17	UTV	UTV SIDE BY SIDE
99	UNKNOWN	UNKNOWN VEHICLE TYPE

099	UNKNOWN	UNKNOWN OR NOT DEFINITE

WEATHER CONDITION CODE TRANSLATION LIST

CODE	SHORT DESC	LONG DESCRIPTION
0	UNK	UNKNOWN
1	CLR	CLEAR
2	CLD	CLOUDY
3	RAIN	RAIN
4	SLT	SLEET
5	FOG	FOG
6	SNOW	SNOW
7	DUST	DUST
8	SMOK	SMOKE
9	ASH	ASH

OREGON DEPARTMENT OF TRANSPORTATION - POLICY, DATA AND ANALYSIS DIVISION
TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING UNIT
STATE HIGHWAY SYSTEM CRASH LOCATIONS - DRIVER BEHAVIOR FORMAT

Intersectional Crashes at US-730, Columbia River Hwy from Milepoint 191.40 through Milepoint 192.00.
January 1, 2016 through December 31, 2020

SERIAL NO	DATE	TIME	DAY	*COUNTY OR CITY NAME	COMPNT	MLGTYP	CRASH LOCATION	COLL TYPE	EVENT	CAUSE	ERROR	SURF	TOT VEH	VEHICLE TYP/OWN #1	VEHICLE TYP/OWN #2	--PEOPLE-- KILL	INJA	INJC	SPED
00171	02/04/2017	7A	SA	*Umatilla	MN	R	HY 002, COLUMBIA RIVER AT MP 191.59	NCOL	124	01	047,080,081	ICE	1	011		0	1	N	Y

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VEHICLE OWNERSHIP CODES

Code	Short Description	Long Description
0	N/A	Not collected for PDO Crashes
1	PRVTE	Private
2	GOVMT	Government
3	PUBLC	Public
4	RENTL	Rental vehicle
5	STOLN	Stolen vehicle
9	UNKN	Unknown ownership

VEHICLE TYPE CODES

Code	Short Description	Long Description
00	PDO	Not collected for PDO Crashes
01	PSNGR CAR	Passenger car, pickup, light delivery, etc.
02	BOBTAIL	Truck tractor with no trailers (bobtail)
03	FARM TRCTR	Farm tractor or self-propelled farm equipment
04	SEMI TOW	Truck Tractor with trailer/mobile home in tow
05	TRUCK	Truck with non-detachable bed, panel, etc.
06	MOPED	Moped, minibike, seated motor scooter (rev. 2022)
07	SCHL BUS	School bus (includes van)
08	OTH BUS	Other bus
09	MTRCYCLE	Motorcycle, dirt bike
10	OTHER	Other: forklift, backhoe, etc.
11	MOTRHOME	Motorhome
12	TROLLEY	Motorized Street Car/Trolley (no rails/wires)
13	ATV	ATV
14	MTRSCTR	Motorized scooter (standing)
15	SNOWMOBILE	Snowmobile
16	MTRZ/EBIKE	Motorized or Electric bicycle (E-bike) (eff.2022)
17	UTV	UTV Side by Side
99	UNKNOWN	Unknown vehicle type

CAUSE CODES

Code	Short Description	Medium Description	Long Description	Code Termination Date
00	NO CODE	NO CODE APPLICABLE	No cause associated at this level	
01	TOO-FAST	TOO FAST FOR COND	Too fast for conditions (not exceed posted speed)	
02	NO-YIELD	FAILED YIELD ROW	Did not yield right-of-way	
03	PAS-STOP	PASSED STOP SIGN	Passed stop sign or red flasher	
04	DIS SIG	DISREGRD TRAF SIGNAL	Disregarded traffic signal	
05	LEFT-CTR	LEFT OF CTR/STRADDLE	Drove left of center on two-way road; straddling	
06	IMP-OVER	IMPROPER PASSING	Improper overtaking	
07	TOO-CLOS	FOLLOW TOO CLOSE	Followed too closely	
08	IMP-TURN	IMPROPER TURN	Made improper turn	
09	DRINKING	ALC OR DRUGS	Alcohol or Drug Involved	12/31/2002
10	OTHR-IMP	OTHER DRIVE ERR	Other improper driving	
11	MECH-DEF	MECH DEFECT	Mechanical defect	
12	OTHER	OTHER	Other (not improper driving)	
13	IMP LN C	IMP LANE CHANGE	Improper change of traffic lanes	
14	DIS TCD	DISRG OTHR TCD	Disregarded other traffic control device	
15	WRNG WAY	WRONG WAY / 1-WAY RD	Wrong way on one-way road; wrong side divided road	
16	FATIGUE	DRIVER FATIGUED	Driver drowsy/fatigued/sleepy	
17	ILLNESS	PHYSICAL ILLNESS	Physical illness	
18	IN RDWY	ILLEGALLY IN RDWY	Non-motorist illegally in roadway	
19	NT VISBL	NOT VISIBLE	Non-motorist not visible; non-reflective clothing	
20	IMP PKNG	IMPROPER PARKING	Vehicle improperly parked	
21	DEF STER	DEFECTIVE STEERING	Defective steering mechanism	
22	DEF BRKE	DEFECTIVE BRAKES	Inadequate or no brakes	
24	LOADSHFT	LOAD SHIFTED	Vehicle lost load or load shifted	
25	TIREFAIL	TIRE FAILURE	Tire Failure	
26	PHANTOM	PHANTOM VEHICLE	Phantom / Non-contact Vehicle	
27	INATTENT	INATTENTION	Inattention	
28	NM INATT	NON-MTRST INATTENT	Non-Motorist Inattention	
29	F AVOID	FAIL AVOID VEH AHEAD	Failed to avoid vehicle ahead	
30	SPEED	EXCED POSTED SPEED	Driving in excess of posted speed	
31	RACING	SPEED RACING	Speed Racing (per PAR)	
32	CARELESS	CARELESS DRIVING	Careless Driving (per PAR)	
33	RECKLESS	RECKLESS DRIVING	Reckless Driving (per PAR)	
34	AGGRESV	AGGRESSIVE DRIVING	Aggressive Driving (per PAR)	
35	RD RAGE	ROAD RAGE	Road Rage (per PAR)	
40	VIEW OBS	VIEW OBSCURED	View obscured	
50	USED MDN	IMP USE MEDIAN/SHLDR	Improper use of median or shoulder	
51	FAIL LN	F MAINT LANE	Failed to maintain lane	12/31/2015
52	OFF RD	RAN OFF RD	Ran off road	12/31/2015

ERR CODES

Code	Short Description	Medium Description	Long Description
000	NONE	NO ERROR	No error
001	WIDE TRN	WIDE TURN	Wide turn
002	CUT CORN	CUT CORNER	Cut corner on turn
003	FAIL TRN	F OBEY TRN	Failed to obey mandatory traffic turn signal, sign or lane markings
004	L IN TRF	LTRN FNT TRAF	Left turn in front of oncoming traffic
005	L PROHIB	LTRN PROHIB	Left turn where prohibited
006	FRM WRNG	T FRM WRNG LN	Turned from wrong lane
007	TO WRONG	T TO WRONG LN	Turned into wrong lane
008	ILLEG U	ILLEG U-TURN	U-turned illegally
009	IMP STOP	IMP STOP	Improperly stopped in traffic lane
010	IMP SIG	IMP/FAIL SIG	Improper signal or failure to signal
011	IMP BACK	IMP BACKING	Backing improperly (not parking)
012	IMP PARK	IMP PARKED	Improperly parked
013	UNPARK	IMP STRT PARK	Improper start leaving parked position
014	IMP STRT	IMP STRT STOP	Improper start from stopped position
015	IMP LGHT	IMP/NO LIGHTS	Improper or no lights (vehicle in traffic)
016	INATTENT	INATTENTION	Inattention (Failure to Dim Lights prior to 4/1/97)
017	UNSF VEH	DR UNSAFE VEH	Driving unsafe vehicle (no other error apparent)
018	OTH PARK	PRK MAN N/CLR	Entering/exiting parked position w/ insufficient clearance; other improper parking maneuver
019	DIS DRIV	DISRG DR SIG	Disregarded other driver's signal
020	DIS SGNL	DISRG TRF SIG	Disregarded traffic signal
021	RAN STOP	DISRG STP SGN	Disregarded stop sign or flashing red
022	DIS SIGN	DISRG WRN SGN	Disregarded warning sign, flares or flashing amber
023	DIS OFCR	DISRG POL/FLG	Disregarded police officer or flagman
024	DIS EMER	DISRG SIR/EMR	Disregarded siren or warning of emergency vehicle
025	DIS RR	DISRG RR SIG	Disregarded RR signal, RR sign, or RR flagman
026	REAR-END	F AVOID STP V	Failed to avoid stopped or parked vehicle ahead other than school bus
027	BIKE ROW	F/YLD ROW BIK	Did not have right-of-way over pedalcyclist
028	NO ROW	NO R-O-W	Did not have right-of-way
029	PED ROW	F/YLD ROW PED	Failed to yield right-of-way to pedestrian
030	PAS CURV	PASS ON CURVE	Passing on a curve
031	PAS WRNG	PASS WRNG SID	Passing on the wrong side
032	PAS TANG	PASS TANGENT	Passing on straight road under unsafe conditions
033	PAS X-WK	PASS STP4PED	Passed vehicle stopped at crosswalk for pedestrian
034	PAS INTR	PASS AT INTER	Passing at intersection
035	PAS HILL	PASS ON HILL	Passing on crest of hill
036	N/PAS ZN	PASS N/PASSNG	Passing in "No Passing" zone
037	PAS TRAF	PASS ONC TRAF	Passing in front of oncoming traffic
038	CUT-IN	CUTTING IN	Cutting in (two lanes - two way only)
039	WRNGSIDE	DR WRONG SIDE	Driving on wrong side of the road (2-way undivided roadways)
040	THRU MED	DR THRU MEDN	Driving through safety zone or over island
041	F/ST BUS	F/STP SCHLBUS	Failed to stop for school bus
042	F/SLO MV	F/SLO SLO VEH	Failed to decrease speed for slower moving vehicle
043	TOO CLOSE	FOLLW TO CLOS	Following too closely (must be on officer's report)
044	STRDL LN	STRD/DR WRNG	Straddling or driving on wrong lanes
045	IMP CHG	IMP LANE CHG	Improper change of traffic lanes

Code	Short Description	Medium Description	Long Description
046	WRNG WAY	WRNG WY/1 WAY	Wrong way on one-way roadway; wrong side divided road
047	BASCRULE	V BASIC RULE	Driving too fast for conditions (not exceeding posted speed)
048	OPN DOOR	OPN DOOR TRAF	Opened door into adjacent traffic lane
049	IMPEDING	IMPEDING TRAF	Impeding Traffic
050	SPEED	SPEED	Driving in excess of posted speed
051	RECKLESS	RECKLSS DRVNG	Reckless driving (per PAR)
052	CARELESS	CARELSS DRVNG	Careless driving (per PAR)
053	RACING	RACING	Speed Racing (per PAR)
054	X N/SGNL	X-INT NO SGNL	Crossing at intersection, no traffic signal present
055	X W/SGNL	X-INT W/ SGNL	Crossing at intersection, traffic signal present
056	DIAGONAL	X-INT DIAGNL	Crossing at intersection - diagonally
057	BTWN INT	X-BTWN INTER	Crossing between intersections
059	W/TRAF-S	W SHLD W/TRAF	Walking, running, riding, etc., on shoulder WITH traffic
060	A/TRAF-S	W SHLD A/TRAF	Walking, running, riding, etc., on shoulder FACING traffic
061	W/TRAF-P	W PAVE W/TRAF	Walking, running, riding, etc., on pavement WITH traffic
062	A/TRAF-P	W PAVE A/TRAF	Walking, running, riding, etc., on pavement FACING traffic
063	PLAYINRD	PLAY IN RDWY	Playing in street or road
064	PUSH MV	PUSH MV IN RD	Pushing or working on vehicle in road or on shoulder
065	WORK IN RD	WORK IN RD	Working in roadway or along shoulder
070	LAY ON RD	LYING IN RD	Standing or lying in roadway
071	NM IMP USE	N-M IMP USE	Improper use of traffic lane by non-motorist
073	ELUDING	ELUDING	Eluding / Attempt to elude
079	F NEG CURV	FAIL NEG CURV	Failed to negotiate a curve
080	FAIL LN	F MAINT LANE	Failed to maintain lane
081	OFF RD	RAN OFF RD	Ran off road
082	NO CLEAR	MISJUDGE CLR	Driver misjudged clearance
083	OVRSTEER	OVERSTEER	Over-correcting
084	NOT USED	NOT USED	Code not in use
085	OVRLOAD	OVERLOAD	Overloading or improper loading of vehicle with cargo or passengers
097	UNA DIS TC	UNA DISRG TCD	Unable to determine which driver disregarded traffic control device

EVENT CODES

Code	Short Description	Medium Description	Long Description
001	FELL/JUMP	FELL/JUMPED MV	Occupant fell, jumped or was ejected from moving vehicle
002	INTERFER	PSNGR INTERFERED	Passenger interfered with driver
003	BUG INTF	ANML INTERFERED	Animal or insect in vehicle interfered with driver
004	INDRCT PED	PED INDRCTLY INVLV	Pedestrian indirectly involved (not struck)
005	SUB-PED	SUBSEQUENT PED	"Sub-Ped": pedestrian injured subsequent to collision, etc.
006	INDRCT BIK	BIKE INDRCTLY INVLV	Pedalcyclist indirectly involved (not struck)
007	HITCHIKR	HITCHHIKER	Hitchhiker (soliciting a ride)
008	PSNGR TOW	PSNGR TOWED	Passenger or non-motorist being towed or pushed on conveyance
009	ON/OFF V	ON/OFF STOP VEH	Getting on/off stopped/parked vehicle (occupants only; must have physical contact w/ vehicle)
010	SUB OTRN	SUBSEQ OVERTURN	Overturned after first harmful event
011	MV PUSHD	VEH BEING PUSHED	Vehicle being pushed
012	MV TOWED	VEH TOWED/TOWING	Vehicle towed or had been towing another vehicle
013	FORCED	FORCED BY IMPACT	Vehicle forced by impact into another vehicle, pedalcyclist or pedestrian
014	SET MOTN	MV SET IN MOTION	Vehicle set in motion by non-driver (child released brakes, etc.)
015	RR ROW	RAILROAD ROW	At or on railroad right-of-way (not Light Rail)
016	LT RL ROW	LIGHT RAIL ROW	At or on Light-Rail right-of-way
017	RR HIT V	TRAIN HIT VEH	Train struck vehicle
018	V HIT RR	VEH HIT TRAIN	Vehicle struck train
019	HIT RR CAR	VEH HIT RR CAR	Vehicle struck railroad car on roadway
020	JACKNIFE	JACKKNIFE	Jackknife; trailer or towed vehicle struck towing vehicle
021	TRL OTRN	TRAILER O'TURN	Trailer or towed vehicle overturned
022	CN BROKE	TRLR CONN BROKE	Trailer connection broke
023	DETACH TRL	DETCHD TRLR STRKNG	Detached trailing object struck other vehicle, non-motorist, or object
024	V DOOR OPN	V DOOR OPN IN TRAF	Vehicle door opened into adjacent traffic lane
025	WHEELOFF	WHEEL CAME OFF	Wheel came off
026	HOOD UP	HOOD FLEW UP	Hood flew up
028	LOAD SHIFT	LOAD SHIFTED	Lost load, load moved or shifted
029	TIREFAIL	TIRE FAILURE	Tire failure
030	PET	PET	Pet: cat, dog and similar
031	LVSTOCK	LIVESTOCK	Stock: cow, calf, bull, steer, sheep, etc.
032	HORSE	HORSE	Horse, mule, or donkey
033	HRSE&RID	HORSE & RIDER	Horse and rider
034	GAME	GAME NO DEER/ELK	Wild animal, game (includes birds; not deer or elk)
035	DEER ELK	DEER OR ELK	Deer or elk, wapiti
036	ANML VEH	ANIMAL-DRAWN VEH	Animal-drawn vehicle
037	CULVERT	CULVERT/MANHOLE	Culvert, open low or high manhole
038	ATENUATN	IMPACT CUSHION	Impact attenuator
039	PK METER	PARKING METER	Parking meter
040	CURB	CURB	Curb (also narrow sidewalks on bridges)
041	JIGGLE	JIGGLE BAR N/MED	Jiggle bar or traffic snake for channelization

EVENT CODES

Code	Short Description	Medium Description	Long Description
042	GDRL END	GUARDRAIL END	Leading edge of guardrail
043	GARDRAIL	GUARDRAIL	Guard rail (not metal median barrier)
044	BARRIER	MEDIAN BARRIER	Median barrier (raised or metal)
045	WALL	WALL	Retaining wall or tunnel wall
046	BR RAIL	BRIDGE RAIL	Bridge railing or parapet (on bridge or approach)
047	BR ABUTMNT	BRIDGE ABUTMENT	Bridge abutment (included "approach end" thru 2013)
048	BR COLMN	BRIDGE COLUMN	Bridge pillar or column
049	BR GIRDR	BRIDGE GIRDER	Bridge girder (horizontal bridge structure overhead)
050	ISLAND	TRAFFIC ISLAND	Traffic raised island
051	GORE	GORE	Gore
052	POLE UNK	POLE-UNKNOWN	Pole – type unknown
053	POLE UTL	POLE-UTILITY	Pole – power or telephone
054	ST LIGHT	POLE-ST LIGHT	Pole – street light only
055	TRF SGNL	POLE-TRAF SIGNAL	Pole – traffic signal and ped signal only
056	SGN BRDG	POLE-SIGN BRIDGE	Pole – sign bridge
057	STOPSIGN	STOP/YIELD SIGN	Stop or yield sign
058	OTH SIGN	OTHER SIGN	Other sign, including street signs
059	HYDRANT	HYDRANT	Hydrant
060	MARKER	DELINEATOR	Delineator or marker (reflector posts)
061	MAILBOX	MAILBOX	Mailbox
062	TREE	TREE/STUMP	Tree, stump or shrubs
063	VEG OHED	VEGTN OVER RDWY	Tree branch or other vegetation overhead, etc.
064	WIRE/CBL	CABLE ACROSS RD	Wire or cable across or over the road
065	TEMP SGN	TEMP SIGN/BARR	Temporary sign or barricade in road, etc.
066	PERM SGN	PERM SIGN/BARR	Permanent sign or barricade in/off road
067	SLIDE	SLIDE/ROCKS	Slides, fallen or falling rocks
068	FRGN OBJ	FOREIGN OBJECT	Foreign obstruction/debris in road (not gravel)
069	EQP WORK	EQUIP WORKING	Equipment working in/off road
070	OTH EQP	OTHER EQUIPMENT	Other equipment in or off road (includes parked trailer, boat)
071	MAIN EQP	MAINTNCE EQUIP	Wrecker, street sweeper, snow plow or sanding equipment
072	OTHER WALL	OTHER WALL	Rock, brick or other solid wall
073	IRRGL PVMT	IRREGULAR PAVEMENT	Other bump (not speed bump), pothole or pavement irregularity (per PAR)
074	OVERHD OBJ	OTHER OVERHEAD OBJ	Other overhead object (highway sign, signal head, etc.); not bridge
075	CAVE IN	CAVE IN	Bridge or road cave in
076	HI WATER	HIGH WATER	High Water
077	SNO BANK	SNOW BANK	Snow Bank
078	LO-HI EDGE	LOW-HIGH PVMNT EDGE	Low or high shoulder at pavement edge
079	DITCH	CUT SLOPE/DITCH	Cut slope or ditch embankment
080	OBJ FRM MV	OBJ FRM OTHR VEH	Struck by rock or other object set in motion by other vehicle (incl. lost loads)
081	FLY-OBJ	OTHER MOVING OBJ	Struck by rock or other moving or flying object (not set in motion by vehicle)
082	VEH HID	VEH OBSCURE VIEW	Vehicle obscured view
083	VEG HID	VEG OBSCURE VIEW	Vegetation obscured view
084	BLDG HID	BLD OBSCURE VIEW	View obscured by fence, sign, phone booth, etc.

EVENT CODES

Code	Short Description	Medium Description	Long Description
085	WIND GUST	WIND GUST	Wind Gust
086	IMMERSED	IMMERSION	Vehicle immersed in body of water
087	FIRE/EXP	FIRE/EXPLOSION	Fire or explosion
088	FENC/BLD	FENCE/BUILDING	Fence or building, etc.
089	OTHR CRASH	REFER OTHR CRASH	Crash related to another separate crash
090	TO 1 SIDE	TWO WAY ONE SIDE	Two-way traffic on divided roadway all routed to one side
091	BUILDING	BUILDING	Building or other structure
092	PHANTOM	PHANTOM VEH	Other (phantom) non-contact vehicle
093	CELL PHONE	CELL PHONE PER PAR	Cell phone (on PAR or driver in use)
094	VIOL GDL	VIOL GRAD DR LIC	Teenage driver in violation of graduated license pgm
095	GUY WIRE	GUY WIRE	Guy wire
096	BERM	BERM	Berm (earthen or gravel mound)
097	GRAVEL	GRAVEL IN RDWY	Gravel in roadway
098	ABR EDGE	ABRUPT EDGE	Abrupt edge
099	CELL WTNSD	CELL PHONE WITNESSED	Cell phone use witnessed by other participant
100	UNK FIXD	UNK FIX OBJ	Fixed object, unknown type.
101	OTHER OBJ	OTHER OBJ NOT FIXED	Non-fixed object, other or unknown type
102	TEXTING	TEXTING	Texting
103	WZ WORKER	WZ WORKER	Work Zone Worker
104	ON VEHICLE	RIDE ON VEH EXTERIOR	Passenger riding on vehicle exterior
105	PEDAL PSGR	PSNGR ON PEDALCYCLE	Passenger riding on pedalcycle
106	MAN WHLCHR	NONMOTOR WHEELCHAIR	Pedestrian in non-motorized wheelchair
107	MTR WHLCHR	MOTORIZED WHEELCHAIR	Pedestrian in motorized wheelchair
108	OFFICER	POLICE OFFICER	Law Enforcement / Police Officer
109	SUB-BIKE	SUBSEQUENT BICYCLIST	"Sub-Bike": pedalcyclist injured subsequent to collision, etc.
110	N-MTR	NM STR VEH	Non-motorist struck vehicle
111	S CAR VS V	ST CAR STRUCK VEH	Street Car/Trolley (on rails or overhead wire system) struck vehicle
112	V VS S CAR	VEH STRUCK ST CAR	Vehicle struck Street Car/Trolley (on rails or overhead wire system)
113	S CAR ROW	STREET CAR ROW	At or on street car or trolley right-of-way
114	RR EQUIP	VEH STRUCK RR EQUIP	Vehicle struck railroad equipment (not train) on tracks
115	DSTRCT GPS	DISTRACT GPS DEVICE	Distracted by navigation system or GPS device
116	DSTRCT OTH	DISTRACT OTHR DEVICE	Distracted by other electronic device
117	RR GATE	RR DROP-ARM GATE	Rail crossing drop-arm gate
118	EXPNSN JNT	EXPANSION JOINT	Expansion joint
119	JERSEY BAR	JERSEY BARRIER	Jersey barrier
120	WIRE BAR	WIRE BARRIER	Wire or cable median barrier
121	FENCE	FENCE	Fence
123	OBJ IN VEH	LOOSE OBJ IN VEHICLE	Loose object in vehicle struck occupant
124	SLIPPERY	SLIPPERY SURFACE	Sliding or swerving due to wet, icy, slippery or loose surface (not gravel)
125	SHLDR	SHLDR GAVE	Shoulder gave way
126	BOULDER	ROCKS / BOULDER	Rock(s), boulder (not gravel; not rock slide)
127	LAND SLIDE	ROCK OR LAND SLIDE	Rock slide or land slide
128	CURVE INV	CURVE PRESENT	Curve present at crash location

EVENT CODES

Code	Short Description	Medium Description	Long Description
129	HILL INV	HILL PRESENT	Vertical grade / hill present at crash location
130	CURVE HID	CURVE OBSCURED VIEW	View obscured by curve
131	HILL HID	HILL OBSCURED VIEW	View obscured by vertical grade / hill
132	WINDOW HID	WINDOW VIEW OBSCURED	View obscured by vehicle window conditions
133	SPRAY HID	SPRAY OBSCURED VIEW	View obscured by water spray
134	TORRENTIAL	TORRENTIAL RAIN	Torrential Rain (exceptionally heavy rain)
135	RAIL OCC	RAIL/CABLE CAR OCC	Injured occupant of railway train, light rail, street car or cable car

Appendix B Traffic Count Summary Worksheets

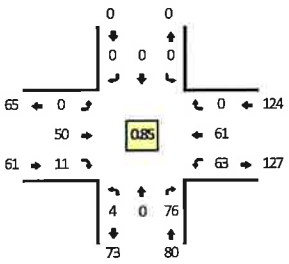
Type of peak hour being reported: Intersection Peak

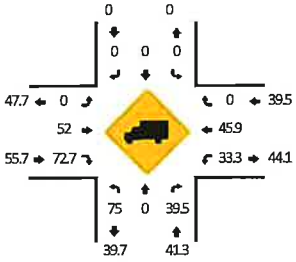
Method for determining peak hour: Total Entering Volume

LOCATION: OR 207 -- US 730
CITY/STATE: Umatilla, OR

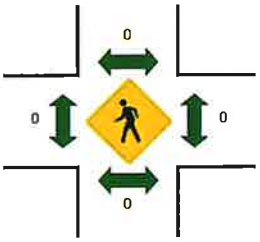
QC JOB #: 16172201
DATE: Wed, Apr 19 2023

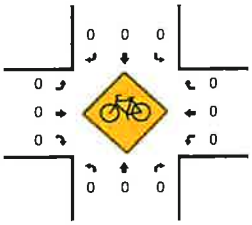
Peak-Hour: 7:25 AM – 8:25 AM
Peak 15-Min: 7:40 AM – 7:55 AM

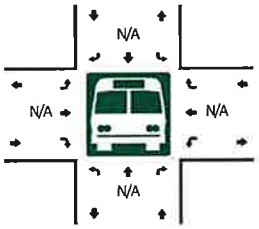


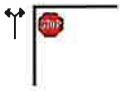


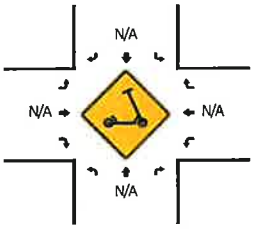
Quality Counts
DATA THAT DRIVES COMMUNITIES











5-Min Count Period Beginning At	OR 207 (Northbound)				OR 207 (Southbound)				US 730 (Eastbound)				US 730 (Westbound)				Total	Hourly Totals
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
7:00 AM	0	0	5	0	0	0	0	0	0	4	0	0	5	8	0	0	22	
7:05 AM	1	0	5	0	0	0	0	0	0	9	1	0	3	3	0	0	22	
7:10 AM	0	0	1	0	0	0	0	0	0	2	0	0	4	4	0	0	11	
7:15 AM	2	0	5	0	0	0	0	0	0	4	0	0	6	9	0	0	26	
7:20 AM	0	0	6	1	0	0	0	0	0	3	1	0	4	2	0	0	17	
7:25 AM	0	0	8	0	0	0	0	0	0	3	0	0	3	11	0	0	25	
7:30 AM	3	0	6	0	0	0	0	0	0	5	2	0	5	1	0	0	22	
7:35 AM	0	0	1	0	0	0	0	0	0	4	1	0	6	3	0	0	15	
7:40 AM	0	0	8	0	0	0	0	0	0	4	0	0	10	5	0	0	27	
7:45 AM	1	0	6	0	0	0	0	0	0	8	1	0	5	5	0	0	26	
7:50 AM	0	0	5	0	0	0	0	0	0	6	1	0	6	6	0	1	25	
7:55 AM	0	0	4	0	0	0	0	0	0	1	1	0	6	3	0	0	15	253
8:00 AM	0	0	9	0	0	0	0	0	0	3	1	0	4	6	0	0	23	254
8:05 AM	0	0	4	0	0	0	0	0	0	6	0	0	1	3	0	0	14	246
8:10 AM	0	0	9	0	0	0	0	0	0	3	2	0	3	5	0	0	22	257
8:15 AM	0	0	11	0	0	0	0	0	0	2	2	0	6	7	0	0	28	259
8:20 AM	0	0	5	0	0	0	0	0	0	5	0	0	7	6	0	0	23	265
8:25 AM	0	0	3	0	0	0	0	0	0	5	0	0	2	5	0	0	15	255
8:30 AM	0	0	3	0	0	0	0	0	0	5	0	0	8	4	0	0	20	253
8:35 AM	2	0	6	0	0	0	0	0	0	8	0	0	8	3	0	0	27	265
8:40 AM	1	0	5	0	0	0	0	0	0	1	0	0	6	4	0	0	17	255
8:45 AM	0	0	2	0	0	0	0	0	0	5	0	0	4	6	0	0	17	246
8:50 AM	0	0	5	0	0	0	0	0	0	4	0	0	7	8	0	0	24	245
8:55 AM	2	0	5	0	0	0	0	0	0	9	0	0	6	9	0	0	31	261

Peak 15-Min Flowrates	Northbound				Southbound				Eastbound				Westbound				Total
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	
All Vehicles	4	0	76	0	0	0	0	0	0	72	8	0	84	64	0	4	312
Heavy Trucks	0	0	40		0	0	0		0	28	4		16	24	0		112
Buses																	
Pedestrians		0				0				0				0			0
Bicycles	0	0	0		0	0	0		0	0	0		0	0	0		0
Scooters																	

Comments:

Report generated on 4/26/2023 2:45 PM

SOURCE: Quality Counts, LLC (http://www.qualitycounts.net) 1-877-580-2212

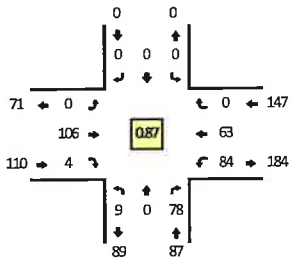
Type of peak hour being reported: Intersection Peak

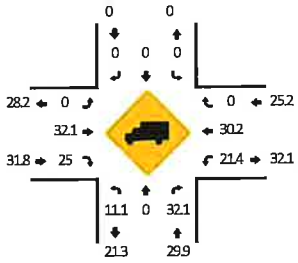
Method for determining peak hour: Total Entering Volume

LOCATION: OR 207 -- US 730
CITY/STATE: Umatilla, OR

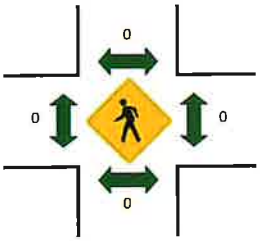
QC JOB #: 16172202
DATE: Wed, Apr 19 2023

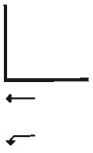
Peak-Hour: 4:30 PM – 5:30 PM
Peak 15-Min: 4:35 PM – 4:50 PM

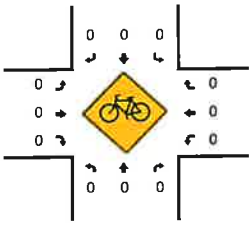


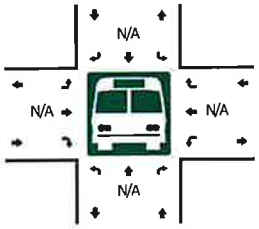


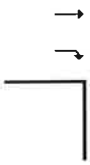
Quality Counts
DATA THAT DRIVES COMMUNITIES

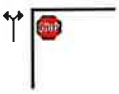


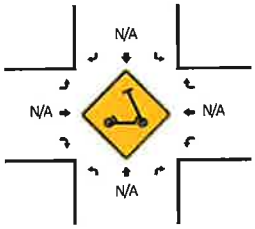












5-Min Count Period Beginning At	OR 207 (Northbound)				OR 207 (Southbound)				US 730 (Eastbound)				US 730 (Westbound)				Total	Hourly Totals
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
4:00 PM	3	0	7	0	0	0	0	0	0	7	0	0	2	6	0	0	25	
4:05 PM	0	0	1	0	0	0	0	0	0	12	1	0	8	6	0	0	28	
4:10 PM	1	0	7	0	0	0	0	0	0	4	0	0	4	6	0	0	22	
4:15 PM	1	0	6	0	0	0	0	0	0	8	2	0	10	8	0	0	35	
4:20 PM	0	0	3	0	0	0	0	0	0	7	0	0	2	3	0	0	15	
4:25 PM	0	0	7	0	0	0	0	0	0	5	0	0	6	6	0	0	24	
4:30 PM	0	0	2	0	0	0	0	0	0	13	0	0	4	10	0	0	29	
4:35 PM	0	0	5	0	0	0	0	0	0	17	1	0	10	6	0	0	39	
4:40 PM	0	0	7	0	0	0	0	0	0	4	1	0	8	0	0	0	20	
4:45 PM	1	0	7	0	0	0	0	0	0	13	1	0	10	8	0	0	40	
4:50 PM	1	0	3	0	0	0	0	0	0	11	0	0	3	5	0	0	23	
4:55 PM	0	0	10	0	0	0	0	0	0	5	0	0	6	4	0	0	25	325
5:00 PM	1	0	8	0	0	0	0	0	0	5	0	0	3	2	0	0	19	319
5:05 PM	0	0	8	1	0	0	0	0	0	5	1	0	7	4	0	0	26	317
5:10 PM	2	0	6	0	0	0	0	0	0	8	0	0	10	4	0	0	30	325
5:15 PM	0	0	7	0	0	0	0	0	0	9	0	0	13	4	0	0	33	323
5:20 PM	1	0	10	0	0	0	0	0	0	7	0	0	2	7	0	0	27	335
5:25 PM	2	0	5	0	0	0	0	0	0	9	0	0	8	9	0	0	33	344
5:30 PM	0	0	4	0	0	0	0	0	0	3	0	0	11	9	0	0	27	342
5:35 PM	0	0	7	0	0	0	0	0	0	7	1	0	6	4	0	0	25	328
5:40 PM	0	0	3	0	0	0	0	0	0	8	1	0	6	3	0	0	21	329
5:45 PM	0	0	8	0	0	0	0	0	0	6	0	0	9	7	0	0	30	319
5:50 PM	2	0	3	0	0	0	0	0	0	5	0	0	4	7	0	0	21	317
5:55 PM	1	0	8	0	0	0	0	0	0	7	0	0	5	6	0	0	27	319

Peak 15-Min Flowrates	Northbound				Southbound				Eastbound				Westbound				Total
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	
All Vehicles	4	0	76	0	0	0	0	0	0	136	12	0	112	56	0	0	396
Heavy Trucks	4	0	44		0	0	0		0	40	4		24	16	0		132
Buses																	
Pedestrians		0				0				0				0			0
Bicycles	0	0	0		0	0	0		0	0	0		0	0	0		0
Scooters																	

Comments:

Report generated on 4/26/2023 2:45 PM

SOURCE: Quality Counts, LLC (http://www.qualitycounts.net) 1-877-580-2212

Appendix C Existing Traffic Operations Worksheets

Intersection Level Of Service Report
Intersection 1: OR 207 / US 730

Control Type:	Two-way stop	Delay (sec / veh):	13.0
Analysis Method:	HCM 7th Edition	Level Of Service:	B
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.010

Intersection Setup

Name	OR 207		US 730		US 730	
Approach	Northbound		Eastbound		Westbound	
Lane Configuration						
Turning Movement	Left	Right	Thru	Right	Left	Thru
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Entry Pocket	0	0	0	1	1	0
Entry Pocket Length [ft]	100.00	100.00	100.00	150.00	175.00	100.00
No. of Lanes in Exit Pocket	0	0	0	0	0	0
Exit Pocket Length [ft]	0.00	0.00	0.00	0.00	0.00	0.00
Speed [mph]	55.00		55.00		55.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	No		No		No	

Volumes

Name	OR 207		US 730		US 730	
Base Volume Input [veh/h]	4	89	69	10	82	71
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	67.00	41.00	57.00	75.00	36.00	48.00
Growth Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
In-Process Volume [veh/h]	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0
Total Hourly Volume [veh/h]	4	89	69	10	82	71
Peak Hour Factor	0.8500	0.8500	0.8500	0.8500	0.8500	0.8500
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	1	26	20	3	24	21
Total Analysis Volume [veh/h]	5	105	81	12	96	84
Pedestrian Volume [ped/h]	0		0		0	

Intersection Settings

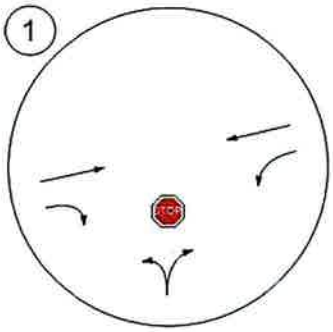
Priority Scheme	Stop	Free	Free
Flared Lane	No		
Storage Area [veh]	0	0	0
Two-Stage Gap Acceptance	No		
Number of Storage Spaces in Median	0	0	0

Movement, Approach, & Intersection Results

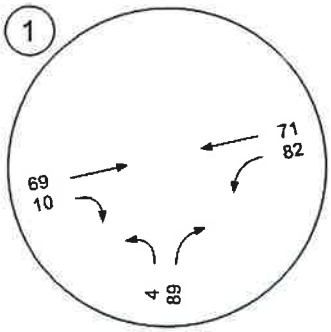
V/C, Movement V/C Ratio	0.01	0.12	0.00	0.00	0.07	0.00
d_M, Delay for Movement [s/veh]	12.96	9.71	0.00	0.00	7.96	0.00
Movement LOS	B	A	A	A	A	A
95th-Percentile Queue Length [veh/ln]	0.44	0.44	0.00	0.00	0.24	0.00
95th-Percentile Queue Length [ft/ln]	11.09	11.09	0.00	0.00	5.91	0.00
d_A, Approach Delay [s/veh]	9.86		0.00		4.24	
Approach LOS	A		A		A	
d_I, Intersection Delay [s/veh]	4.83					
Intersection LOS	B					

Study Intersections

Lane Configuration and Traffic Control



Traffic Volume - Base Volume



Intersection Level Of Service Report
Intersection 1: OR 207 / US 730

Control Type:	Two-way stop	Delay (sec / veh):	13.7
Analysis Method:	HCM 7th Edition	Level Of Service:	B
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.024

Intersection Setup

Name	OR 207		US 730		US 730	
Approach	Northbound		Eastbound		Westbound	
Lane Configuration						
Turning Movement	Left	Right	Thru	Right	Left	Thru
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Entry Pocket	0	0	0	1	1	0
Entry Pocket Length [ft]	100.00	100.00	100.00	150.00	175.00	100.00
No. of Lanes in Exit Pocket	0	0	0	0	0	0
Exit Pocket Length [ft]	0.00	0.00	0.00	0.00	0.00	0.00
Speed [mph]	55.00		55.00		55.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	No		No		No	

Volumes

Name	OR 207		US 730		US 730	
Base Volume Input [veh/h]	9	80	130	7	89	83
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	29.00	38.00	37.00	50.00	36.00	32.00
Growth Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
In-Process Volume [veh/h]	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0
Total Hourly Volume [veh/h]	9	80	130	7	89	83
Peak Hour Factor	0.8200	0.8200	0.8200	0.8200	0.8200	0.8200
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	3	24	40	2	27	25
Total Analysis Volume [veh/h]	11	98	159	9	109	101
Pedestrian Volume [ped/h]	0		0		0	

Intersection Settings

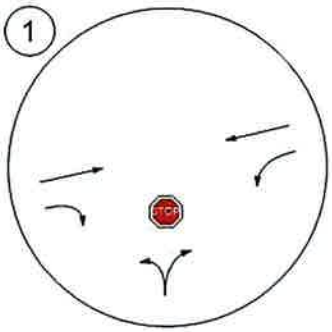
Priority Scheme	Stop	Free	Free
Flared Lane	No		
Storage Area [veh]	0	0	0
Two-Stage Gap Acceptance	No		
Number of Storage Spaces in Median	0	0	0

Movement, Approach, & Intersection Results

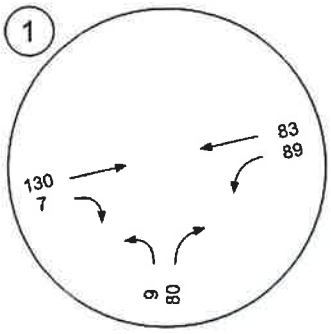
V/C, Movement V/C Ratio	0.02	0.12	0.00	0.00	0.09	0.00
d_M, Delay for Movement [s/veh]	13.73	10.33	0.00	0.00	8.22	0.00
Movement LOS	B	B	A	A	A	A
95th-Percentile Queue Length [veh/ln]	0.51	0.51	0.00	0.00	0.29	0.00
95th-Percentile Queue Length [ft/ln]	12.80	12.80	0.00	0.00	7.29	0.00
d_A, Approach Delay [s/veh]	10.67		0.00		4.27	
Approach LOS	B		A		A	
d_I, Intersection Delay [s/veh]	4.23					
Intersection LOS	B					

Study Intersections

Lane Configuration and Traffic Control



Traffic Volume - Base Volume



Appendix D Existing Zoning 2043 Traffic Operations Worksheets

Intersection Level Of Service Report
Intersection 1: OR 207 / US 730

Control Type:	Two-way stop	Delay (sec / veh):	14.1
Analysis Method:	HCM 7th Edition	Level Of Service:	B
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.014

Intersection Setup

Name	OR 207		US 730		US 730	
Approach	Northbound		Eastbound		Westbound	
Lane Configuration						
Turning Movement	Left	Right	Thru	Right	Left	Thru
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Entry Pocket	0	0	0	1	1	0
Entry Pocket Length [ft]	100.00	100.00	100.00	150.00	175.00	100.00
No. of Lanes in Exit Pocket	0	0	0	0	0	0
Exit Pocket Length [ft]	0.00	0.00	0.00	0.00	0.00	0.00
Speed [mph]	55.00		55.00		55.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	No		No		No	

Volumes

Name	OR 207		US 730		US 730	
Base Volume Input [veh/h]	5	107	83	12	98	85
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	67.00	41.00	57.00	75.00	36.00	48.00
Growth Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
In-Process Volume [veh/h]	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0
Total Hourly Volume [veh/h]	5	107	83	12	98	85
Peak Hour Factor	0.8500	0.8500	0.8500	0.8500	0.8500	0.8500
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	1	31	24	4	29	25
Total Analysis Volume [veh/h]	6	126	98	14	115	100
Pedestrian Volume [ped/h]	0		0		0	

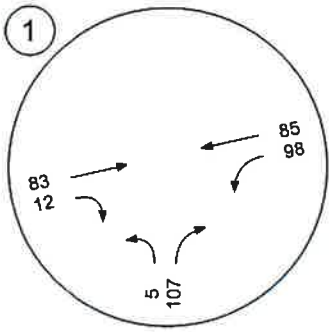
Intersection Settings

Priority Scheme	Stop	Free	Free
Flared Lane	No		
Storage Area [veh]	0	0	0
Two-Stage Gap Acceptance	No		
Number of Storage Spaces in Median	0	0	0

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.01	0.15	0.00	0.00	0.09	0.00
d_M, Delay for Movement [s/veh]	14.09	10.01	0.00	0.00	8.06	0.00
Movement LOS	B	B	A	A	A	A
95th-Percentile Queue Length [veh/ln]	0.57	0.57	0.00	0.00	0.29	0.00
95th-Percentile Queue Length [ft/ln]	14.20	14.20	0.00	0.00	7.32	0.00
d_A, Approach Delay [s/veh]	10.20		0.00		4.31	
Approach LOS	B		A		A	
d_I, Intersection Delay [s/veh]	4.95					
Intersection LOS	B					

Traffic Volume - Base Volume



Intersection Level Of Service Report
Intersection 1: OR 207 / US 730

Control Type:	Two-way stop	Delay (sec / veh):	15.4
Analysis Method:	HCM 7th Edition	Level Of Service:	C
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.033

Intersection Setup

Name	OR 207		US 730		US 730	
Approach	Northbound		Eastbound		Westbound	
Lane Configuration						
Turning Movement	Left	Right	Thru	Right	Left	Thru
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Entry Pocket	0	0	0	1	1	0
Entry Pocket Length [ft]	100.00	100.00	100.00	150.00	175.00	100.00
No. of Lanes in Exit Pocket	0	0	0	0	0	0
Exit Pocket Length [ft]	0.00	0.00	0.00	0.00	0.00	0.00
Speed [mph]	55.00		55.00		55.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	No		No		No	

Volumes

Name	OR 207		US 730		US 730	
Base Volume Input [veh/h]	11	96	156	8	107	100
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	29.00	38.00	37.00	50.00	36.00	32.00
Growth Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
In-Process Volume [veh/h]	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0
Total Hourly Volume [veh/h]	11	96	156	8	107	100
Peak Hour Factor	0.8200	0.8200	0.8200	0.8200	0.8200	0.8200
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	3	29	48	2	33	30
Total Analysis Volume [veh/h]	13	117	190	10	130	122
Pedestrian Volume [ped/h]	0		0		0	

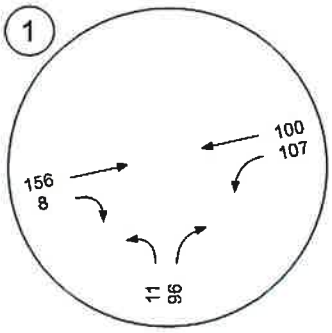
Intersection Settings

Priority Scheme	Stop	Free	Free
Flared Lane	No		
Storage Area [veh]	0	0	0
Two-Stage Gap Acceptance	No		
Number of Storage Spaces in Median	0	0	0

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.03	0.15	0.00	0.00	0.11	0.00
d_M, Delay for Movement [s/veh]	15.37	10.86	0.00	0.00	8.39	0.00
Movement LOS	C	B	A	A	A	A
95th-Percentile Queue Length [veh/ln]	0.68	0.68	0.00	0.00	0.37	0.00
95th-Percentile Queue Length [ft/ln]	16.93	16.93	0.00	0.00	9.15	0.00
d_A, Approach Delay [s/veh]	11.31		0.00		4.33	
Approach LOS	B		A		A	
d_I, Intersection Delay [s/veh]	4.40					
Intersection LOS	C					

Traffic Volume - Base Volume



Appendix E Trip Generation Estimates

FUTURE SITE TRIP GENERATION ASSUMPTIONS

Based on discussions with the applicant, the following two sources will comprise the daily trips.

MINING/ROCK CRUSHING OPERATION:

- Approximate Hours of Operation
  - 6:00 AM to 3:30 PM (4 staff)
- Delivery of aggregate to offsite locations from 6:00 AM to 3:30 PM
- Approximately 182 daily trips consisting of the following:
  - 8 Staff Trips (4 entering at the start of the day and 4 exiting at the end of the day)
  - 30 rock deliveries per day (15 entering, 15 exiting)
  - 2 water deliveries per day (2 entering, 2 exiting)
  - 140 loads picked up at the site by others (70 entering, 70 exiting)

ASPHALT BATCH PLANT:

- Approximate Hours of Operation
  - 6:00 AM to 3:30 PM (2 staff)
- Delivery of aggregate to offsite locations from 6:00 AM to 3:30 PM
- Approximately 174 daily trips consisting of the following:
  - 4 Staff Trips (2 entering at the start of the day and 2 exiting at the end of the day)
  - 30 Asphalt deliveries per day (15 entering, 15 exiting)
  - 140 loads picked up at the site by others (70 entering, 70 exiting)

Based on these details, the following table estimates the total number of net new trips that can be expected on a typical weekday.

Table 9. Proposed Site Trips

Land Use	Daily Trips	Weekday AM Peak Hour			Weekday PM Peak Hour		
		Total	In	Out	Total	In	Out
Mining/Rock Crushing							
- Staff[1]	8	0	0	0	4	0	4
- Rock Deliveries[2]	30	6	3	3	0	0	0
- Water Deliveries[2]	4	2	1	1	0	0	0
- Other pick-ups[2]	140	10	5	5	0	0	0
Asphalt Batch Plant							
- Staff[1]	4	0	0	0	2	0	2
- Load Deliveries[2]	30	6	3	3	0	0	0
- Other pick-ups[2]	140	10	5	5	0	0	0
Total	**356**	**34**	**17**	**17**	**6**	**0**	**6**

[1] Each employee was assumed to generate 2 daily trips (1 in, 1 out). Employees are assumed arrive on site before the AM Peak Hour and were conservatively assumed to leave during the PM Peak Hour.
[2] Each delivery and pick-up was assumed to generate 2 trips (1 exit for delivery/1 return from delivery or 1 entrance for pick-up/1 exit for pick-up).

Appendix F Aggregate Resource Overlay Zone 2043 Traffic Operations Worksheets

Intersection Level Of Service Report
Intersection 1: OR 207 / US 730

Control Type:	Two-way stop	Delay (sec / veh):	14.7
Analysis Method:	HCM 7th Edition	Level Of Service:	B
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.015

Intersection Setup

Name	OR 207		US 730		US 730	
Approach	Northbound		Eastbound		Westbound	
Lane Configuration						
Turning Movement	Left	Right	Thru	Right	Left	Thru
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Entry Pocket	0	0	0	1	1	0
Entry Pocket Length [ft]	100.00	100.00	100.00	150.00	175.00	100.00
No. of Lanes in Exit Pocket	0	0	0	0	0	0
Exit Pocket Length [ft]	0.00	0.00	0.00	0.00	0.00	0.00
Speed [mph]	55.00		55.00		55.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	No		No		No	

Volumes

Name	OR 207		US 730		US 730	
Base Volume Input [veh/h]	5	107	83	12	98	85
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	67.00	41.00	57.00	75.00	36.00	48.00
Growth Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
In-Process Volume [veh/h]	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	7	7	0	7	7
Other Volume [veh/h]	0	0	0	0	0	0
Total Hourly Volume [veh/h]	5	114	90	12	105	92
Peak Hour Factor	0.8500	0.8500	0.8500	0.8500	0.8500	0.8500
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	1	34	26	4	31	27
Total Analysis Volume [veh/h]	6	134	106	14	124	108
Pedestrian Volume [ped/h]	0		0		0	

Intersection Settings

Priority Scheme	Stop	Free	Free
Flared Lane	No		
Storage Area [veh]	0	0	0
Two-Stage Gap Acceptance	No		
Number of Storage Spaces in Median	0	0	0

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.01	0.16	0.00	0.00	0.10	0.00
d_M, Delay for Movement [s/veh]	14.66	10.14	0.00	0.00	8.11	0.00
Movement LOS	B	B	A	A	A	A
95th-Percentile Queue Length [veh/ln]	0.62	0.62	0.00	0.00	0.32	0.00
95th-Percentile Queue Length [ft/ln]	15.45	15.45	0.00	0.00	8.02	0.00
d_A, Approach Delay [s/veh]	10.33		0.00		4.33	
Approach LOS	B		A		A	
d_I, Intersection Delay [s/veh]	4.98					
Intersection LOS	B					

Intersection Level Of Service Report
Intersection 2: US 730 / Site Access A

Control Type:	Two-way stop	Delay (sec / veh):	11.6
Analysis Method:	HCM 7th Edition	Level Of Service:	B
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.028

Intersection Setup

Name	Site Access A		US 730		US 730	
Approach	Northbound		Eastbound		Westbound	
Lane Configuration						
Turning Movement	Left	Right	Thru	Right	Left	Thru
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Entry Pocket	0	0	0	0	0	0
Entry Pocket Length [ft]	100.00	100.00	100.00	100.00	100.00	100.00
No. of Lanes in Exit Pocket	0	0	0	0	0	0
Exit Pocket Length [ft]	0.00	0.00	0.00	0.00	0.00	0.00
Speed [mph]	30.00		55.00		55.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	No		No		No	

Volumes

Name	Site Access A		US 730		US 730	
Base Volume Input [veh/h]	0	0	190	0	0	183
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	0.00	0.00	49.00	0.00	0.00	42.00
Growth Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
In-Process Volume [veh/h]	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	14	3	0	14	3	0
Other Volume [veh/h]	0	0	0	0	0	0
Total Hourly Volume [veh/h]	14	3	190	14	3	183
Peak Hour Factor	0.8500	0.8500	0.8500	0.8500	0.8500	0.8500
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	4	1	56	4	1	54
Total Analysis Volume [veh/h]	16	4	224	16	4	215
Pedestrian Volume [ped/h]	0		0		0	

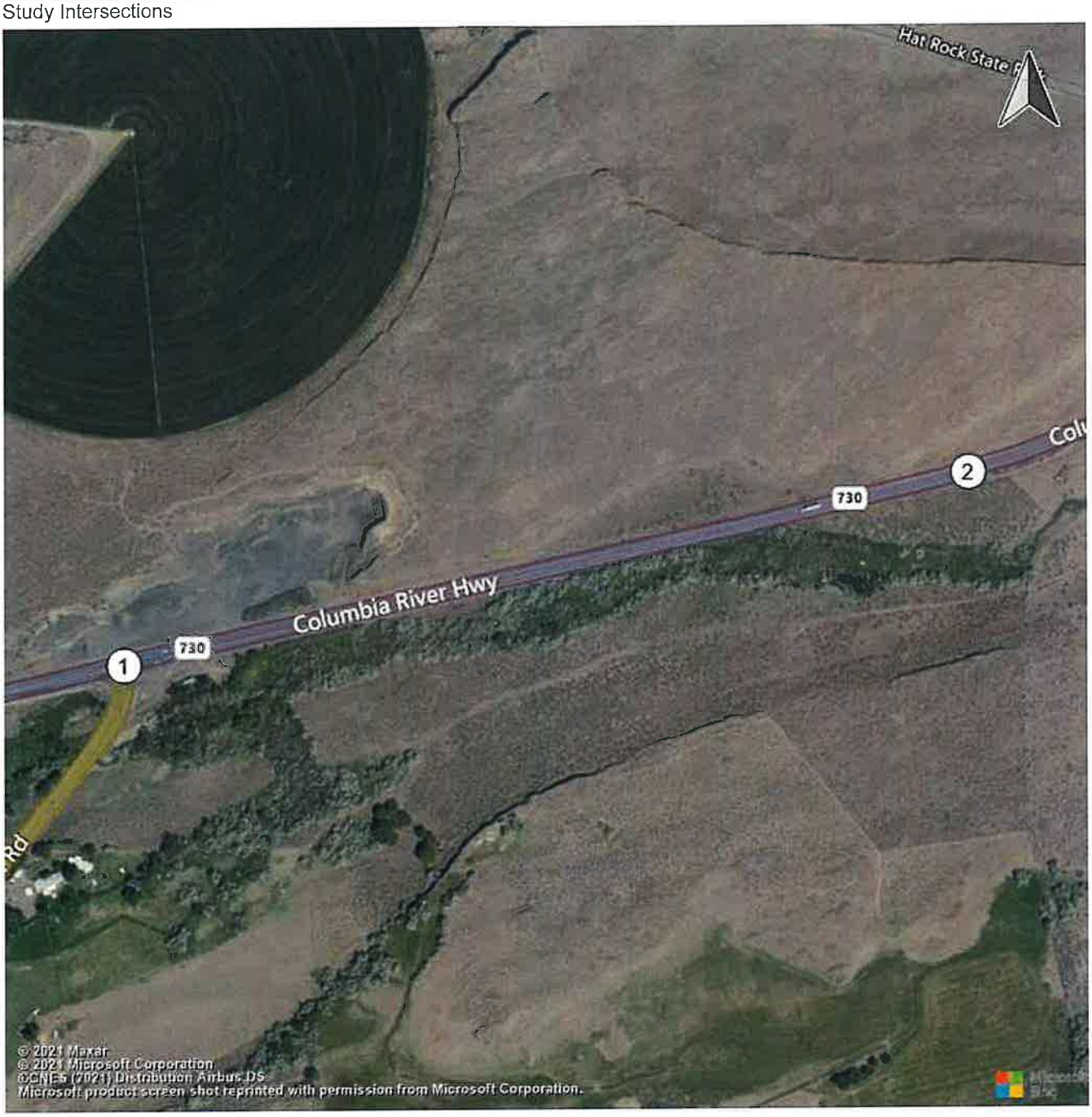
Intersection Settings

Priority Scheme	Stop	Free	Free
Flared Lane	No		
Storage Area [veh]	0	0	0
Two-Stage Gap Acceptance	No		
Number of Storage Spaces in Median	0	0	0

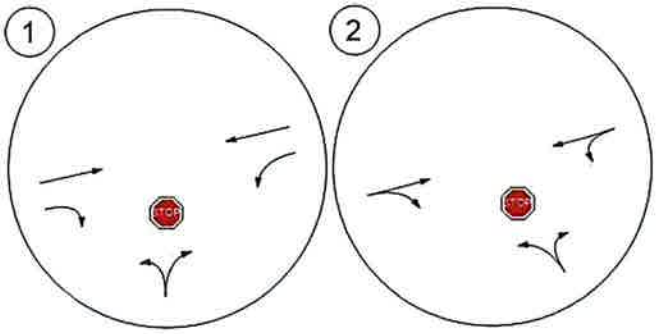
Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.03	0.00	0.00	0.00	0.00	0.00
d_M, Delay for Movement [s/veh]	11.58	9.64	0.00	0.00	7.69	0.00
Movement LOS	B	A	A	A	A	A
95th-Percentile Queue Length [veh/ln]	0.10	0.10	0.00	0.00	0.01	0.01
95th-Percentile Queue Length [ft/ln]	2.58	2.58	0.00	0.00	0.17	0.17
d_A, Approach Delay [s/veh]	11.19		0.00		0.14	
Approach LOS	B		A		A	
d_I, Intersection Delay [s/veh]	0.53					
Intersection LOS	B					

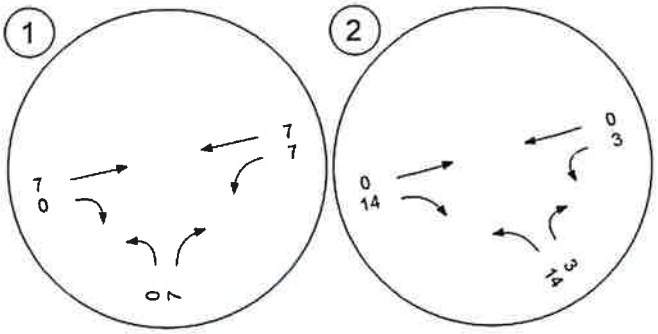
Study Intersections



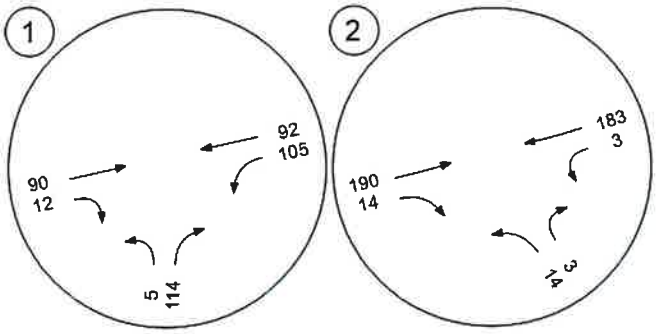
Lane Configuration and Traffic Control



Traffic Volume - Net New Site Trips



Traffic Volume - Future Total Volume



Intersection Level Of Service Report
Intersection 1: OR 207 / US 730

Control Type:	Two-way stop	Delay (sec / veh):	15.5
Analysis Method:	HCM 7th Edition	Level Of Service:	C
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.034

Intersection Setup

Name	OR 207		US 730		US 730	
Approach	Northbound		Eastbound		Westbound	
Lane Configuration						
Turning Movement	Left	Right	Thru	Right	Left	Thru
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Entry Pocket	0	0	0	1	1	0
Entry Pocket Length [ft]	100.00	100.00	100.00	150.00	175.00	100.00
No. of Lanes in Exit Pocket	0	0	0	0	0	0
Exit Pocket Length [ft]	0.00	0.00	0.00	0.00	0.00	0.00
Speed [mph]	55.00		55.00		55.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	No		No		No	

Volumes

Name	OR 207		US 730		US 730	
Base Volume Input [veh/h]	11	96	156	8	107	100
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	29.00	38.00	37.00	50.00	36.00	32.00
Growth Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
In-Process Volume [veh/h]	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	3	2
Other Volume [veh/h]	0	0	0	0	0	0
Total Hourly Volume [veh/h]	11	96	156	8	110	102
Peak Hour Factor	0.8200	0.8200	0.8200	0.8200	0.8200	0.8200
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	3	29	48	2	34	31
Total Analysis Volume [veh/h]	13	117	190	10	134	124
Pedestrian Volume [ped/h]	0		0		0	

Intersection Settings

Priority Scheme	Stop	Free	Free
Flared Lane	No		
Storage Area [veh]	0	0	0
Two-Stage Gap Acceptance	No		
Number of Storage Spaces in Median	0	0	0

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.03	0.15	0.00	0.00	0.11	0.00
d_M, Delay for Movement [s/veh]	15.54	10.87	0.00	0.00	8.40	0.00
Movement LOS	C	B	A	A	A	A
95th-Percentile Queue Length [veh/ln]	0.68	0.68	0.00	0.00	0.38	0.00
95th-Percentile Queue Length [ft/ln]	17.00	17.00	0.00	0.00	9.46	0.00
d_A, Approach Delay [s/veh]	11.33		0.00		4.36	
Approach LOS	B		A		A	
d_I, Intersection Delay [s/veh]	4.42					
Intersection LOS	C					

Intersection Level Of Service Report
Intersection 2: US 730 / Site Access A

Control Type:	Two-way stop	Delay (sec / veh):	12.4
Analysis Method:	HCM 7th Edition	Level Of Service:	B
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.012

Intersection Setup

Name	Site Access A		US 730		US 730	
Approach	Northbound		Eastbound		Westbound	
Lane Configuration						
Turning Movement	Left	Right	Thru	Right	Left	Thru
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Entry Pocket	0	0	0	0	0	0
Entry Pocket Length [ft]	100.00	100.00	100.00	100.00	100.00	100.00
No. of Lanes in Exit Pocket	0	0	0	0	0	0
Exit Pocket Length [ft]	0.00	0.00	0.00	0.00	0.00	0.00
Speed [mph]	30.00		55.00		55.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	No		No		No	

Volumes

Name	Site Access A		US 730		US 730	
Base Volume Input [veh/h]	0	0	252	0	0	207
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	0.00	0.00	38.00	0.00	0.00	34.00
Growth Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
In-Process Volume [veh/h]	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	5	1	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0
Total Hourly Volume [veh/h]	5	1	252	0	0	207
Peak Hour Factor	0.8200	0.8200	0.8200	0.8200	0.8200	0.8200
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	2	0	77	0	0	63
Total Analysis Volume [veh/h]	6	1	307	0	0	252
Pedestrian Volume [ped/h]	0		0		0	

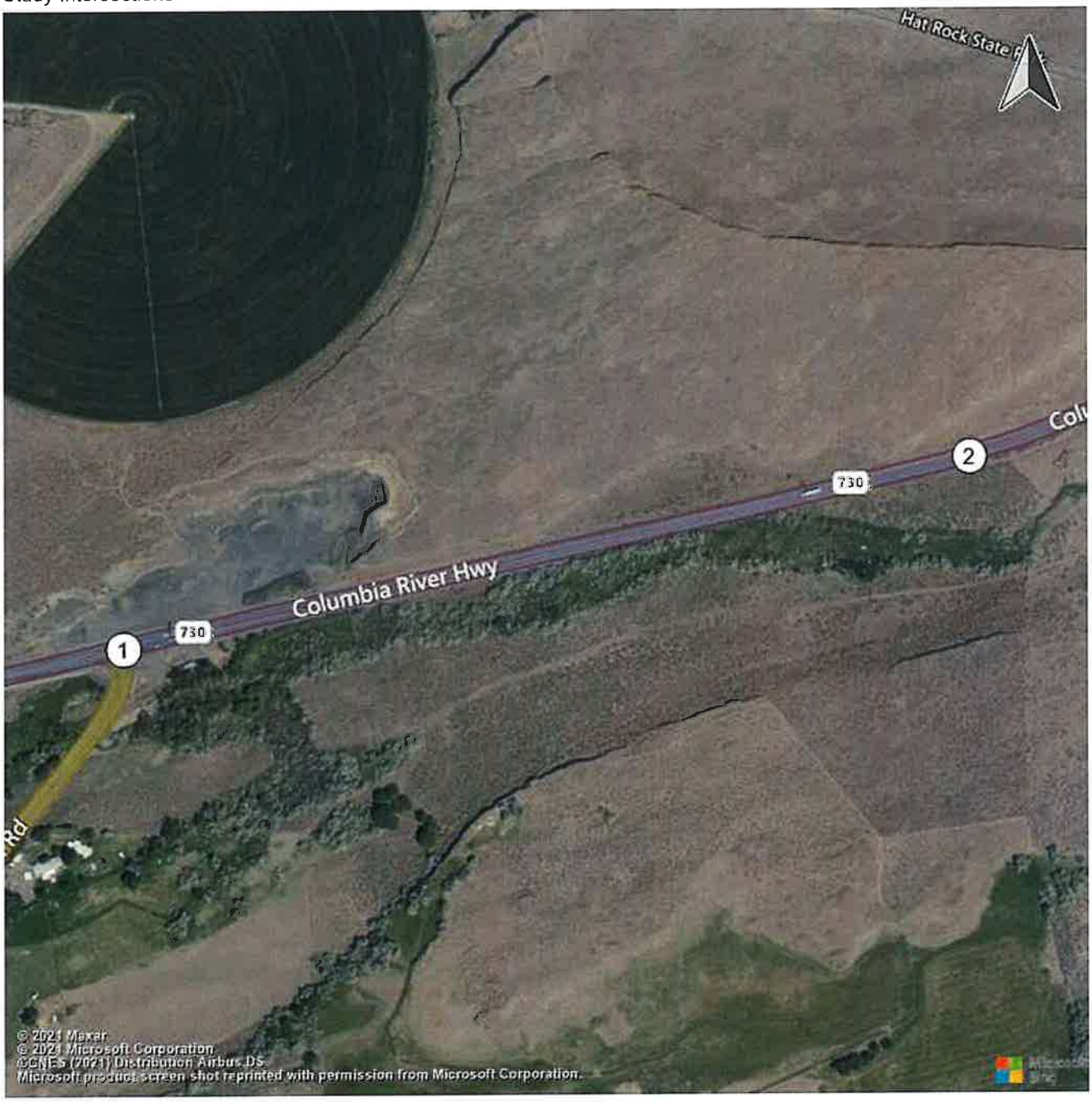
Intersection Settings

Priority Scheme	Stop	Free	Free
Flared Lane	No		
Storage Area [veh]	0	0	0
Two-Stage Gap Acceptance	No		
Number of Storage Spaces in Median	0	0	0

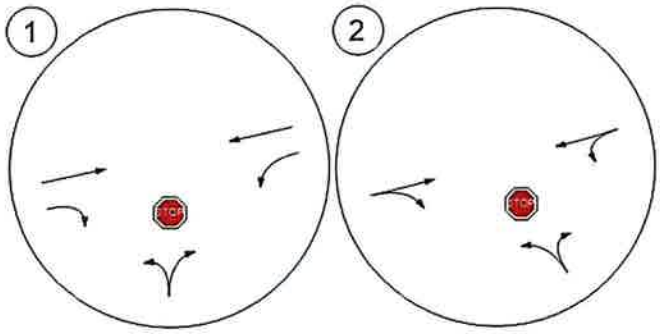
Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.01	0.00	0.00	0.00	0.00	0.00
d_M, Delay for Movement [s/veh]	12.39	9.98	0.00	0.00	7.85	0.00
Movement LOS	B	A	A	A	A	A
95th-Percentile Queue Length [veh/ln]	0.04	0.04	0.00	0.00	0.00	0.00
95th-Percentile Queue Length [ft/ln]	1.03	1.03	0.00	0.00	0.00	0.00
d_A, Approach Delay [s/veh]	12.04		0.00		0.00	
Approach LOS	B		A		A	
d_I, Intersection Delay [s/veh]	0.15					
Intersection LOS	B					

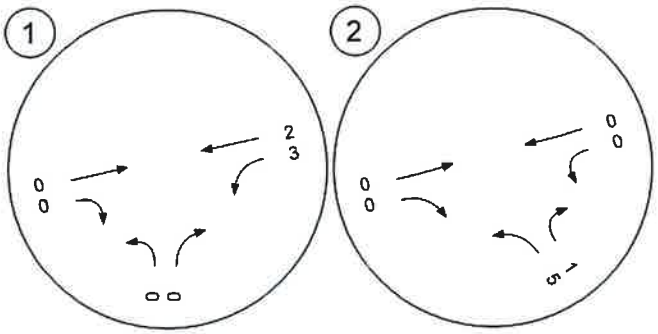
Study Intersections



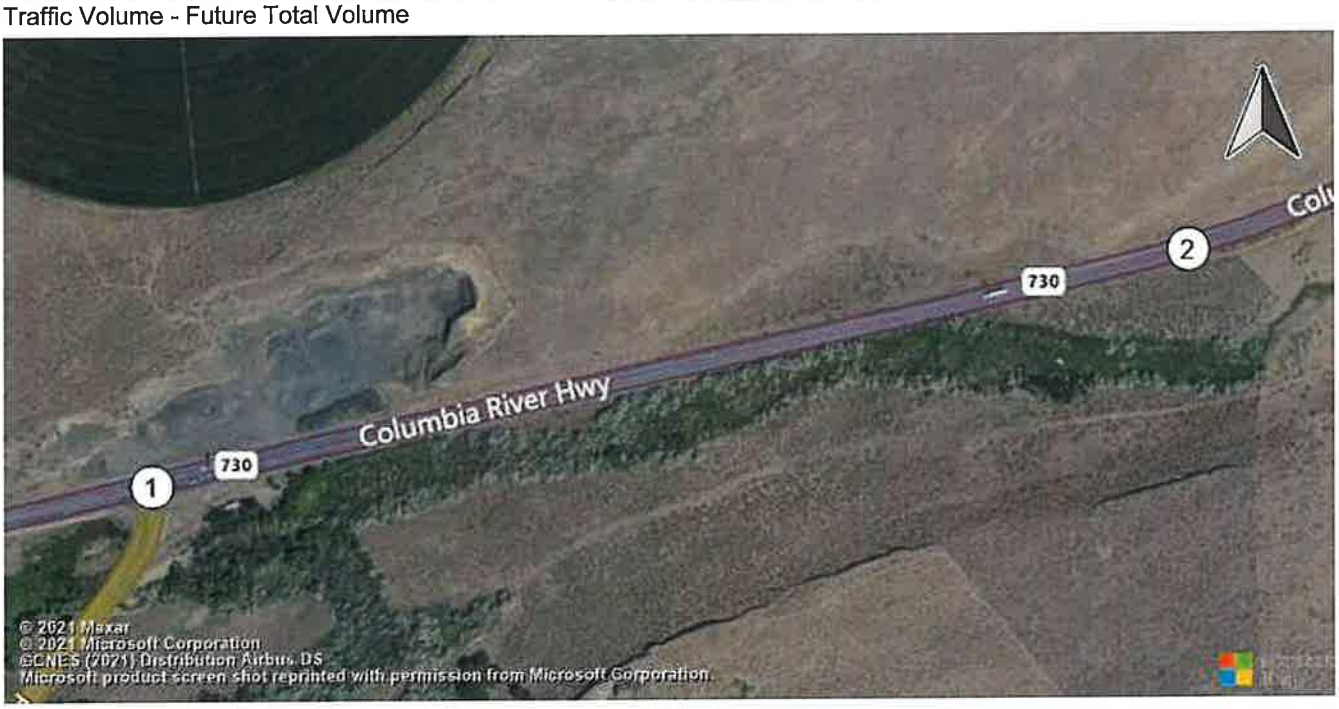
Lane Configuration and Traffic Control



Traffic Volume - Net New Site Trips



Traffic Volume - Future Total Volume



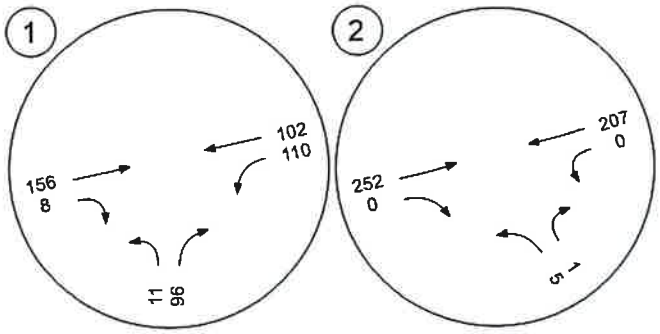
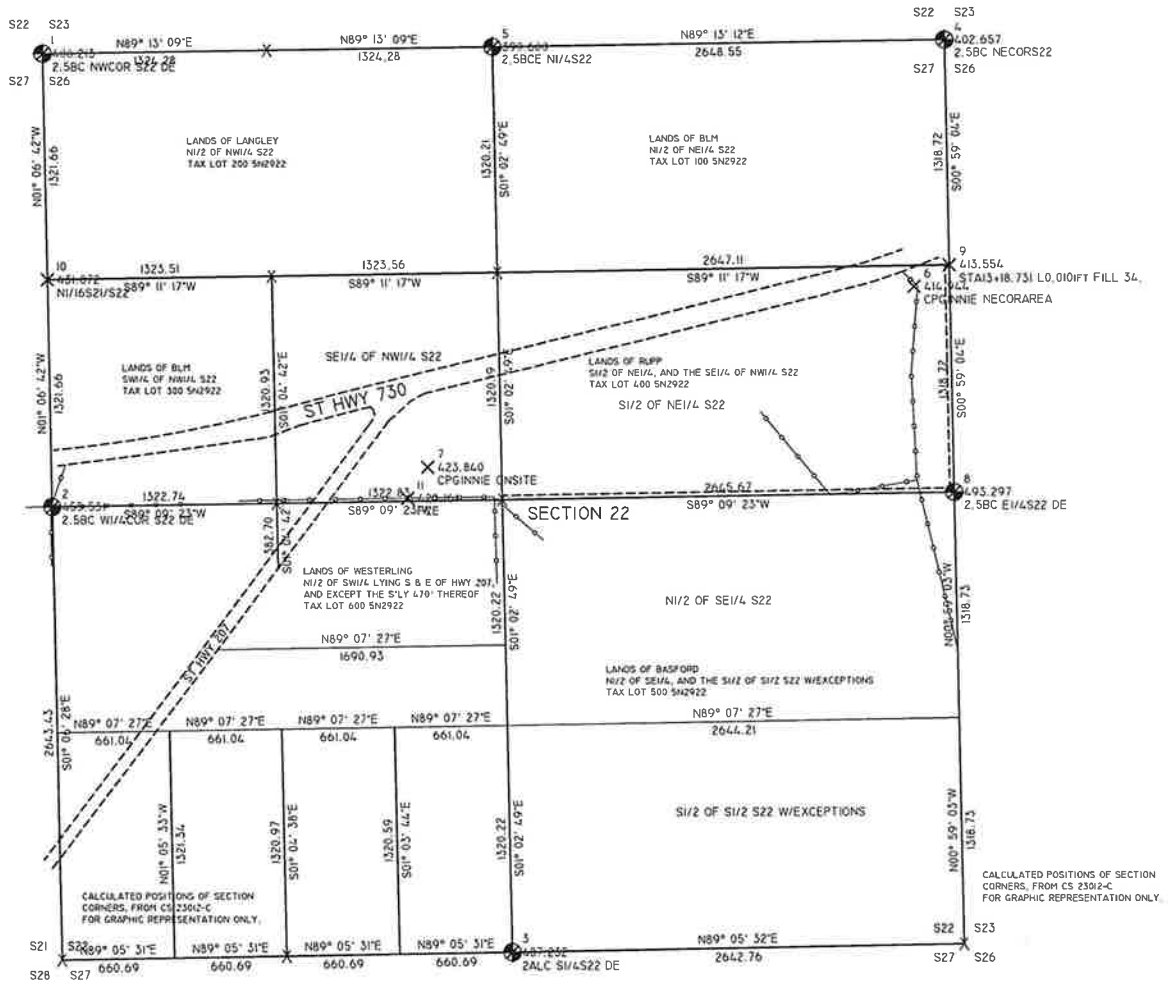


EXHIBIT MAP

A SURVEY OF SECTION 22, T5N, R29E,W.M. TO FIND THE BOUNDARY LINES OF THE RUPP TRACT, BEINGLOCATED IN THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 22, TOWNSHIP 5 NORTH, RANGE 29 EAST, WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.



SCALE 1"=500'

0 500' 1000'

BASIS OF BEARING

BEARING BASE -- NAD83 ORNSPC GRID BEARINGS

LEGEND

⊕	FOUND BRASS CAP SECTION CORNER, OR AS NOTED.
X	CALCULATED POINT - NOTHING FOUND OR SET.
XXX(R#)	RECORD AND REFERENCE TO SURVEY
———	PROPERTY LINE
—o—o—	EXISTING FENCES, WHERE TIED
- - - - -	STATE HIGHWAYS ARE AN APPROXIMATION FROM GOOGLE IMAGES

SURVEYOR'S NARRATIVE:

THIS SURVEY WAS PERFORMED AT THE REQUEST OF DOUG COX, DEVELOPER, TO LOCATE THE PROPERTY LINES OF THE LANDS OWNED BY RUPP IN THE AREA WHERE A ROCK PIT IS BEING PERMITTED, WHICH IS IN THE SI/2 OF NE 1/4 OF SECTION 22, TOWNSHIP 5 NORTH, RANGE 29 EAST, W.M.,UMATILLA COUNTY, OREGON.
I WAS ABLE TO LOCATE ALL OF THE NECESSARY SECTIONAL CORNERS TO DELINEATE THE LINES OF OWNERSHIP IN THE AREA NEEDED.
I HOLD NAD83 ORNSPC COORDINATE DATUM, AND SHOW GRID BEARINGS AND DISTANCES, AS PER COUNTY SURVEY 23-012-C.
THIS SURVEY WAS PERFORMED USING A CARLSON BRX7 RTK GPS SYSTEM. STANDARD ERROR FOR THE RTK SYSTEM IS 8.0MM + 1 PPM X BASELINE MEASURED, IN MILLIMETERS.
I FIND NOTHING OUT OF THE ORDINARY ON THIS SURVEY.

ROBERT D. ENGLISH

ROBERT D. ENGLISH, WAPLS44338

REGISTERED PROFESSIONAL LAND SURVEYOR

ROBERT D. ENGLISH

OREGON JANUARY 11, 2005 ROBERT DOUGLAS ENGLISH 44338LS

RENEWAL DATE: 12/31/23

REFERENCES:

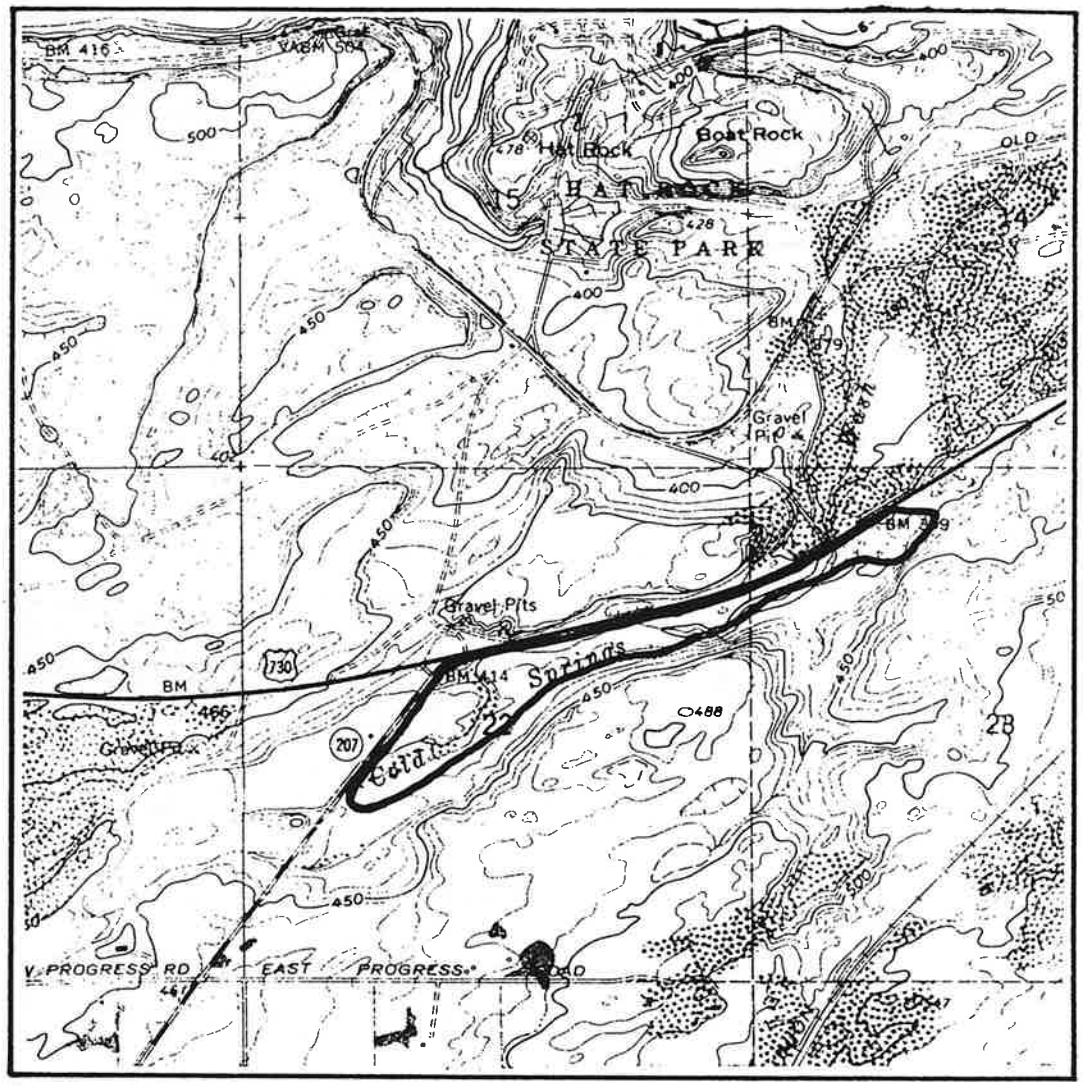
(R1) ASSESSOR'S MAP 5N2922, 5N29D, 5N29
(R2) UMATILLA COUNTY SURVEY RECORDS FOR ALL SECTION CORNERS
(R3) UMATILLA COUNTY SURVEY 23-012-C, PRIMM FOR UMATILLA COUNTY, 2023.
(D1) WARRANTY DEED, DOC.NO. 2016-6510388, LEWIS & CLARK COLLEGE TO RUPP, 2016, 5N2922 TL400, SI/2 NE1/4 S22, SE1/4 NW1/4 S22.
(D2) BARGAIN & SALE DEED, DOC.NO., 1998-3310191, BASFORD TO BASFORD, 1998, 5N2922 TL500, N1/2 SE1/4, SI/2 SI/2 S22 W/EXCEPTIONS.
(D3) QUIT CLAIM DEED, DOC.NO, 2015-6270076, WESTERLING TO WESTERLING, 2015, 5N2922 TL600, N1/2 SW1/4 S&E OF HWY 207.
(D4) BARGAIN & SALE DEED, DOC.NO, 2020-7010510, STURZA TO STURZA, 2020, 5N2922 TL700, N1/2 SW1/4 S22 W/EXCEPTIONS, SEE CS83-167-B.
(D5) STATUTORY WARRANTY DEED, DOC.NO. 2017-6620316, PETERSON TO UMATILLA READY-MIX, INC., 2017, 5N29 TL302 & TL303.
(D6) CORRECTION WARRANTY DEED, REEL 69, PAGE 549, ROGERS TO CONFORTH/LANGLEY, 1980,5N2922 TL200, N1/2 NW1/4 S22.

DATE: 04/27/23	DWN.BY: RDE	EXHIBIT MAP FOR: CRP & HAULING, LLC. PO BOX 131 HERMISTON, OR 97801
SCALE: 1"=20'	CHK. BY: RDE	
JOB NO. 2022-041	REV.DATE: XX/XX/XX	SURVEY ONE,LLC P.O. BOX 382 PENDLETON OR, 97801 PH:541-276-2055 Fax:541-276-3480
DWG NO. SINECO 730PIT.DWG		

SIGNIFICANT WETLANDS

MAP: D-44 **AREA:** Drainage Area

T/R: T5N R29 EWM; Section 22



Wetland Area (Exact boundaries may require site inspection) **Map Source: U.S.G.S.**

Plan Designation: Agricultural

Zoning Designation: Exclusive Farm Use; Special Agriculture

Possible Land Use Conflicts: Some farming activities (draining wetlands; feedlots, lack of soil conservation practices).

Goal 5 Analysis: 3C; Limit Conflicting Uses

Management Program: Plan and zoning limit conflicting uses; 100 foot setback from wetlands and streams required for structures and sewage disposal installations.

OFFSITE WETLAND DETERMINATION REPORT

OREGON DEPARTMENT OF STATE LANDS **WD#:** 2022-0606

951 SW Simpson Ave, Suite 104, Bend OR 97702 (541) 388-6112

At your request, an offsite wetland determination has been conducted on the property described below.

County: Umatilla City: 5.3 mi E of McNary, 5.7 mi NE of Hermiston

Other Name & Address: Tamra Mabbott, TM Consulting, 80379 Zimmer Lane, Hermiston, OR 97838

Township: 5N Range: 29E Section: 22 Q/Q: N/A Tax Lot(s): 400 (portion)

Project Name: New rock quarry

Site Address/Location: SE of the Hwy 730 & Hwy 207 intersection, Hermiston, OR 97838

☒ The National Wetlands Inventory & National Hydrography Dataset show a wetland/waterway on the property.

☒ The county soil survey shows hydric (wet) soils on the property. Hydric soils indicate that there may be wetlands.

☐ It is unlikely that there are jurisdictional wetlands or waterways on the property based upon a review of wetlands maps, the county soil survey and other information. An onsite investigation by a qualified professional is the only way to be certain that there are no wetlands.

☒ There are wetlands and waterways on the property that are subject to the state Removal-Fill Law.

- ☒ A state permit is required for ≥ 50 cubic yards of fill, removal, or ground alteration in the wetlands or waterways.
- ☐ A state permit may be required for any amount of fill, removal, or other ground alteration in the Essential Salmonid Habitat and hydrologically associated wetlands.
- ☐ A state permit may be required for any amount of fill, removal, or other ground alteration in a compensatory wetland mitigation site.

☒ A state permit will be required for the project if there are 50 cubic yards or more of ground disturbance proposed within jurisdictional wetlands or waters.

☐ The proposed parcel division may create a lot that is largely wetland and thus create future development problems.

☒ A wetland determination or delineation may be needed prior to site development (if the proposed quarry area does not change). The wetland delineation report should be submitted to the Department of State Lands for review and approval.

☒ A permit may be required by the Army Corps of Engineers: (503) 808-4373

Note: This report is for the state Removal-Fill Law only. City or County permits may be required for the proposed activity.

Comments: Based on review of the submitted site plan, it appears that there are four locations where the proposed quarry area could impact potential wetlands (see attached WIW Aerials). These potential wetland areas seem to extend beyond National Wetlands Inventory and hydric soil mapping, based on desktop review of aerial and Lidar imagery.

It is recommended that the applicant either revise their proposed quarry area to avoid these potentially jurisdictional features or hire a qualified wetland consultant to prepare a wetland delineation report for the site. This report, once reviewed and approved by DSL, will inform the extent of wetlands and waterways on-site, as well as which features are jurisdictional to the state Removal-Fill Law.

Determination by: J. Salgado Date: 12 / 05 / 2022

☐ This jurisdictional determination is valid for five years from the above date, unless new information necessitates a revision. Circumstances under which the Department may change a determination and procedures for renewal of an expired determination are found in OAR 141-090-0045 (available on our web site or upon request). The applicant, landowner, or agent may submit a request for reconsideration of this determination in writing within six months from the above date.

☒ **This is a preliminary jurisdictional determination and is advisory only.**

Copy To: ☒ Other Email: tamra.mabbott@gmail.com ☒ Enclosures: NwiAerial, HydroSoilsAerial, WIW Aerials
☒ Umatilla County Planning Department
☐

FOR OFFICE USE ONLY

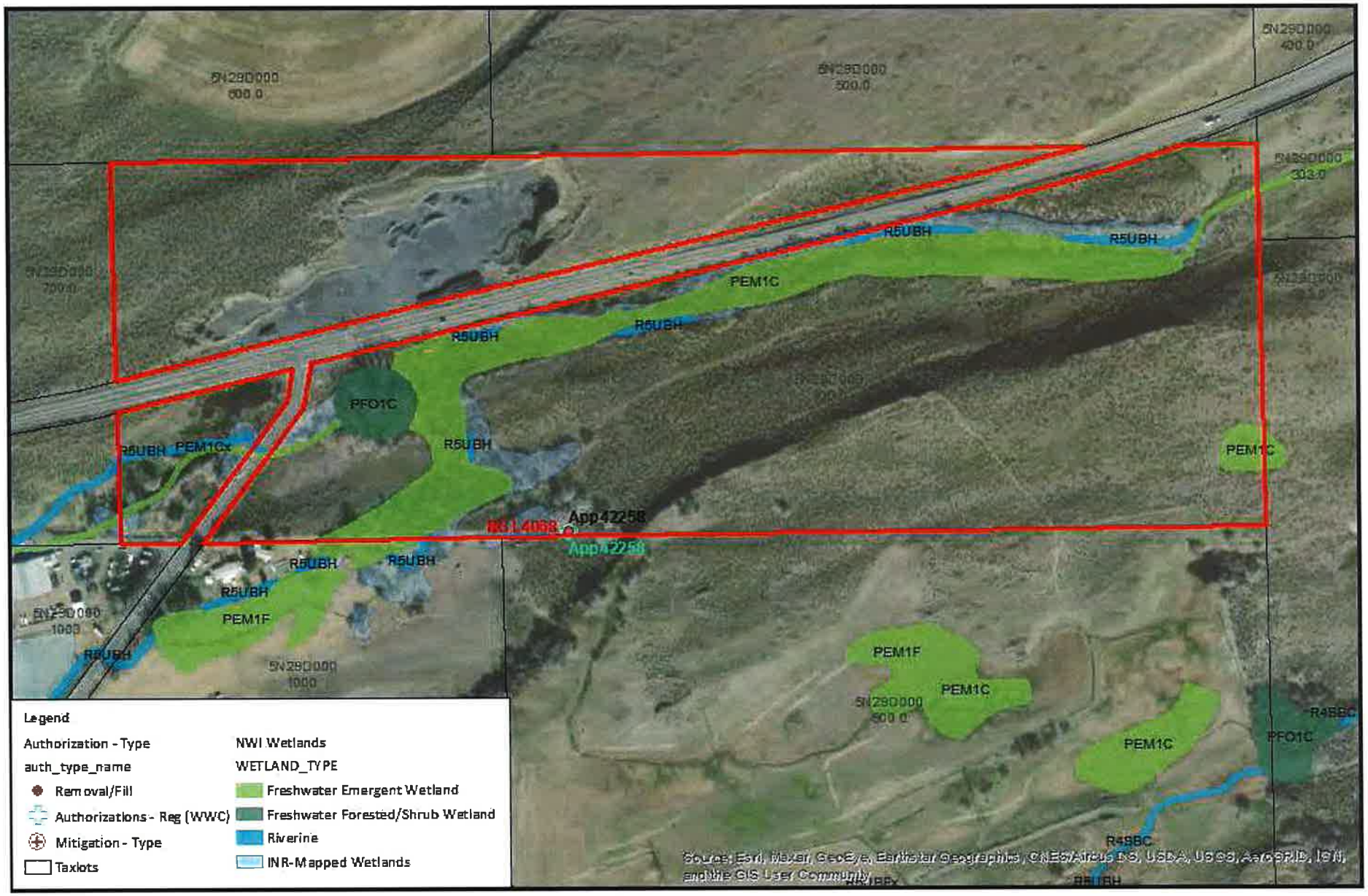
Entire Lot(s) Checked? ☐ Yes ☒ No **Waters Present** ☒ Yes ☐ No ☐ Maybe **Request Received:** 10 / 31 / 2022

LWI Area: N/A **LWI Code:** N/A **Latitude:** 45.901617 **Longitude:** -119.168630

Has Wetlands? ☒Y ☐N ☐Unk **ESH?** ☐Y ☒N **Wild & Scenic?** ☐Y ☒N **State Scenic?** ☐Y ☒N **Coast Zone?** ☐Y ☒N ☐Unk

Adjacent Waterbody: PEM, PFO, Cold Springs Wash **Related DSL File #:** APP42258 / WD2008-0503 Adjacent

WD2022-0606 NwiAerial



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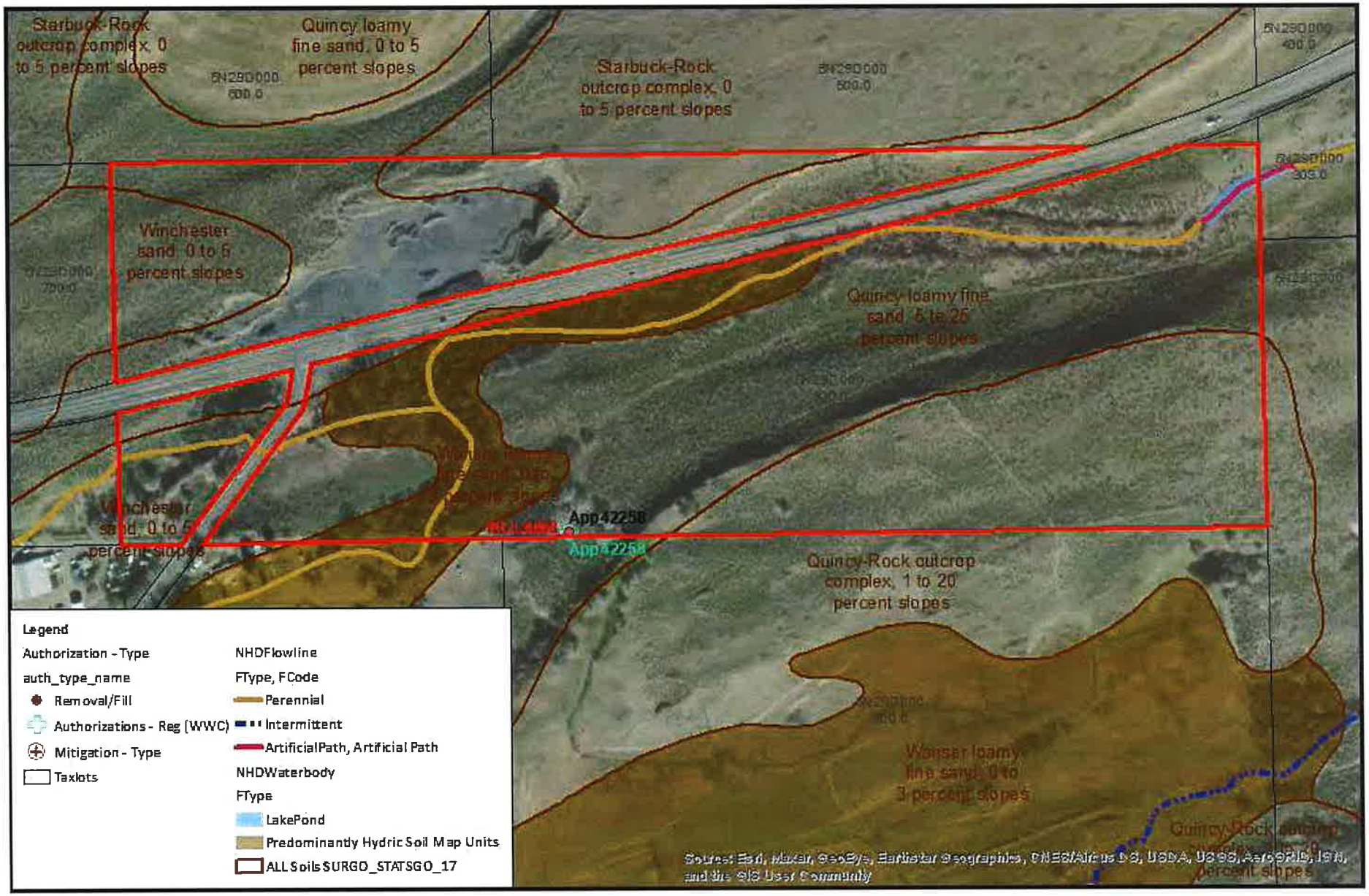
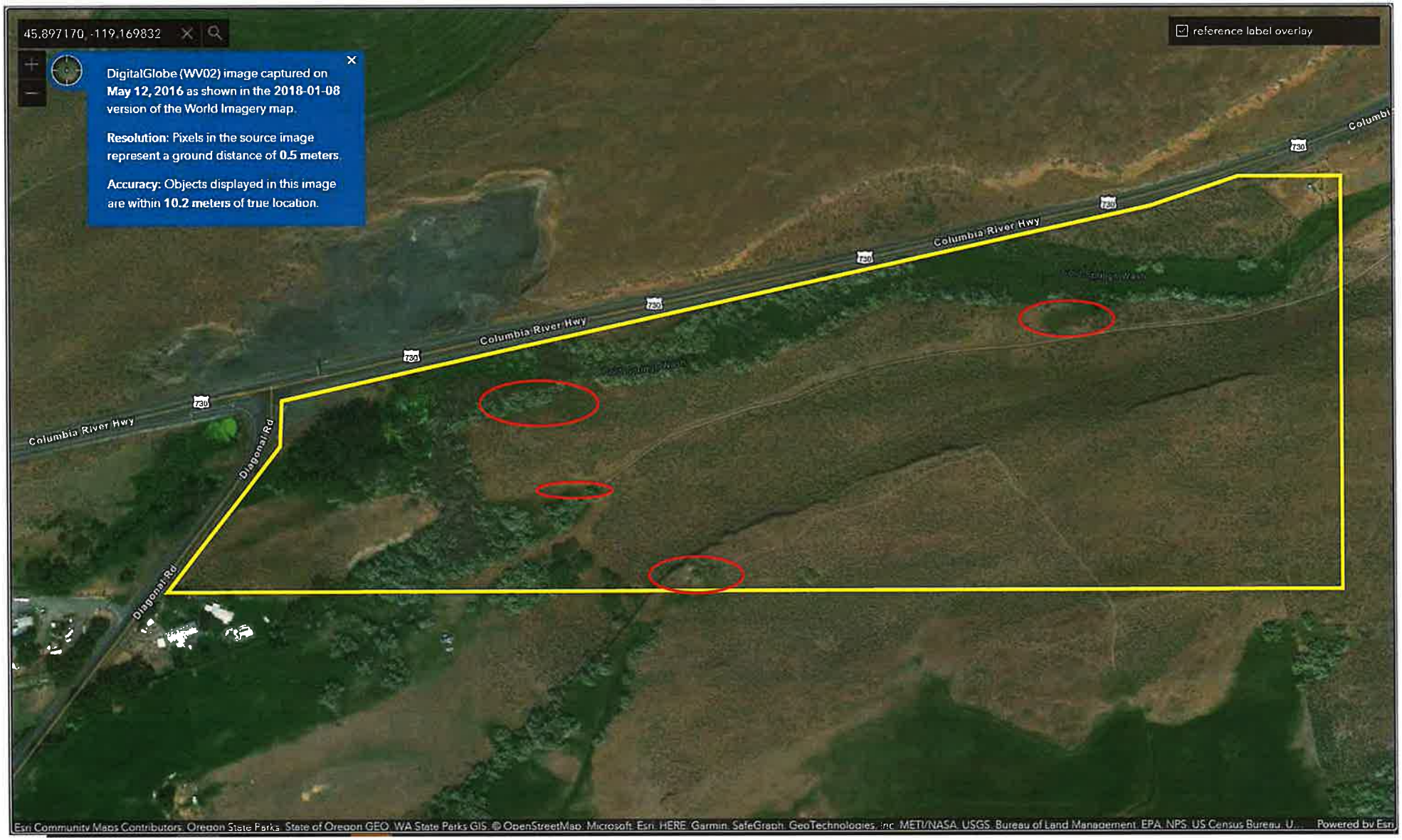
WD2022-0606 HydroSoilsAerial




45.897170, -119.169832
reference label overlay
DigitalGlobe (WV02) image captured on May 12, 2016 as shown in the 2018-01-08 version of the World Imagery map.
Resolution: Pixels in the source image represent a ground distance of 0.5 meters.
Accuracy: Objects displayed in this image are within 10.2 meters of true location.
Columbia River Hwy
Diagonal Rd
730
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45.897170, -119.169832
reference label overlay
USDA FSA () image captured on Jun 24, 2015 as shown in the 2016-06-13 version of the World Imagery map.
Resolution: Pixels in the source image represent a ground distance of 1 meters.
Accuracy: Objects displayed in this image are within 6 meters of true location.
Columbia River Hwy
730
Diagonal Rd
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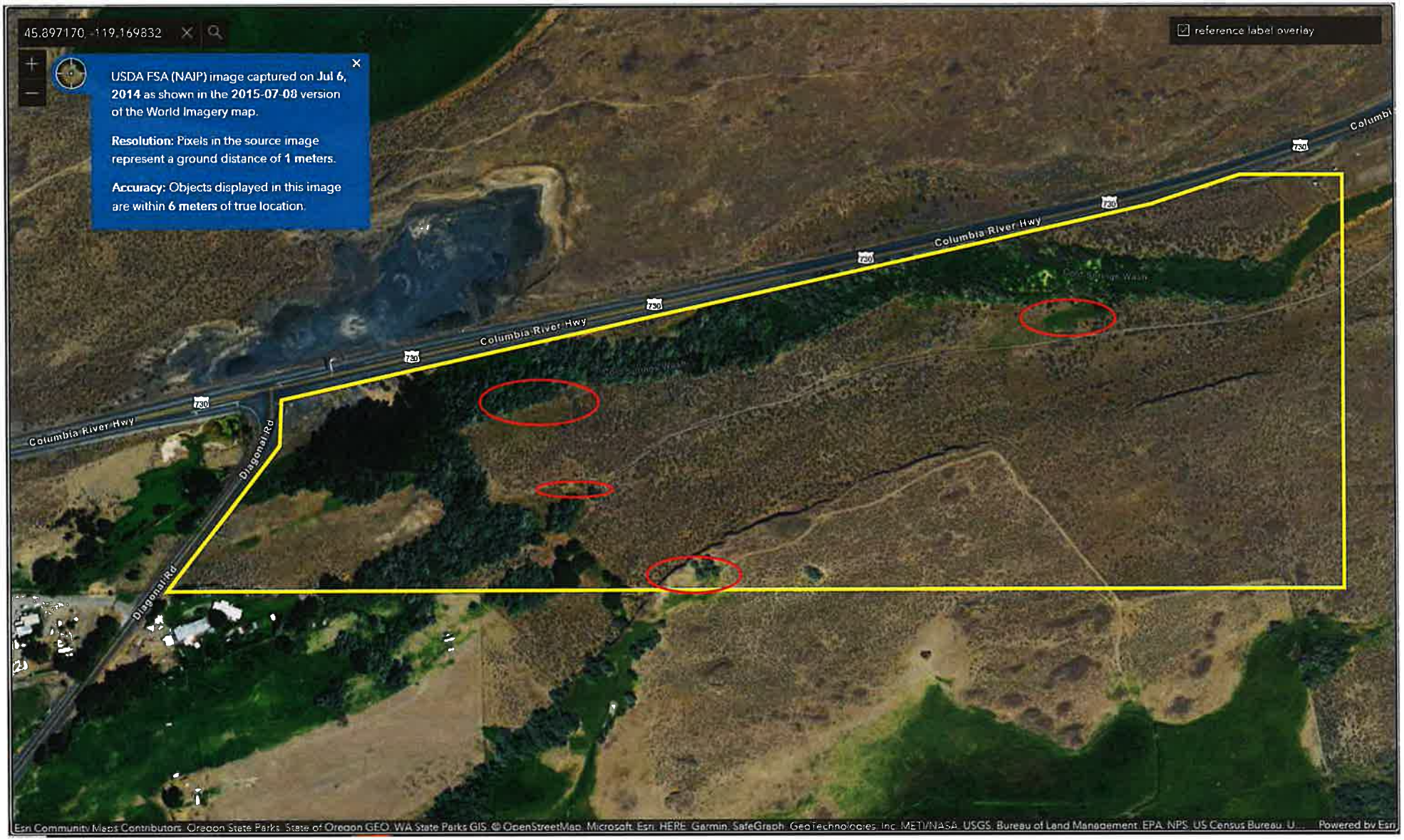
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USDA FSA (NAIP) image captured on Jul 6, 2014 as shown in the 2015-07-08 version of the World Imagery map.
Resolution: Pixels in the source image represent a ground distance of 1 meters.
Accuracy: Objects displayed in this image are within 6 meters of true location.
Columbia River Hwy
730
Diagonal Rd
Esri Community Maps Contributors, Oregon State Parks, State of Oregon GEO, WA State Parks GIS, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, U...
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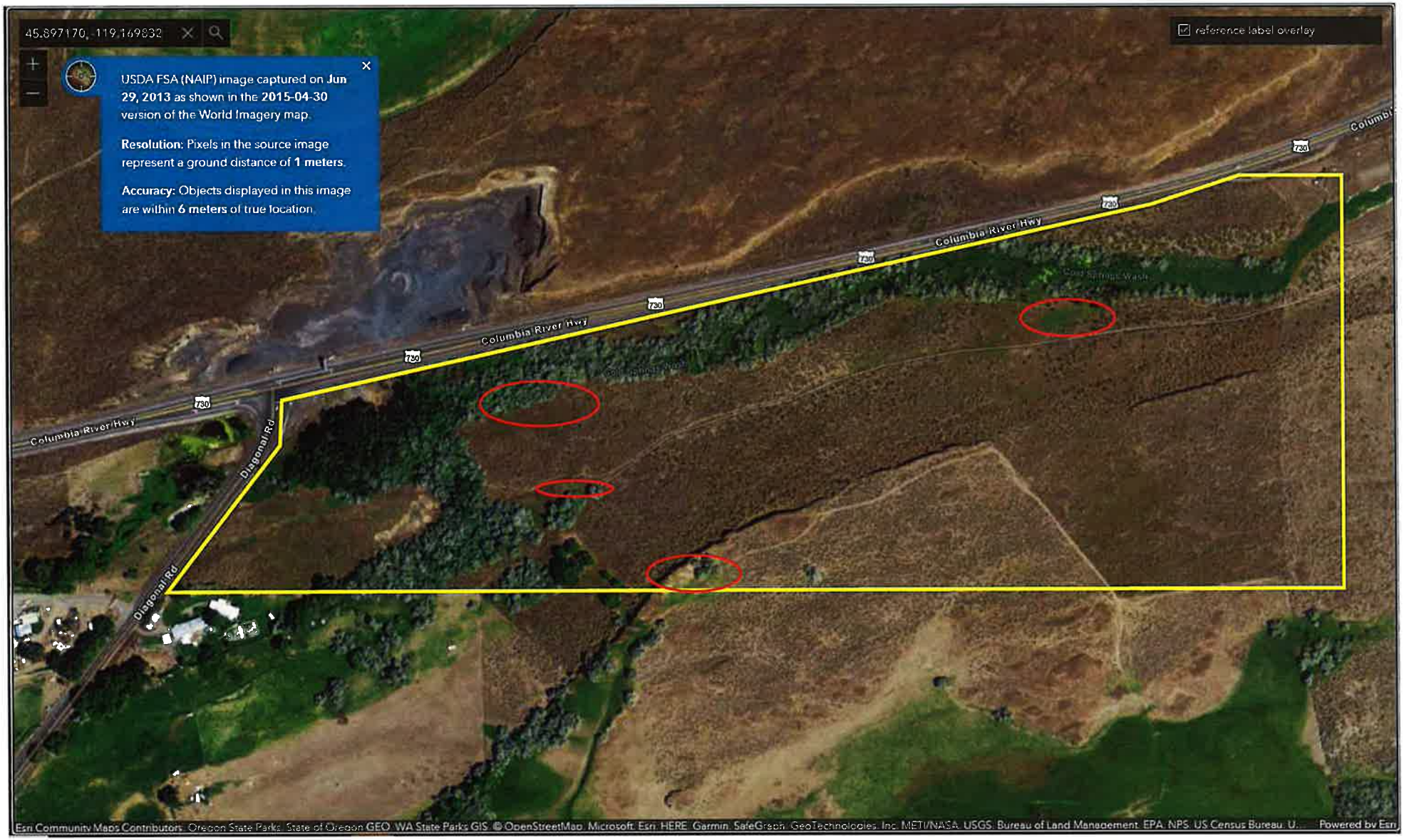
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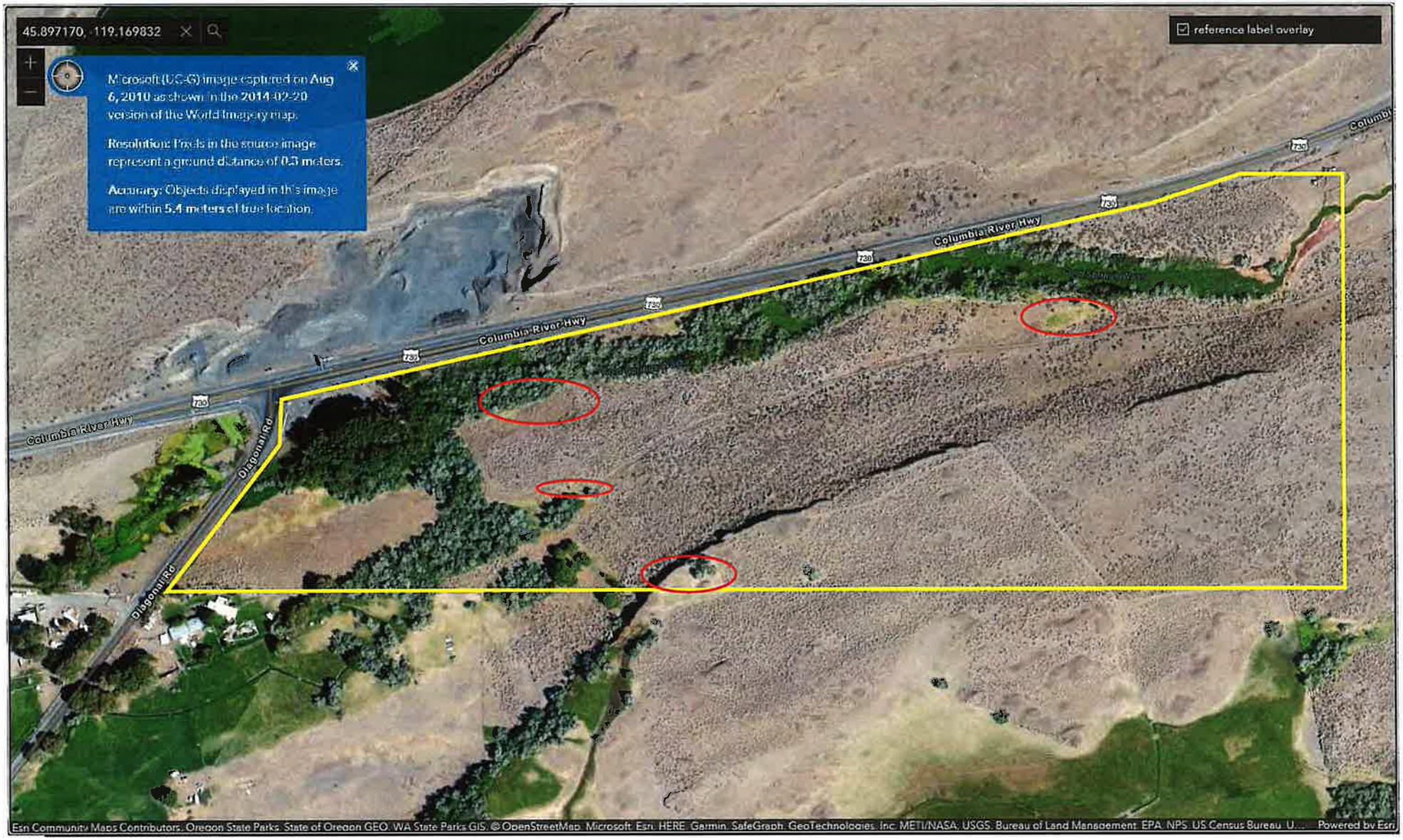
Resolution: Pixels in the source image represent a ground distance of 1 meters.
Accuracy: Objects displayed in this image are within 6 meters of true location.
Columbia River Hwy
730
Diagonal Rd
Esri Community Maps Contributors, Oregon State Parks, State of Oregon GEO, WA State Parks GIS, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, U...
Powered by Esri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reference label overlay
Microsoft (UC-S) image captured on Aug 6, 2010 as shown in the 2014-02-20 version of the World Imagery map.
Resolution: Pixels in the source image represent a ground distance of 0.3 meters.
Accuracy: Objects displayed in this image are within 5.4 meters of true location.
Columbia River Hwy
730
Diagonal Rd
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OFFSITE WETLAND DETERMINATION REPORT

OREGON DEPARTMENT OF STATE LANDS **WD#:** 2023-0095

951 SW Simpson Ave, Suite 104, Bend OR 97702 (541) 388-6112

At your request, an offsite wetland determination has been conducted on the property described below.

County: Umatilla City: 5.3 mi E of McNary, 5.7 mi NE of Hermiston

Other Name & Address: Doug Cox, CRP & Hauling, LLC, PO Box 131, Hermiston, OR 97838

Township: 5N Range: 29E Section: 22 Q/Q: N/A Tax Lot(s): 400 (portion)

Project Name: Revised plan for rock quarry/mine

Site Address/Location: SE of the Hwy 730 & Hwy 207 intersection, Hermiston, OR 97838

☒ The National Wetlands Inventory & National Hydrography Dataset show a wetland/waterway on the property.

☒ The county soil survey shows hydric (wet) soils on the property. Hydric soils indicate that there may be wetlands.

☐ It is unlikely that there are jurisdictional wetlands or waterways on the property based upon a review of wetlands maps, the county soil survey and other information. An onsite investigation by a qualified professional is the only way to be certain that there are no wetlands.

☒ There are wetlands or waterways on the property that are subject to the state Removal-Fill Law.

- ☒ A state permit is required for ≥ 50 cubic yards of fill, removal, or ground alteration in the wetlands or waterways.
- ☐ A state permit may be required for any amount of fill, removal, or other ground alteration in the Essential Salmonid Habitat and hydrologically associated wetlands.
- ☐ A state permit may be required for any amount of fill, removal, or other ground alteration in a compensatory wetland mitigation site.

☒ A state permit does not appear to be required for the project because the site plan was modified to exclude potential wetland and waters impacts following DSL's WD2022-0606 response.

☐ The proposed parcel division may create a lot that is largely wetland and thus create future development problems.

☐ A wetland determination or delineation is needed prior to site development; the wetland delineation report should be submitted to the Department of State Lands for review and approval.

☐ A permit may be required by the Army Corps of Engineers: (503) 808-4373

Note: This report is for the state Removal-Fill Law only. City or County permits may be required for the proposed activity.

Comments: This response is for the proposed project area only (extraction areas, stormwater pond, and stockpile areas), as shown on the 1/25/2023 site plan. DSL does **not** concur with the wetland boundaries on the site plan; they have not been verified by a wetland professional or submitted to DSL for review & approval as a wetland delineation report.

That said, the proposed project area appears to avoid impacts to jurisdictional wetlands or waterways. A state Removal-Fill permit is not likely required for this activity.

If 50 cy or more of ground disturbance occurs to jurisdictional wetlands or waterways, DOGAMI may notify DSL of a potential Removal/Fill violation. Best management practices should be implemented to avoid impacts to these wetlands and minimize sedimentation & erosion in Cold Springs Wash.

Determination by: J. Salgado Date: 03 / 17 / 2023

☐ This jurisdictional determination is valid for five years from the above date, unless new information necessitates a revision. Circumstances under which the Department may change a determination and procedures for renewal of an expired determination are found in OAR 141-090-0045 (available on our web site or upon request). The applicant, landowner, or agent may submit a request for reconsideration of this determination in writing within six months from the above date.

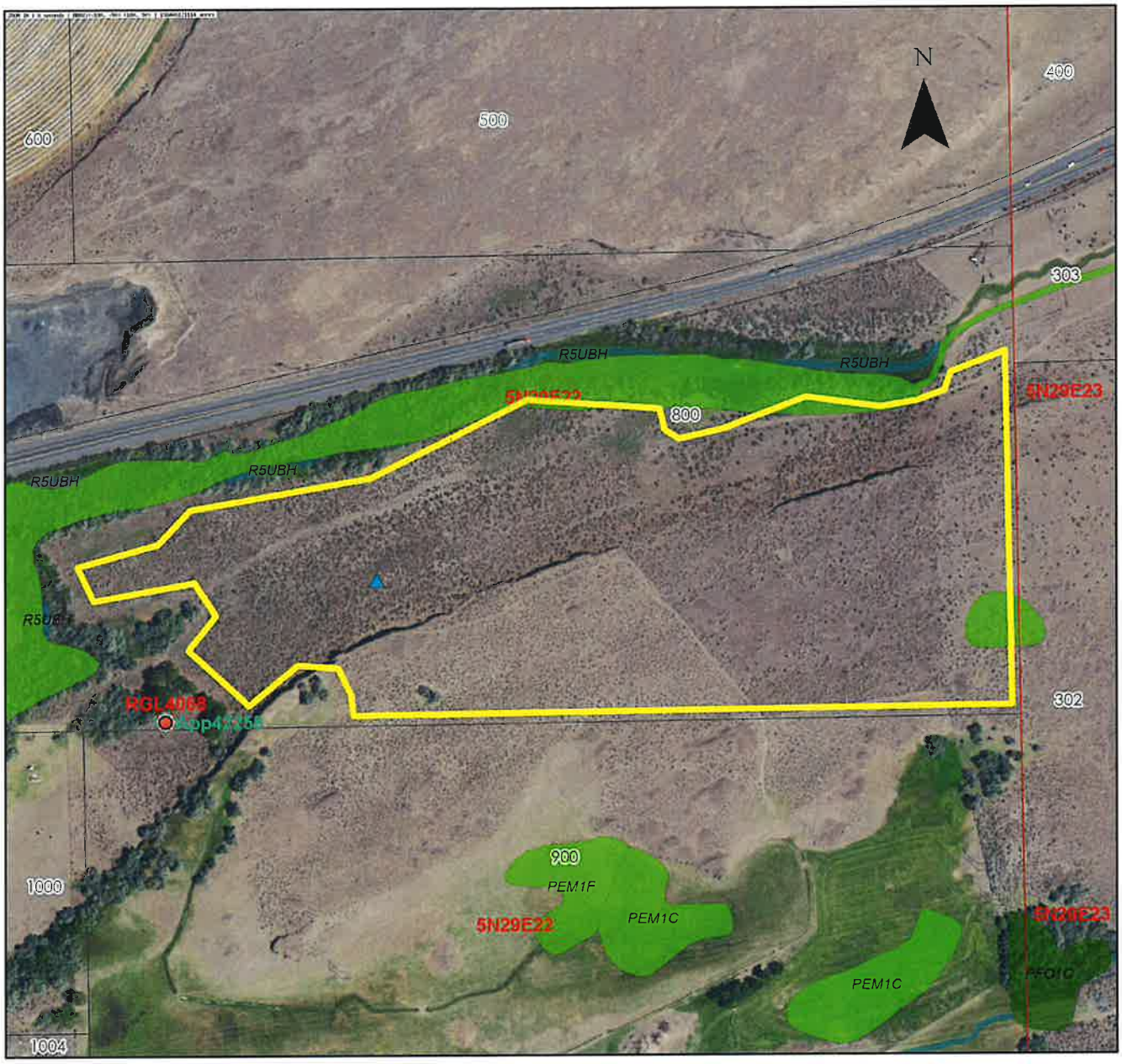
☒ **This is a preliminary jurisdictional determination and is advisory only.**

Copy To: ☒ Other Email: wdcox51393@gmail.com ☒ Enclosures: NwiAerial, HydroSoilsLidar
☒ Umatilla County Planning Department
☒ tamra.mabbott@gmail.com
☒ erick.staley@nv5.com

FOR OFFICE USE ONLY

Entire Lot(s) Checked? ☐ Yes ☒ No	**Waters Present** ☒ Yes ☐ No ☐ Maybe		**Request Received:** 02 / 24 / 2023
LWI Area: N/A	**LWI Code:** N/A	**Latitude:** 45.901916	**Longitude:** -119.167643
Has Wetlands? ☒Y ☐N ☐Unk	**ESH?** ☐Y ☒N	**Wild & Scenic?** ☐Y ☒N	**State Scenic?** ☐Y ☒N **Coast Zone?** ☐Y ☒N ☐Unk
Adjacent Waterbody: PEM, PFO, Cold Springs Wash		**Related DSL File #:** WD2022-0606 Same Site, APP42258 / WD2008-0503 Adjacent	

WD2023-0095 NwiAerial



220 110 0 220 440 660 880
Feet

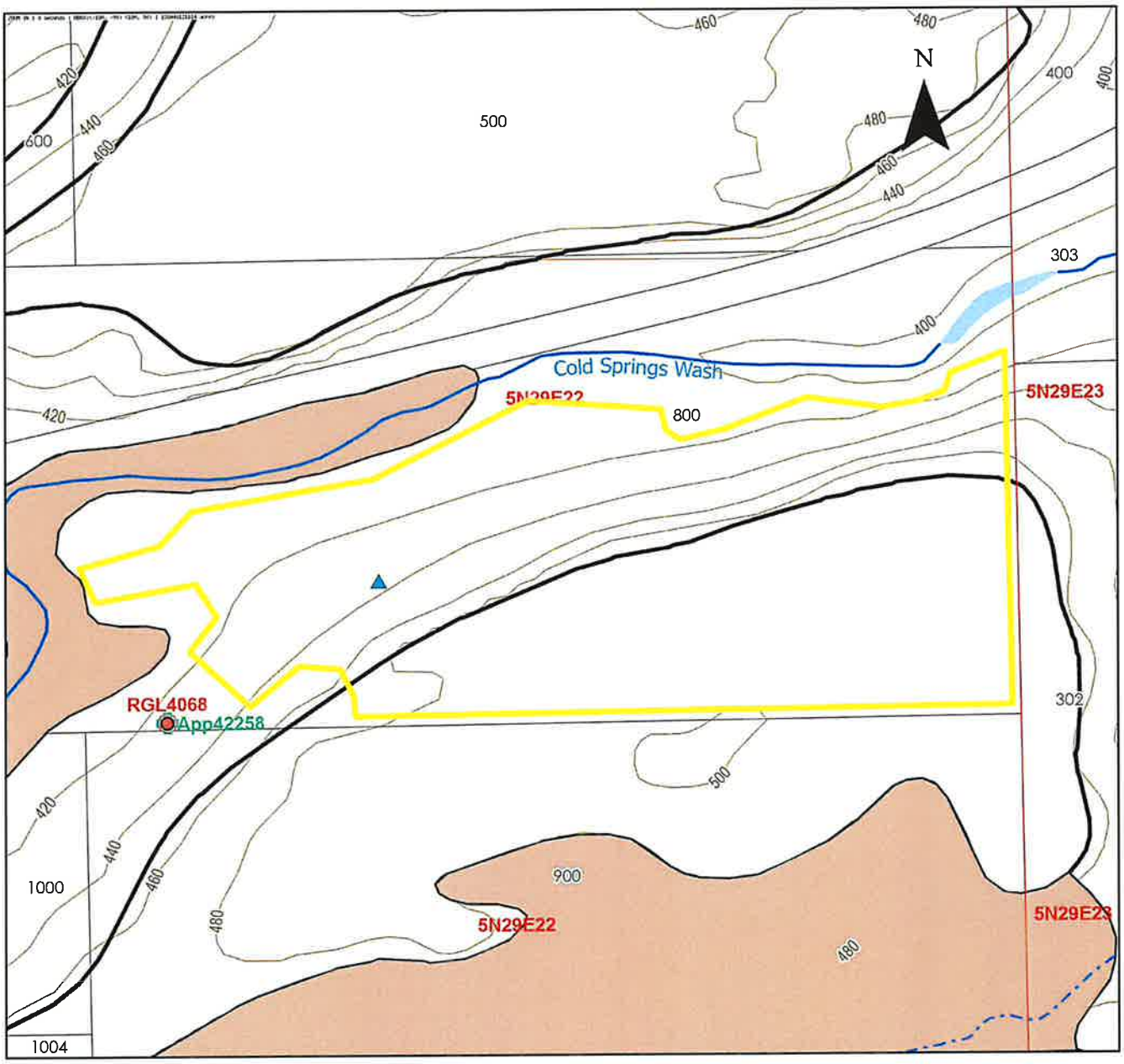
Legend

- Sections
- City Limits
- UGB
- Authorizations - Reg (WWC)
- Enforcements
- Mitigation - Type
- Wetland Delineations
- Wetland Determinations
- Determinations by Consultant
- Wetland Land Use Notices

SWI NWI Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/ Shrub Wetland
- Freshwater Pond
- Lake
- Riverine

WD2023-0095 HydroSoilsLidar



220 110 0 220 440 660 880 Feet

Legend

- Sections
- City Limits
- UGB
- Authorizations - Reg (WWC)
- Enforcements
- Mitigation - Type
- Wetland Delineations
- Wetland Determinations
- Determinations by Consultant
- Wetland Land Use Notices
- DSL Compensatory Mitigation Sites
- ESH

FULCRUM
GEO RESOURCES LLC
17600 Pacific Highway, Unit 357
Marylhurst, Oregon 97036
503.250.2247

July 17, 2023

Oregon Department of Geology and Mineral Industries
Mineral Land Regulation and Reclamation Program
229 Broadalbin Street SW
Albany, OR 97321-2246

Operating Permit Application
Additional Narrative
Proposed CRP & Hauling Quarry
Umatilla County, Oregon
Project: 007.01.01

INTRODUCTION

On behalf of CRP & Hauling, LLC (CRP), Fulcrum GeoResources LLC (Fulcrum) is pleased to present this narrative to the Oregon Department of Geology and Mineral Industries (DOGAMI) for the proposed CRP & Hauling Quarry located in unincorporated Umatilla County, Oregon. CRP is applying for an Operating Permit (OP) and requested Fulcrum prepare the application package. Most of the project details are explained on the OP application form and mine plan maps. This narrative is intended to accompany the application and provide additional information.

In addition to this narrative, the application package includes the following:

- OP Application Form
- Proof of land ownership (Trio)
- Permit Boundary Survey Map
- Mine plan maps and figures including
  - Figure 1 – Vicinity Map
  - Figure 2 – Site Plan – Existing Topography with Aerial
  - Figure 3 – Reclamation Plan – Final Topography with Aerial
  - Figure 4 – Cross Sections A-A' and B-B'
- Offsite Wetland Determination Report prepared by Oregon Department of State Lands, dated December 5, 2022
- Offsite Wetland Determination Report prepared by Oregon Department of State Lands, dated March 17, 2023

BACKGROUND

The project is located in the southeast corner of tax lot 400 in the SW¼ and SE¼ of the NE¼ of Section 22, Township 5 North, Range 29 East, Willamette Meridian. The landowner is Randy Rupp. CRP has leased the property to operate a surface aggregate mine, conditional upon all approvals being met. Tax lot 400 covers a much larger area than the proposed mine project boundaries including lands north and west of Diagonal Boulevard and U.S. Route 730.

CRP is in the process of applying to be added to Umatilla County's Aggregate Resource (AR) Overlay, which would allow mining as a permitted use at the site. Review of the DOGAMI OP application is intended to run contemporaneously with the Umatilla County AR Overlay approval process. The proposed AR Overlay area consists of the portion of tax lot 400 enclosed by the easements off of Diagonal Boulevard and U.S. Route 730 and the south and east property boundaries, consisting of 74.0 acres. The proposed OP boundary is shown on the mine plan maps and consists of 46.7 acres. The OP boundary is defined by the south and east property lines and a boundary to the north and west intended to avoid interpreted wetlands and their buffers. The wetlands are further discussed below.

WETLANDS

Wetlands presented on the mine plan maps are located along the Cold Springs Wash and represent a combination of areas mapped in the National Wetlands Inventory (NWI)[1] and areas of potential wetlands noted by the Oregon Department of State Lands (DSL). CRP submitted an initial request for an offsite wetland determination to DSL in October 2022. DSL provided their initial determination, dated December 5, 2022, and noted four areas near the NWI-mapped wetlands that are potentially jurisdictional features. DSL recommended that CRP either revise the project to avoid all potential wetlands or conduct a wetlands delineation.

The project plans were revised to avoid the potentially jurisdictional features as well as a 25-foot buffer from the wetland features, as shown on the mine plan maps submitted with this application (Figures 2 and 3). The revised plans were submitted to DSL for a follow-up offsite wetland determination. DSL reviewed the revised mine plan and provided a determination report, dated March 17, 2023. DSL explained that while the agency could not concur with the mapped wetlands, as they have not been officially delineated, the revised project appears to avoid jurisdictional wetlands and waterways, and a state permit does not appear to be required.

The only anticipated impact from the project to these features is the placement of a culvert for the access road across a segment of the Cold Springs Wash east of the mapped wetlands. This crossing will require less than 50 cubic yards of fill and will not impede seasonal water flow along the wash. As such, a state removal/fill permit will not be needed.

[1] https://www.fws.gov/program/national-wetlands-inventory/wetlands-mapper

DEED EXCEPTIONS

The trio (property profile, property map, and deed with legal description) included with the OP application lists many exceptions under Exhibit B, consisting mostly of reservations and easements. The deed transferring ownership of the subject property to the current landowner (Randy Rupp) included 17 separate tracts. The tract relevant to the proposed CRP & Hauling Quarry is Tract 4. Fulcrum and the applicant's land-use attorney reviewed the listed exceptions recovered from property records by AmeriTitle, who prepared the trio. Based on review of the available records, the listed exceptions either are for tracts other than Tract 4, are not relevant to the project area, or consist of public-roadway and utility easements along Diagonal Boulevard and U.S. Route 730. None of those easements are located in the proposed OP boundary.

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Oregon Department of Geology and Mineral Industries
Mineral Land Regulation and Reclamation Program
229 Broadalbin Street SW
Albany, OR 97321-2246
(541) 967-2039
Fax (541) 967-2075

Operating Permit Application Form Division 30 & Division 35*

*DOGAMI may require additional information for Division 35 applications.

Primary Point of Contact

To ensure effective communications and timely processing, a Primary Point of Contact (PPC) is recommended for this application. The PPC should be a representative of the applicant with signature authority or a designated agent. Documentation of signature authority and/or designated agent is required for all applicants registered to do business in the state of Oregon. DOGAMI specific Designated Agent and Signature Authority forms are available on our website.

Section 1: Contact Information			
1a. Applicant / Proposed Permittee			
Name of Applicant: **CRP & Hauling, LLC**			
Mailing Address: **PO Box 131**	City: **Hermiston**	State: **OR**	Zip: **97838**
Telephone: **541-571-5118**	Fax:	Email: **wdcox51393@gmail.com**	
Preferred method of contact ☐ Telephone ☒ Email			
1b. Primary Contact for the Application			
Name: **Doug Cox**			
Mailing Address: **PO Box 131**	City: **Hermiston**	State: **OR**	Zip: **97838**
Telephone: **541-571-5118**	Fax:	Email: **wdcox51393@gmail.com**	
Preferred method of contact ☐ Telephone ☒ Email			
1c. Application Prepared By			
Name: **Erick Staley, Fulcrum GeoResources LLC**			
Mailing Address: **17600 Pacific Hwy, Unit 357**	City: **Marylhurst**	State: **OR**	Zip: **97036**
Telephone: **503-250-2247**	Fax:	Email: **erick@fulcrumgeo.com**	
Preferred method of contact ☐ Telephone ☒ Email			
1d. Operator Information			
Name: **same as Applicant**			
Mailing Address:	City:	State:	Zip:
Telephone:	Fax:	Email:	
1e. Contact Person for Field Visits			
Name: **Doug Cox**	Preferred method of contact ☒ Telephone ☐ Email		
Telephone: **541-571-5118**	Fax:	Email: **wdcox51393@gmail.com**	
1f. Landowner Information			
Name of Landowner (1): **Randy Rupp**			
Mailing Address: **176 Kranichwood St**	City: **Richland**	State: **WA**	Zip: **99352**
Telephone: **509-628-7516**	Fax:	Email:	
Name of Landowner (2):			
Mailing Address:	City:	State:	Zip:
Telephone:	Fax:	Email:	
1g. Mineral Estate Owner Information – If Split Estate			
Name of Mineral Estate Owner (1):			
Mailing Address:	City:	State:	Zip:
Telephone:	Fax:	Email:	
Name of Mineral Estate Owner (2):			
Mailing Address:	City:	State:	Zip:
Telephone:	Fax:	Email:	

Section 2: Project Description

2a. Location Information

Address and/or highway and milepost of surface mine:

Located southeast of intersection between US 730 and Diagonal Blvd (OR 207); entrance at Milepost 191.9.

Distance from the nearest named community: **6** mile(s) from **northeast of Hermiston, OR**

Directions to site (from the nearest town or major intersection):

Drive 6 miles northeast from Hermiston on Diagonal Blvd, turn right at intersection with US 730. Drive 0.5 miles east on US 730 to site entrance, turn right onto site.

Legal Description:

County: **Umatilla**

Township: **5N**	Range: **29E**	Section: **22**	Tax Lot(s): **400 (portion)**
Township: _____	Range: _____	Section: _____	Tax Lot(s): _____
Township: _____	Range: _____	Section: _____	Tax Lot(s): _____
Township: _____	Range: _____	Section: _____	Tax Lot(s): _____

Latitude/Longitude: **45.901195° / -119.164285°**

Site Name: CRP & Hauling Quarry

Does this site have a current DOGAMI Operating Permit, Exploration Permit, Exclusion Certificate, or Grant of Limited Exemption, or has it been permitted in the past? ☐ yes ☒ no

If yes: Specify DOGAMI ID# _____

Is there an approved Limited Exemption Closure Plan on file with DOGAMI? ☐ yes ☒ no

2b. Application Type

Please indicate the purpose of this application:

☒ New Operating Permit – skip to 2c.

☐ Amendment to a current Operating Permit

If you are applying for an Amendment to a current Operating Permit, please describe in detail the intended modifications:

The Proposed Operating and Reclamation Plans in this Amendment will (check one):

☐ Replace the existing approved plan(s) on file with DOGAMI and apply to the entirety of the site upon completion of this Amendment.

☐ Pertain only to the Amendment area and are in addition to the existing approved plan(s) on file with DOGAMI.

2c. Third Party Permits and Approvals

Do you know of any state, federal or local government permits or approvals that will be required for this mining operation? ☒ yes ☐ no

If yes: Please list any state, federal or local government permits or approvals and describe the status:

Umatilla County - Addition of Aggregate Resource Overlay - applied/pending

Oregon Department of Transportation Approach Permit - applied/pending

Oregon Department of Environmental Quality Air Permit - prior to processing, will be procured by crushing subcontractor for their portable crusher

*Note: DOGAMI can only issue an Operating Permit if all required state, federal, and local government approvals have been obtained, otherwise a Provisional Operating Permit will be issued. POP's are not applicable to Operating Permit Amendment applications.

2d. Permit Acreage and Boundaries

Specify the approximate total number of acres to be covered under the Operating Permit **46.7** acres

Does the proposed permitted acreage coincide with the area approved by the local land use jurisdiction? ☒ yes ☐ no

If no: Explain: **Permit area is fully located within the AR overlay proposal under review by Umatilla County.**

Have the boundaries of the proposed permit area been marked on the ground with temporary or permanent boundary markers? ☒ yes ☐ no

If yes: Describe boundary markers: **Boundary corners marked with pink stakes during permit boundary survey. Additional markers will be placed after approval of permit application and before site preparation for mining.**

What is the total number of acres to be affected by mining related activities in the 12 months following permit issuance (include excavation, processing, stockpiling and land clearing)? **12** acres

2e. Site Conditions

General Topography in the vicinity of the permit area (check all that apply):

☐ mountains ☒ hills/buttes ☐ valleys ☒ plains ☐ badlands
☐ floodplain ☐ other: _____ ☐ other: _____

Site Specific Topography (describe the topography within the permit area): **Site topography consists of a well-defined bluff up to 50 feet tall and running roughly east to west, which separates a flat upland in the southeast site from the gently sloped, lower property to the north.**

Current Land Use(s) for all tax lots or parcels within the permit area (check all that apply):

☒ range/open space ☐ forestry ☐ industrial ☐ wildlife/wetland ☐ recreation
☐ residential ☐ commercial ☐ agriculture ☐ other: _____ ☐ other: _____

Structures, Facilities & Surface Disturbances:

☒ none ☐ residential ☐ farm/ranch
☐ industrial/commercial ☐ roads ☐ overhead power lines or facilities
☐ underground utilities (e.g. electrical, fiber optic, water, sewer, etc.) ☐ oil/gas structures or pipelines ☐ other: _____

Additional Description (optional):

Vegetation (general description of the dominant grasses, forbs, shrubs and trees located within the permit area):

Site vegetation consists of dry-climate grasses with shrubs and isolated trees.

Listed sensitive, threatened or endangered fish and/or wildlife species (within the permit area and nearby water ways):

None are known; no critical habitat mapped in the site vicinity by USFWS, NMFS, and ODFW.

Surface Water Features within or near the permit area (includes features that may contain water at any time, including seasonal and stormwater runoff):

☐ none ☐ river _____ ☒ stream/creek **Cold Springs Wash** ☐ spring
☐ lake/pond ☐ irrigation ditch/canal ☒ ephemeral drainage ☒ wetlands*

***The DOGAMI Wetland Supplemental Form may be required to be submitted with this application package.**

2f. Surrounding Area Conditions

Land Use(s) within 1,500 feet of the permit area (check all that apply):

☒ range/open space ☐ forestry ☒ industrial ☒ wildlife/wetland ☐ recreation
☒ residential ☐ commercial ☒ agriculture ☐ other: _____ ☐ other: _____

Structures, Facilities & Surface Disturbances within 1,500 feet of the permit area (check all that apply):

☐ none	☒ residential	☐ farm
☒ industrial/commercial	☒ roads	☒ overhead power lines or facilities
☒ underground utilities (e.g. electrical, fiber optic, water, sewer, etc.)	☐ oil/gas structures or pipelines	☐ other: _____

What is the distance to the nearest structure not owned by the permittee? **~1,100** feet

Surface Water Features within 1,500 feet of the permit area (check all that apply):

☐ none	☐ river _____	☒ stream/creek **Cold Springs Wash**	☐ spring
☐ lake/pond	☐ irrigation ditch/canal	☒ ephemeral drainage	☒ wetlands*

***The DOGAMI Wetland Supplemental Form may be required to be submitted with this application package.**

Section 3: Proposed Operating Plan

3a. Development Plans & Equipment

What type of surface mine will be developed?

- ☐ single bench
- ☐ multiple bench
- ☒ sidehill cut
- ☐ hilltop removal
- ☐ open pit
- ☐ pond excavation
- ☐ other: _____
- ☐ other: _____

What is the primary commodity? (Select One)

- ☒ lava
- ☐ decomposed granite
- ☐ pumice
- ☐ topsoil
- ☐ borrow/fill
- ☐ diatomaceous earth
- ☐ sand and gravel
- ☐ bentonite
- ☐ cinder
- ☐ dredge tailings
- ☐ shale
- ☐ other: _____

What is the primary use? (Select One)

- ☐ asphalt aggregate
- ☐ concrete aggregate
- ☐ landscaping materials
- ☐ other: _____
- ☒ base rock aggregate
- ☐ construction fill
- ☐ rip rap

What is the general deposit type?

- ☒ bedrock
- ☐ river/floodplain (alluvial)*
- ☐ river channel terrace
- ☐ talus
- ☐ other: _____
- ☐ unknown

***The DOGAMI Floodplain Supplemental Form may be required to be submitted with this application package.**

Check all mining methods and on-site activities that apply:

- ☒ drilling and blasting
- ☒ ripping and loading
- ☒ crushing
- ☐ washing
- ☒ screening
- ☒ shovel/loader/scraper
- ☐ material recycling
- ☒ stockpiling
- ☐ other: _____
- ☐ other: _____

Equipment to be used for mining and processing includes (check all that apply):

- ☒ loaders
- ☒ dozers
- ☒ excavators
- ☒ trucks
- ☒ screeners
- ☒ crushers
- ☒ drilling equipment
- ☐ other: _____
- ☐ other: _____

Date to begin mining activities: **shortly after approval** Expected duration (in years): **20-40**

3b. Water Management

Indicate the proposed use(s) of water (check all that apply):

- ☐ wash plant
- ☐ asphalt plant
- ☐ concrete batch plant
- ☒ dust control
- ☐ crusher
- ☐ other: _____

Note: A DEQ permit will be required for process water generated and stored on site.

If applicable: Is the water source within 300 feet of the permit area? ☐ yes ☒ no

If yes: Identify the source of water to be used and show its location on a map:

- ☐ irrigation ditch
- ☐ pond
- ☐ pit
- ☐ groundwater well
- ☐ other: _____

Note: A water right may be required by the Oregon Water Resource Department.

Will water be stored on site? ☒ yes ☐ no

If yes: What will the water be stored in?

- ☐ detention/retention pond
- ☐ lined detention/retention pond
- ☒ water storage tank
- ☐ other: _____

What is the approximate depth that groundwater is first encountered? **~405 ft above mean sea level; ~10-15** feet below ground surface

What source or method was used to determine depth to groundwater? **max water level in nearby wetland areas**

Have monitoring wells been constructed on site or are monitoring wells proposed? ☐ yes ☒ no

If yes: A DOGAMI Groundwater Supplemental Form must be submitted with this application.

Will excavation operations be conducted below groundwater level?	☐ yes ☒ no
Will dewatering be conducted at this site?	☐ yes ☒ no
If yes: A DOGAMI Groundwater Supplemental Form must be submitted with this application and a DEQ Permit may be required.	
Has a DEQ water quality permit been obtained for the site?	
If yes: DEQ Permit #	

3c. Designated Setbacks

Will surface mining operations require crossing external property lines?	☐ yes ☒ no
What will be the minimum undisturbed property line setback for:	
Excavation operations: **25** feet wide	
Processing operations: **> 25** feet wide	
Stockpiling operations: **> 25** feet wide	
If proposing disturbances within the setbacks (such as visual berms or roads), explain: **Perimeter berms composed of stored topsoil will be located in the setback around the south and east extraction area.**	
Specify the minimum undisturbed setback(s) between mining operations and:	
Overhead utilities (poles or towers): _____ feet wide	
Underground utilities (e.g. electrical, fiber optic, water, sewer, etc.): _____ feet wide	
Right-of-Way/Easement Road: _____ feet wide	
Other: _____ _____ feet wide	
☒ not applicable (none of the above-listed items are present within the proposed permit area)	
Are setbacks shown on the attached map(s)?	☒ yes ☐ no
If no: Explain:	
Have setbacks been marked on the ground with permanent or temporary boundary markers?	☐ yes ☒ no
If no: Explain: **Markers will be placed after approval of permit application and before mining operations commence.**	

3d. Designated Buffers

Does a naturally vegetated area (buffer) exist along a river, stream or natural drainage?	☐ not applicable ☒ yes ☐ no
If no or not applicable, skip to 3e.	
What are the minimum undisturbed buffers for the following:	
River (Ordinary High Water Line): _____ feet wide	
Stream (Ordinary High Water Line): _____ feet wide	
Natural drainage: _____ feet wide	
Riparian Vegetation: **25** feet wide	
Have the undisturbed buffers been marked on the ground with permanent or temporary boundary markers?	☐ yes ☒ no
Have conservation/protection buffers been established?	☐ not applicable ☐ yes ☒ no
If yes: check all that apply:	
☐ unstable slopes ☐ wildlife habitat ☐ water quality ☐ other: _____	
Describe the nature and configuration of the conservation buffer(s):	
Wetland buffers are located outside of the permit boundary.	

3e. Visual Screening

Does a natural landform or vegetative screen currently exist?

Along the **permit** boundary ☒ yes ☐ no

Within the **permit** boundary ☒ yes ☐ no

Along the **property** boundary ☒ yes ☐ no

Within the **property** boundary ☒ yes ☐ no

If yes to any of the above: Describe: **The quarry will consist of a side-hill cut into a basalt bluff and will be accessed from the north. Viewers from the south and most of the east perimeter will not see the quarry. Additional visual screening will be provided by perimeter berms. The wetland/treed areas north and west of the permit area have trees and other vegetation and will remain to screen the site from the north and west.**

Will a berm be constructed along the permit boundaries to develop a visual screen? ☒ yes ☐ no

If yes: The average height of the constructed screen/berm will be **5** feet tall and **10-20** feet wide.

Will a vegetative screen be established along the permit boundaries to develop a visual screen? ☐ yes ☒ no

If yes: If planting trees, what is the estimated height at maturity? _____ feet tall

Please describe (include species and planting densities):

Will a fence be installed along the permit boundary for safety or visual screening? ☒ yes ☐ no

Will the screening/fencing/berm be maintained for the life of the surface mine? ☐ not applicable ☒ yes ☐ no

If no: Explain:

3f. Vegetation

Will vegetation be removed sequentially from areas to be mined to prevent unnecessary erosion? ☒ yes ☐ no

If no: Explain:

Will small trees and other transplantable vegetation be salvaged for use in revegetating other phases? ☐ yes ☒ no

Wood and other organic debris will be (check all that apply):

☐ recycled ☒ removed from site ☒ chipped ☒ burned ☐ buried

☐ piled and composted on site for growth medium or mulch ☐ other: _____ ☐ other: _____

Note: A DEQ permit is generally required for burial of debris and may be required for burning.

Will coarse wood (logs, stumps) and other large debris be salvaged for fish and wildlife habitat? ☐ not applicable ☐ yes ☒ no

3g. Soil and Overburden Salvage and Stabilization

Identify and characterize the type(s) of soil present within the site area per NRCS Web Soil Survey:

Soils mapped by NRCS within the proposed mine area consist of Quincy-Rock outcrop complex on the upland and Quincy loamy fine sand between the bluff and the wetland areas. The topsoil thickness described for these units (where topsoil is present) is reported to be 15 inches.

Will growth medium and overburden materials be salvaged? ☒ yes ☐ no

Explain: **Growth medium will be stripped incrementally ahead of mining and stored in perimeter berms and stockpiles. Overburden will be minimal - thin to absent over bedrock, and sand will be sold as a product.**

Will growth medium and overburden materials be segregated and stored separately during stripping operations? ☒ yes ☐ no

Explain proposed stripping, handling, and storage of growth medium and overburden materials: **Growth medium (e.g. topsoil) will be stripped using dozers and placed in nearby berms or loaded and hauled to designated piles for future reclamation of the site. Overburden sand will be sold as product. If any sand is not sold, it will be separately stockpiled near the source area and be incorporated into reclamation and spread as a subsoil prior to placing topsoil.**

For the areas to be stripped:

Thickness of growth medium averages **ranges 0 to 15 in.; average ~8 in.** ☒ inches ☐ feet

Thickness of overburden averages **minimal; sand will be sold as product** ☐ inches ☐ feet

Depth to bedrock is approximately **ranges 0 to 24 in.** ☒ inches ☐ feet (below ground surface).

Total volume of growth medium available within the permit area is **~40,000** cubic yards.

Total volume of stored growth medium is **none currently** cubic yards and will require **2-3** acres for storage.

Total volume of stored overburden is **none currently** cubic yards and will require **minimal** acres for storage.

Will growth medium and overburden materials be moved directly to mined out portions of the site for concurrent reclamation? ☐ yes ☒ no

Will the storage areas be cleared of all vegetation and organic matter prior to stockpiling? ☐ yes ☒ no

If no: Explain: **Brush will be removed prior to soil stockpiling, but grasses will remain along with in-place topsoil. Storage areas are flat to gently sloped and do not present a stability issue for stockpiling.**

Will subsurface drainage for the storage area be established prior to material placement? ☐ yes ☒ no

Explain: **Subsurface drainage improvements are not needed for soil storage areas. They are sandy and flat to gently sloped.**

Will growth medium and overburden materials be stabilized with vegetation to prevent water and wind erosion if stored for more than one season? ☒ yes ☐ no

If no: Explain:

Are the storage areas delineated on the attached map(s)? ☒ yes ☐ no

3h. Surface Mine Excavations

What is the total number of acres to be affected by mining related activities (include excavation, processing, stockpiling and land clearing)? **~45** acres

What is the maximum vertical depth to be mined below the existing topographic grade? **80** feet

What will be the lowest elevation of the excavated mine relative to mean sea level? **420** feet

What will be the highest elevation of the excavated mine relative to mean sea level? **500** feet

Will benches be developed as mining operations advance? ☒ yes ☐ no

If yes: The average dimensions of the benches will be approximately:

30-40 foot vertical faces separated by **45-60** foot horizontal benches resulting in an interim sloping configuration of **1.5**H: **1**V (e.g. 1½H:1V, 2H:1V)

If no: The interim sloping configuration of the excavation slopes will be: _____H: _____V (e.g. 1½H:1V, 2H:1V).

Will excavation operations result in the creation of ponds/water-filled excavation areas? ☐ yes ☒ no

If yes: The interim sloping configuration of the in-water slopes will be _____H: _____V (e.g. 3H:1V).

Will oversize be generated on site? ☐ yes ☒ no

If yes: Specify the location for storage:

Will any waste products such as tailings or crusher fines be generated during mining? ☐ yes ☒ no

If yes: Specify the location for storage:

Are the storage/stockpile areas delineated on the attached map(s)? ☒ yes ☐ no

3i. Best Management Practices and Stormwater Controls

Will all stormwater runoff be contained on site? ☒ yes ☐ no

If no: A DEQ (NPDES)Permit may be required.

Methods to control erosion and minimize sedimentation within the permit area include (check all that apply):

☒ minimize the areas stripped	☒ divert natural runoff around the site	☒ graveled roads and working areas
☒ internal sloping	☒ conveyance ditches	☒ rock check dams
☐ water bars	☒ settling/infiltration ponds	☐ retention berms
☒ seeding and mulching	☐ other: _____	☐ other: _____

Section 4: Reclamation Plan

4a. Post-Mining Land Use

Subsequent Land Use(s) of the permit area (check all that apply):

☒ range/open space ☐ forestry ☐ industrial ☐ wildlife/wetland ☐ recreation
☐ residential ☐ commercial ☐ agriculture ☐ other: _____ ☐ other: _____

If more than one post-mining land use is selected provide a map delineating where each use is applicable.

What will be the average elevation of the reclaimed mine floor relative to mean sea level? 420 feet

Is the proposed post-mining land use compatible with the existing local land use jurisdiction? ☒ yes ☐ no

If no: Explain:

Is the final local land use approval for surface mining attached? ☐ yes ☒ no

If no: Explain: **Approval of AR overlay in process with Umatilla County.**

4b. Reclamation Schedule

Will reclamation activities be conducted concurrently with mining? ☒ yes ☐ no

If no: How many days after mining is completed will reclamation operations begin?

If yes: Has the permit area been divided into cells/phases for sequential mining? ☐ yes ☒ no

4c. Final Excavation Slopes

Will final excavation slopes be constructed using the benching method? ☒ yes ☐ no

If yes: The average dimensions of the final benches will be approximately 30-40 foot vertical faces separated by 45-60 foot horizontal benches resulting in an interim sloping configuration of 1.5H: 1V (e.g. 1½H:1V, 2H:1V).

Will final slopes be constructed via a continuous slope? ☐ yes ☒ no

If yes: The completion of Section 4d is required.

Will reclamation blasting be used to reduce the entire highwall to a scree or rubble slope less than 2H:1V? ☐ yes ☒ no

If yes: Will access to benches be maintained for reclamation blasting? ☐ yes ☐ no

Will selective blasting will be used to remove benches and walls and to create chutes, buttresses, spurs, scree slopes, and rough cliff faces that appear natural or blend in with surrounding topography? ☒ yes ☐ no

Will final excavation slopes be steeper than 1½H:1V? ☐ yes ☒ no

If yes: The DOGAMI Slope Stability Supplemental Form must be submitted with this application.

Will small portions of benches or vertical faces be left to provide habitat for raptors and other cliff-dwelling birds? ☒ yes ☐ no

Will the final excavation slopes vary in steepness? ☒ yes ☐ no

If yes: Explain: **Final slopes will be benched and blend with adjacent slopes.**

Are cross-sections of the final excavation slopes attached? (may be required) ☒ yes ☐ no

Will measures be taken to limit access to the top and bottom of hazardous slopes? ☒ yes ☐ no

Explain: **Berms will be maintained at the top of the slope during mining. Fencing will be installed above the highwall where berms are removed following reclamation.**

4d. Final Fill Slopes

Will above-water final fill slopes be constructed on site? ☐ yes ☒ no

If no: Skip to 4e.

Will final fill slopes be steeper than 2H:1V or exceed 100 lineal feet in length? ☐ yes ☐ no

What will be the final sloping configuration of fill slopes? _____H: _____V (e.g. 2H:1V)

If yes: The DOGAMI Slope Stability Supplemental Form must be submitted with this application.

Will the final fill slopes vary in steepness? **If yes:** Explain:	☐ yes ☐ no
Will fill slopes have a sinuous appearance in both profile and plan view? **If no:** Explain:	☐ yes ☐ no
Will the final grouser tracks of equipment be preserved and oriented to trap moisture, growth medium, and seeds, to encourage seed germination and inhibit erosion (track walking)?	☐ yes ☐ no

4e. Working Floors	
Will flat working areas be formed into gently rolling hills to blend in with the surrounding area? **If yes:** Give details:	☐ yes ☒ no
Will the working floor be gently graded into sinuous drainage channels to preclude sheet-wash erosion during heavy rain events? **If yes:** Give details: **The final quarry floor will be gently sloped to direct stormwater to the north ditch en route to the infiltration area.**	☒ yes ☐ no
Will the working floor and other compacted areas be, plowed, ripped, or blasted to decompact the upper surface prior to spreading growth mediums to foster revegetation? Explain (If yes, include depth of decompaction): **After the mine excavation is constructed to final grade, the floor and flattened portions of benches will be ripped 3 to 6 inches, then both will be capped with growth medium and revegetated.**	☒ yes ☐ no

4f. Imported Fill	
Will imported materials be necessary to complete reclamation? **If no:** Skip to 4g. **If yes:** Give volumes needed to meet reclamation plan: _____	☐ yes ☒ no
Are the locations for fill stockpiling and permanent placement shown on the map(s)?	☐ yes ☐ no
How will the quality of imported fill be monitored to ensure it meets DEQ clean fill standards? _____	
Will the backfill materials be mixed or screened to ensure uniformity for compaction and stability?	☐ yes ☐ no

4g. Backfilling Operations	
Will an excavation area be located below natural grade requiring backfilling? **If no:** Skip to 4h	☐ yes ☒ no
What will be the total depth of backfilled materials? _____ feet.	
Will backfilling be conducted in lifts? **If yes:** Specify the average depth of the lifts: _____ feet.	☐ yes ☐ no
Will the backfilled slopes be compacted? Explain:	☐ yes ☐ no
Will compaction testing be conducted under supervision/direction of an Oregon Certified Engineering Geologist or Geotechnical Engineer to determine the compaction percentage? (may be required subject to post-mining land use)	☐ yes ☐ no
Will backfilling be completed utilizing on site overburden materials? **If yes:** Explain:	☐ yes ☐ no
Will you be backfilling into water? **If no:** Skip to 4h	☐ yes ☐ no
Will dewatering be necessary for the backfilling operations? **If yes: A DOGAMI Groundwater Supplemental Form is required to be submitted with this application and a DEQ NPDES Permit may be required.**	☐ yes ☐ no

Will backfilling be limited to the dry season or otherwise conducted under dry conditions? ☐ yes ☐ no
If no: A DOGAMI Slope Stability Supplemental Form may be required.

Will the excavation pit/pond be *entirely* backfilled to natural ground surface elevation? ☐ yes ☐ no
If no: The completion of Section 4h is required for in-water sloping configurations.

4h. Ponds and Wetlands

Will stormwater controls or excavation operations intersect the groundwater table resulting in the creation of ponds and/or wetlands? ☐ yes ☒ no
If no: Go to Section 4i.

Specify the construction method and dimensions for each settling/infiltration pond to remain on site:
Pond #1 will be approximately _____ acres in size and approximately _____ feet deep and constructed via:
☐ excavation ☐ retention berms ☐ combination of both
Pond #2 will be approximately _____ acres in size and approximately _____ feet deep and constructed via:
☐ excavation ☐ retention berms ☐ combination of both

All in-water sloping configurations will be constructed at _____ H: _____ V or flatter to a minimum depth of _____ feet below the low-water level of the ponds(s).
Per OAR 632-030-0027(5), all in-water sloping configurations must be established at 3H:1V or flatter from the ordinary high-water level to six feet below the ordinary low-water level for permanent water impoundments.

If not already present, will soils, silts, and clay-bearing materials be placed below water level to enhance revegetation for fish and wildlife habitat? ☐ yes ☐ no
If yes: Give details:

Will wetlands be constructed on site? ☐ yes ☐ no
If yes: Give details:

Will wildlife and fish habitat/enhancements be developed? ☐ yes ☐ no
If yes: Check all that apply:
☐ varied water depths ☐ islands ☐ peninsulas ☐ fish structures
☐ shallow areas (<18 inches deep) ☐ sinuous/irregular shorelines ☐ other: _____ ☐ other: _____
What species are the habitat/enhancements intended to benefit?

Will final pond(s) be utilized for agriculture, forestry or supply water (impoundment)? ☐ yes ☐ no
If no: Skip to 4i.

Has approval from other agencies with jurisdiction to regulate impoundment of water been obtained? ☐ yes ☐ no
If yes: Attach written approval.

What measures will be taken to prevent seepage from the site from adversely affecting the stability of impoundments and adjacent slopes? (check all that apply):
☐ monitoring ☐ relief drains ☐ weep holes
☐ compaction ☐ grouting ☐ installing upstream blanket
☐ none
Give details:
What measures have been taken to design impoundments to resist seismic hazards?

4i. Growth Medium Replacement

Will the importation of growth medium be required to complete reclamation? ☐ yes ☒ no
Explain (if yes, describe source):

Will growth medium materials be replaced on all above-water slopes and/or benches?	☐ yes ☒ no
If no: Explain: **Near-vertical portions of benches will remain, which will provide wildlife (e.g. raptor) habitat similar to the bluffs and cliffs located in the surrounding vicinity.**	
Will growth medium be distributed evenly over the site?	☒ yes ☐ no
If no: Specify: **Except on near-vertical bench slopes**	
Soil will be replaced on the mine floor to an approximate depth of 8 ☒ inches ☐ feet Soil will be replaced on established benches to an approximate depth of 8 ☒ inches ☐ feet	
If growth medium is in short supply, will it be strategically placed to conserve moisture and promote revegetation?	☒ yes ☐ no
If no: Explain:	
Will growth medium be moved when conditions are exceptionally wet or dry?	☐ not applicable ☐ yes ☒ no
If yes: Explain:	
If applicable: will clay/silt from settling ponds be used to supplement the growth medium materials?	☐ yes ☒ no
Will any additional materials be utilized as a growth medium substitute to complete revegetation (e.g. reject fines)?	☐ not applicable ☒ yes ☐ no
If yes: Explain: **If excess sand remains at completion of mining, it will be incorporated as a subsoil/additional growth medium for revegetation.**	
Will all growth medium be replaced with equipment that will minimize compaction, or will growth medium be plowed, disced, or ripped following placement?	☒ yes ☐ no
If no: Explain:	
Will all replaced growth medium be stabilized in a timely manner with vegetation and/or mulch to prevent loss by erosion, slumping, or crusting?	☒ yes ☐ no
If no: Explain:	

4j. Revegetation

The average precipitation on site is 10 inches per year.	
Will the site be revegetated?	☒ yes ☐ no
If no: The site will not be revegetated because: ☐ Demonstration plots and areas will be used to show that active revegetation is not necessary. ☐ Revegetation is inappropriate for the approved subsequent use of this surface mine.	
Will revegetation activities start during the first proper growing season (e.g. fall for grasses, fall or late winter for trees and shrubs) following restoration of slopes?	☒ yes ☐ no
If yes: Give details: **Grass seed will be broadcast at 40 pounds per acre over replaced topsoil.** **If no:** Explain:	
Will vegetation test plots be used to determine optimum vegetation plans?	☐ yes ☒ no

4k. Planting and/or Seeding Techniques and Specifications

Describe the method and time of year for planting and/or seeding: **Seed will be broadcast by hand over replaced topsoil in the fall.**

Give seeding details (lbs/acre of grass, legume, or forb mixture): **Grass seed will be broadcast at 40 pounds per acre.**

Give planting details (stems/acre of trees and shrubs, size and type of plant stock): **n/a**

Additional planting/seeding techniques include:

☒ ripping, discing and/or tilling	☐ blasting to create permeability	☐ mulching
☐ irrigation	☐ fertilization	☐ planting dormant trees and shrubs
☐ importation of clay or organic-rich growth medium	☐ other growth medium conditioners or amendments	☒ seeds to be protected with growth medium or mulch
☐ other: _____		

Describe the noxious weed and invasive plant control measures: **Should noxious or invasive species propagate on site, they will be removed mechanically or by herbicide.**

4l. Drainage and Stormwater Controls			
Will the reclaimed surface mine site be internally drained?		☒ yes	☐ no
Will natural runoff be directed to a natural drainage or safe outlet upon completion of reclamation?	☐ not applicable	☒ yes	☐ no
If applicable: Explain: **The final quarry floor will be gently sloped to direct stormwater to the north ditch en route to the infiltration pond, where it will infiltrate.**			
Will the construction of ditches and channels be necessary to limit erosion and siltation?		☒ yes	☐ no
If applicable: Explain: **A perimeter ditch will be constructed along the north side of the operation to capture stormwater and route to the infiltration pond. Check dams will be placed along the ditch as needed to reduce flow velocity and ditch erosion.**			
Will conveyance ditches and channels be lined with vegetation or riprap?	☐ not applicable	☒ yes	☐ no
If applicable: Explain: **The ditch will be lined with ripap as needed.**			
Will it be necessary to stabilize or rehabilitate stream channels or banks?		☐ yes	☒ no
If yes: Give details:			

4m. Site Cleanup		
Will all mining-related equipment be removed from the site?	☒ yes	☐ no
If no: Explain:		
Will all structures and buildings be removed from the site?	☒ yes	☐ no
If no: Explain:		
Will all visual and/or retention berms be removed from the site?	☒ yes	☐ no
If no: Explain:		
Will all debris, refuse, and/or hazardous material be removed from the site?	☒ yes	☐ no
If no: Explain:		
Will all stockpiles be sold, graded, and or removed from the site?	☒ yes	☐ no
If no: Explain:		
Will all oversize be sold, reduced, or removed from the site?	☒ yes	☐ no
If no: Explain:		

Signature Page

APPLICANT

I am applying for an Operating Permit under ORS 517.790. My signature below attests that the information provided in this application is accurate and true to the best of my knowledge. Any misrepresentation in these materials will be considered grounds for denial for an Operating Permit.

Doug Cox, CRP & Hauling, LLC
Applicant's Printed Name

Applicant's Signature

Owner
Title

7/17/2023
Date

PREPARED BY

I prepared this application for the applicant above. My signature below attests that the information provided in this application is accurate and true to the best of my knowledge. Any misrepresentation in these materials will be considered grounds for denial for an Operating Permit.

Erick Staley, Fulcrum GeoResources LLC
Preparer's Printed Name

Preparer's Signature

Principal Geologist
Title

7/17/2023
Date

LANDOWNER(S)

I have read, understand, and acknowledge receipt of all information provided in this application. By signing this form, I am granting consent to the mining activities as outlined in this application on my property.

Randy Rupp
Landowner (1) Printed Name

Landowner (1) Signature

Owner
Title

7/17/2023
Date

Landowner (2) Printed Name

Landowner (2) Signature

Title

Date

MINERAL ESTATE OWNER(S)

I have read, understand, and acknowledge receipt of all information provided in this application. By signing this form, I am granting consent to the mining activities as outlined in this application on my property.

Randy Rupp
Mineral Estate Owner (1) Printed Name

Mineral Estate Owner (1) Signature

Owner
Title

7/17/2023
Date

Mineral Estate Owner (2) Printed Name

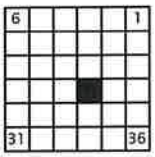
Mineral Estate Owner (2) Signature

Title

Date

Attach additional signature pages as necessary

T 5 N



R 29 E

EASTERN OREGON

SITE COORDINATES:

LATITUDE: **45° 54' 7.5" N**

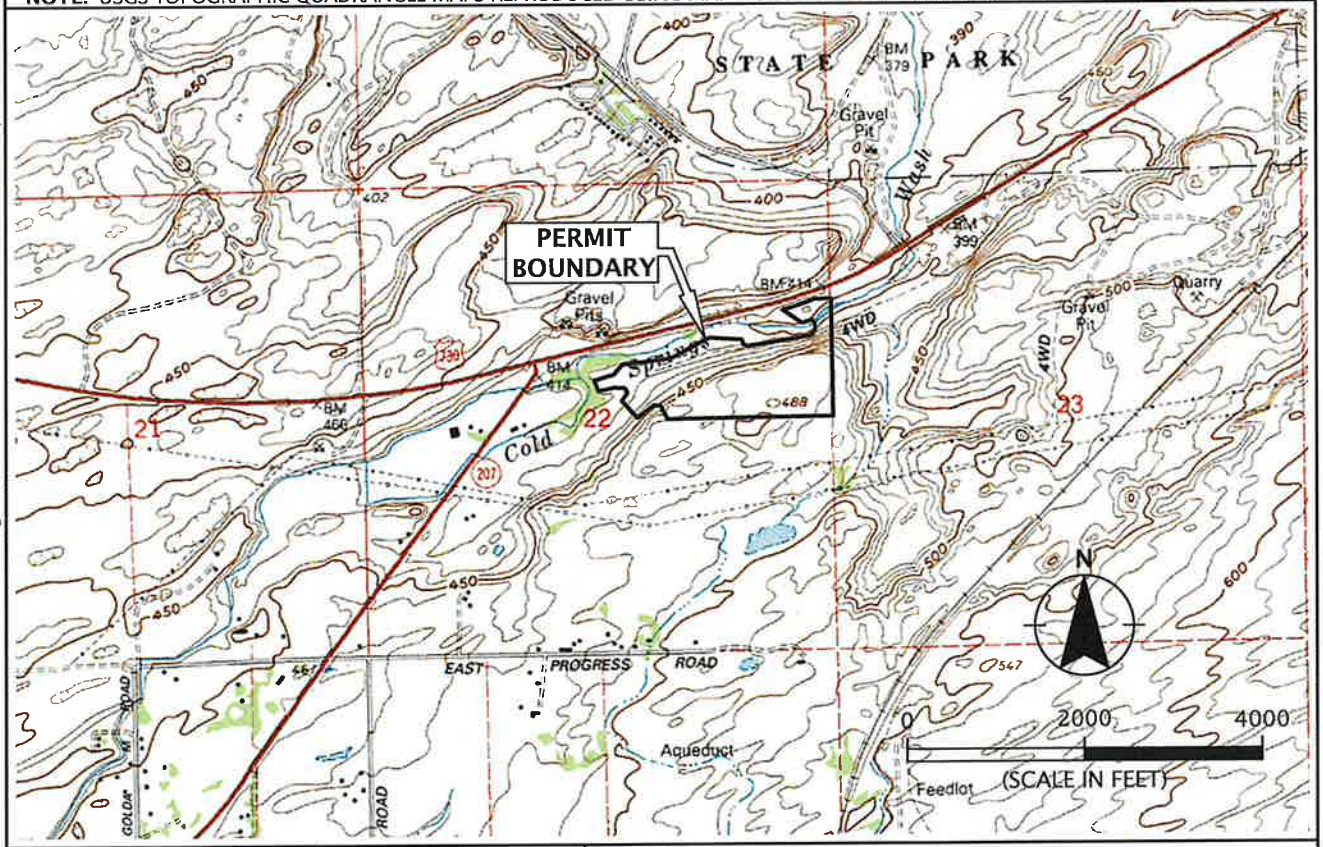
LONGITUDE: **119° 10' 1.2" W**

LEGAL DESCRIPTION

THE PERMIT BOUNDARY IS LOCATED IN PORTIONS OF THE FOLLOWING QUARTER-QUARTER SECTIONS:

- SE QUARTER OF THE NE QUARTER OF SECTION 22
- SW QUARTER OF THE NE QUARTER OF SECTION 22

NOTE: USGS TOPOGRAPHIC QUADRANGLE MAPS REPRODUCED USING MAPTECH TERRAIN NAVIGATOR PRO®.



FULCRUM GEO RESOURCES	CRP & HAULING, LLC	**VICINITY MAP**	
	PROJECT 007.01.01 JULY 2023	UMATILLA COUNTY, OR SECTION 22, TOWNSHIP 5N, RANGE 29E, W.M.	**FIGURE 1**

Printed By: mmiller | Print Date: 7/11/2023 5:08:35 PM
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Printed By: mmiller | Print Date: 7/11/2023 5:10:19 PM
File Name: J:\E-L\FulcrumGeo\FulcrumGeo-1\FulcrumGeo-1-01\Figures\FulcrumGeo 007.01.01\CAD\007.01.01-EX-RS-FL01.dwg | Layout: FIGURE 2

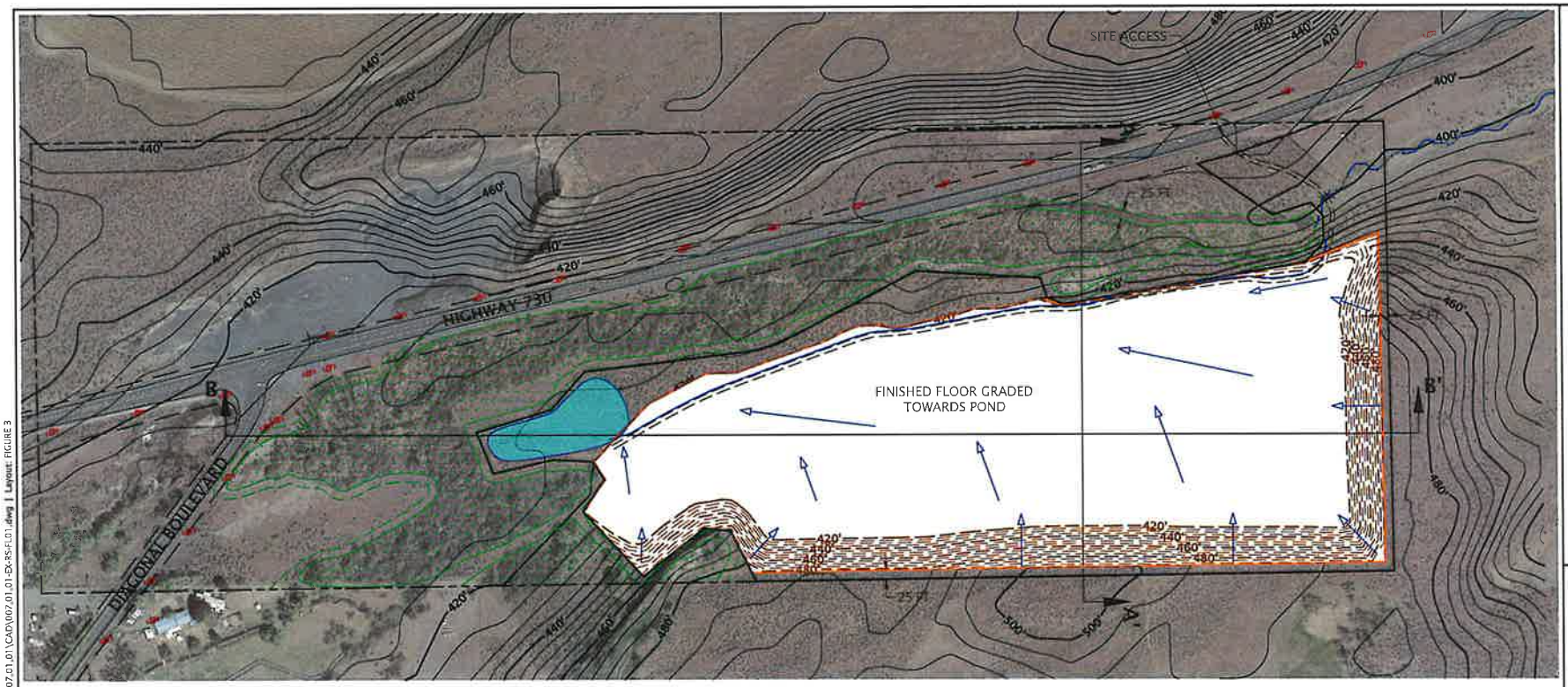
LEGEND:

- PROPERTY BOUNDARY
- PERMIT BOUNDARY (46.7 ACRES)
- EASEMENT
- LIMITS OF EXTRACTION (38.0 ACRES)
- OPERATIONS, PROCESSING, AND STOCKPILING AREA
- EXISTING TOPOGRAPHY (5-FOOT INTERVALS; 20-FOOT INDEX CONTOURS)
- WETLAND
- 25-FOOT WETLAND BUFFER
- ARTIFICIAL DRAINAGE PATH
- EXISTING DRAINAGE PATTERNS
- OVERHEAD POWER POLE
- PROPOSED AND EXISTING SITE ACCESS ROAD
- PROPOSED STORMWATER DIVERSION DITCH
- PROPOSED CULVERT
- PROPOSED STORMWATER POND
- PROPOSED TOPSOIL STOCKPILE AREAS
- CROSS SECTION

NOTES:

1. PROPERTY BOUNDARY AND EASEMENTS BASED ON SURVEY DATED AUGUST 4, 2022, PREPARED BY SURVEY ONE, LLC.
2. EXISTING TOPOGRAPHY OBTAINED FROM GOOGLE EARTH PRO.
3. AERIAL PHOTOGRAPH DATED APRIL 14, 2021; OBTAINED FROM GOOGLE EARTH PRO.
4. WETLAND AREAS CREATED FROM NWI MAPS, OREGON DEPARTMENT OF STATE LAND WETLAND DETERMINATION REPORT WD#2022-0606, AND GOOGLE EARTH AERIAL PHOTO DATED APRIL 14, 2021.

FULCRUM GEO RESOURCES LLC	CRP & HAULING, LLC	SITE PLAN - EXISTING TOPOGRAPHY WITH AERIAL	
	PROJECT 007.01.01 JULY 2023	UMATILLA COUNTY, OR SECTION 22, TOWNSHIP 5N, RANGE 29E, W.M.	FIGURE 2



LEGEND:

- PROPERTY BOUNDARY
- PERMIT BOUNDARY (46.7 ACRES)
- EASEMENT
- LIMITS OF EXCAVATION (38.0 ACRES)
- 420' FINAL TOPOGRAPHY (5-FOOT INTERVALS; 20-FOOT INDEX CONTOURS)
- 400' EXISTING TOPOGRAPHY (5-FOOT INTERVALS; 20-FOOT INDEX CONTOURS)
- WETLAND
- 25-FOOT WETLAND BUFFER
- FINAL DRAINAGE PATTERNS
- OVERHEAD POWER POLE
- ARTIFICIAL DRAINAGE PATH
- SITE ACCESS ROAD
- STORMWATER DIVERSION DITCH
- CULVERT
- STORMWATER POND
- A A' CROSS SECTION

N

0 300 600

(SCALE IN FEET)

NOTES:

1. PROPERTY BOUNDARY AND EASEMENTS BASED ON SURVEY DATED AUGUST 4, 2022, PREPARED BY SURVEY ONE, LLC.
2. EXISTING TOPOGRAPHY OBTAINED FROM GOOGLE EARTH PRO.
3. AERIAL PHOTOGRAPH DATED APRIL 14, 2021, OBTAINED FROM GOOGLE EARTH PRO.
4. WETLAND AREAS CREATED FROM NWI MAPS, OREGON DEPARTMENT OF STATE LAND WETLAND DETERMINATION REPORT WD#2022-0606, AND GOOGLE EARTH AERIAL PHOTO DATED APRIL 14, 2021.

RECLAMATION PLAN - FINAL TOPOGRAPHY WITH AERIAL

UMATILLA COUNTY, OR
SECTION 22, TOWNSHIP 5N, RANGE 29E, W.M.

FIGURE 3

CRP & HAULING, LLC

PROJECT 007.01.01
JULY 2023

FULCRUM GEO RESOURCES LLC

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File Name: J:\EA\FulcrumGeo\FulcrumGeo-1\01\Figures\FulcrumGeo 007.01.01\CAD\007.01.01-EX-RS-FL01.dwg | Layout: FIGURE 3

Printed By: mmiller | Print Date: 7/11/2023 5:11:17 PM
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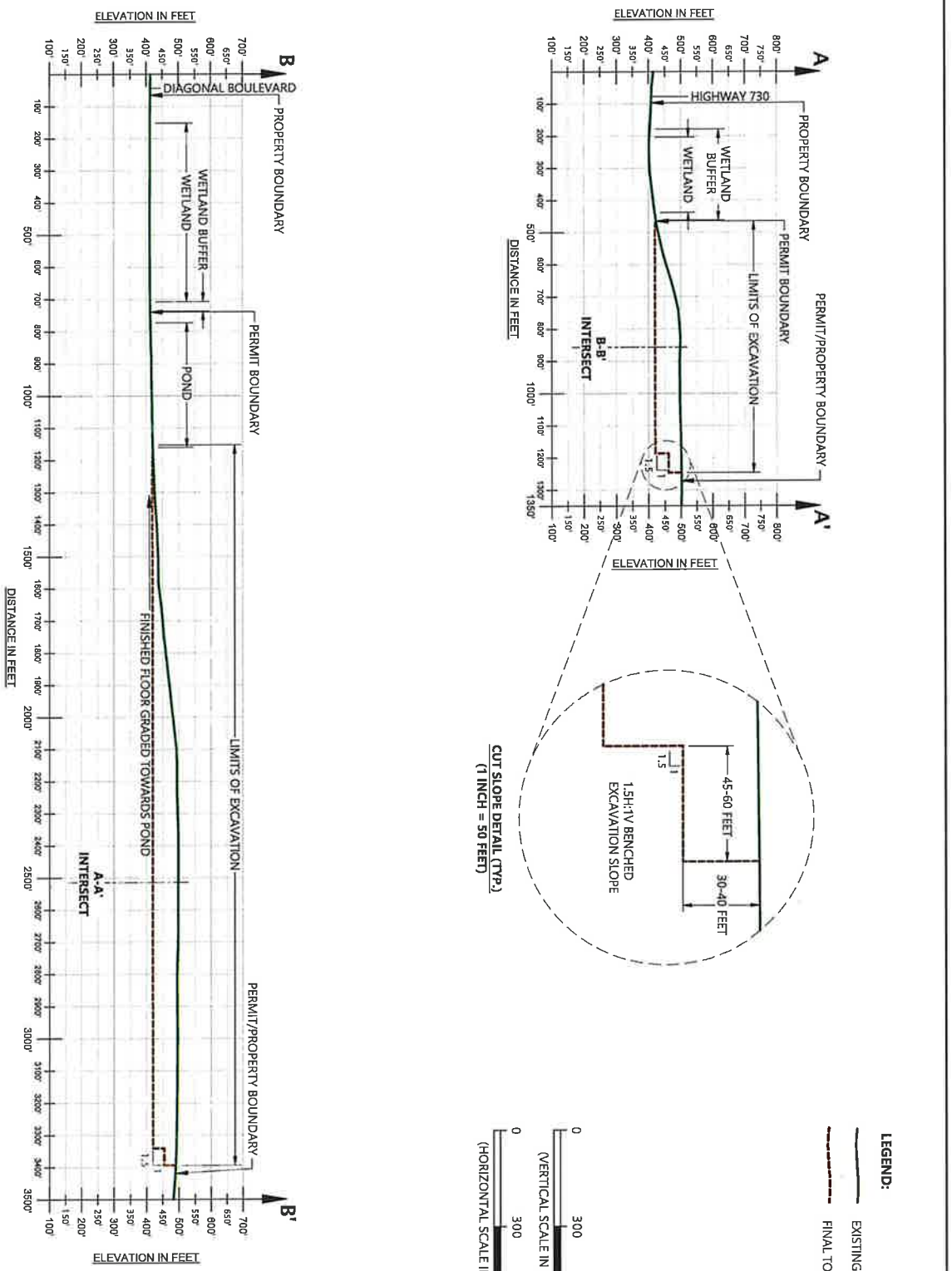

FULCRUM GEO RESOURCES LLC	CRP & HAULING, LLC	**CROSS SECTIONS A-A' AND B-B'**
	PROJECT 005.01.01 JULY 2023	UMATILLA COUNTY, OR SECTION 22, TOWNSHIP 5N, RANGE 29E, W.M.
		FIGURE 4

UMATILLA COUNTY
est. 1862

Megan Davchevski <megan.davchevski@umatillacounty.gov>

Comprehensive Plan Text Amendment #T-093-23, and Zone Map Amendment#Z-323-23: Doug Cox(applicant) / Randy Rupp(owner).

1 message

barbara Atwood MD <barbaraatwoodmd@gmail.com> Wed, Nov 8, 2023 at 10:22 PM
To: planning@umatillacounty.gov

To Whom It May Concern,

I plan to attend the hearing Nov. 9th at 6:30 PM.

Sincerely,
Barbara Atwood M.D.

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BarbaraAtwood-letter.PDF
62K

Exhibit K

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NOV 09 2023

UMATILLA COUNTY
PLANNING DEPARTMENT

Barbara Atwood

Atwood Farms

33679 East Progress Rd.

Hermiston, OR 97838

11/8/23

RE: Comprehensive Plan Text Amendment #T-093-23, and Zone Map Amendment#Z-323-23: Doug Cox(applicant) / Randy Rupp(owner).

Umatilla County Planning Commission

216 SE 4th St.

Pendleton, OR 97801

Dear Commissioners,

The proposed aggregate site is near my Farm and Home. I have several concerns about plans to develop a new quarry site and produce Asphalt at the proposed location. We already have two quarries in this area which are dusty, noisy, and unsightly. I am also concerned about the health risks.

1. **Health Concerns.** The dust and smell of asphalt production are known to irritate lungs and cause asthma symptoms in Humans and Livestock.
   OSHA states that, "Health effects from exposure to asphalt fumes include headache, skin rash, sensitization, fatigue, reduced appetite, throat and eye irritation, cough, and skin cancer." https://www.osha.gov/asphalt-fumes.
2. **Noise Exposure Levels.** Rock crushing and blasting produces a significant amount of noise at the quarry 3 miles east of my home and the quarry at the junction of Highway 207 and 730. The quarry east of my place works at all hours of the night and the noise is very annoying. The planning Commission packet states that the quarry will only function from 6 am to 3 pm. I find this doubtful since the other quarries worked around the clock for selected time periods.
3. **Natural Habitat.** Quarries are universally unsightly but I am more worried about the effect of the quarry on the natural habitat which will adversely affect wildlife, natural vegetation, natural creeks, and waterfalls. With the copious dust, noise, pollution, etc, the wildlife in the marsh at the west end of the property will not survive. Has an Environmental Study been done?

4. **Water Sources.** The property near the proposed re-zoning for the Quarry is designated a "Critical Water Shed area." I am very worried that the rock blasting and pollution from the Quarry and Asphalt production will damage our fragile water sources. I fear that the blasting will cause fissures in our Aquaphor and that the surface ground water sources(creeks) will be damaged or altered. Loss of water would be devastating to my farm and income. Has there been a study on the effect of this project on Surface and Ground Water?
5. **Land Value.** Adding an additional Quarry to this area will undoubtably lower our land value. This would be a significant financial impact to all of the surrounding home and farm owners.

Please take these concerns seriously. Once the damage is done, it will be too late.

Sincerely,

Barbara Atwood MD

UMATILLA COUNTY

Megan Davchevski <megan.davchevski@umatillacounty.gov>

Comprehensive Plan Text Amendment #T-093-23, and Zone Map Amendment#Z-323-23: Doug Cox(applicant) / Randy Rupp(owner).

1 message

Crystal Atwood <atwoodvr1@gmail.com> Wed, Nov 8, 2023 at 10:25 PM
To: planning@umatillacounty.gov

To Whom It May Concern,

I will be unable to attend but sincerely hope the committee takes my concerns into account.

Best regards,
Crystal Atwood

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PLANNING DEPARTMENT

CrystalAtwood-letter.PDF
83K

Exhibit L

Crystal Atwood

Atwood Farms

33679 East Progress Rd.

Hermiston, OR 97838

11/8/23

RE: Comprehensive Plan Text Amendment #T-093-23, and Zone Map Amendment#Z-323-23: Doug Cox(applicant) / Randy Rupp(owner).

Umatilla County Planning Commission

216 SE 4th St.

Pendleton, OR 97801

Dear Commissioners,

The proposed aggregate site is near my Farm and Home. I have several concerns about plans to develop a new quarry site and produce Asphalt at the proposed location. We already have two quarries in this area which are dusty, noisy, and unsightly. I am also concerned about the health risks.

1. **Health Concerns.** The dust and smell of asphalt production are known to irritate lungs and cause asthma symptoms in Humans and **Livestock**.
   OSHA states that, "Health effects from exposure to asphalt fumes include headache, skin rash, sensitization, fatigue, reduced appetite, throat and eye irritation, cough, and skin cancer."
   https://www.osha.gov/asphalt-fumes.
2. **Noise Exposure Levels.** Rock crushing and blasting produces a significant amount of noise at the quarry 1.5 miles east of my home and the quarry at the junction of Highway 207 and 730. The quarry east of my place works at all hours of the night and the noise impacts the peaceful beauty of this area. It negatively impacts sleep. The planning Commission packet states that the quarry will only function from 6 am to 3 pm. I find this doubtful since the other quarries worked around the clock for selected time periods.
3. **Natural Habitat.** Quarries are universally unsightly but I am more worried about the effect of the quarry on the natural habitat which will adversely affect wildlife, natural vegetation, natural creeks, and waterfalls. With the copious dust, noise, pollution, etc, the wildlife in the marsh at the west end of the property will not survive. Has an Environmental Study been

done? Has an endangered or threatened species survey been performed? The Pacific Northwest Wetlands are known breeding grounds to threatened species such as the **Columbia Spotted Frog.**

4. **Water Sources.** The property near the proposed re-zoning for the Quarry is designated as "Critical Water Shed area." I am very worried that the rock blasting and pollution from the Quarry and Asphalt production will damage our fragile water sources. I fear that the blasting will cause fissures in our Aquaphor and that the surface ground water sources(creeks) will be damaged or altered. Loss of water would be devastating to my farm and income. Has there been a study on the effect of this project on Surface and Groundwater?
5. **Land Value.** Adding an additional Quarry to this area will undoubtedly lower our land value. This would be a significant financial impact to all of the surrounding home and farm owners.
6. **Loss of Agriculture only land.** Oregon prides itself on protecting agricultural land by zoning it as EFU this is meant to prevent the use of the land for anything else. By continuing to rezone EFU land to AR we are setting a precedent that EFU is not really enough to protect our farmlands. Quarries use up the land resource whereas EFU land is a renewable resource.

We have so far tolerated the current quarries in our area. However, I hope that the Umatilla County Planning Commission will take these concerns seriously, and reject the proposed rezoning. Once the damage is done, it will be too late.

Sincerely,

Crystal Atwood

UMATILLA COUNTY
est. 1862

Megan Davchevski <megan.davchevski@umatillacounty.gov>

Planning commission public hearing comments

Kyla Langley Latham <kylasports@gmail.com> Thu, Nov 9, 2023 at 12:54 PM
To: planning@umatillacounty.gov

To whom it may concern,

I do not support the rezoning of the land, described on the map from Doug Cox and Randy Rupp, along highway 730. The map shows the extension of their gravel site encroaches on my families farm ground and desert ground. If the rezoning was to occur it would obstruct the farm ground on my families property and would cause the farmer to lose farmable acreage of his crop.

Thank you,
Kyla Langley Latham

Exhibit N

Cox Quarry Statement

Wylie Ranch

Aaron Basford

Good evening everyone, thank you for being here

My name is Cody Basford I am speaking on behalf of the Wylie Ranch owned and operated by my father Aaron Basford.

To start tonight off with why we are against this motion to rezone this property, in the spring of 2023 we caught an employee of Sineco construction employed by Doug cox tearing down a property line fence. We never received any sort of communication from either Randy Rupp or Doug cox stating they would like to adjust the property lines. These fences had been in place for over 60 years. They did have it surveyed, they just failed to communicate that to my father. We run a cattle operation and fences are extremely important in our line of business. After another two weeks with no communication Doug made contact and came out to our property to go over what they were trying to accomplish. We agreed to moving the fences to the correct property lines and he promised to build a new fence above and below the cliff line. To this date November 9th no fence has been built below the cliff line. No information about a rock quarry and asphalt batch plant was ever mentioned by Doug Cox in the first meeting. After a few weeks of the fence project last spring my dad finally asked Doug what exactly was he up to? Doug then came out and said they wanted to make a rock quarry. Since that time no communication has been made about any of this until we got our notice in the mail in October last month.

We have several concerns in the new request to make a rock quarry.

How will they keep blasting rock and debris from flying over our property line and affecting our cattle and hay operation?

Has an environmental study been done to see the effects a rock quarry will have on all the wildlife that reside in the wetlands? Ducks, beavers, fish, quail, rabbits, deer, all reside in that wetland area.

Will fuel and oil for equipment and the batch plant be stored onsite? Next to a wetland?

Where and how will they supply enough water for this operation?

Documents on pages 173-179 show wetlands extending past their proposed new road access onto 730. Page 173. Please show the room.

If changing the zoning gets approved and this rock quarry and asphalt batch plant starts how will this affect property taxes and resale value for all properties that are next to a rock quarry?

Doug has been submitting documents and applications for over a year and we have just been notified this last month by mail about changing the zoning, the neighborhood would have liked more open conversations with Randy and Doug about their intentions.

To summarize our concerns and statement Randy Rupp and Doug Cox have been difficult to deal with, no communication or notification on what they were wanting to do or any sort of friendly discussions about changing property lines and fences. If this is any indication on the how they will be to have as neighbors next door with a rock quarry we are strongly against having the zoning changed and moving forward with this. I hope the planning commission and board of commissioners will take into consideration that Randy and Doug have done nothing to get along or be neighborly in their process of trying to accomplish their agenda. This is strictly for a financial gain with no regards to the land, wildlife, wetlands and neighbors. They have none of the neighbor's interest or concerns in their plans moving forward and that's how its been since day one starting with their fence removal actions. My father is a steward of the land and takes our cattle business and livelihood seriously and we don't want to see this land abused and cleared of its resources. This land that is in question to be rezoned has been grazed by cattle from previous owners and can sustain wildlife and cattle together for years to come. We would hate to see it destroyed as we are losing farm land across the United States in alarming rates and this is another one of those examples.

Thank you for your time tonight.

Exhibit D

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Jenny and Justin Estes
34214 Diagonal Road
Hermiston, OR 97838

November 9, 2023

Umatilla County Planning Commission
216 SE 4th Street
Pendleton, OR 97838

RE: Umatilla County Comprehensive Plan Text Amendment #T-093-23 and Zone Map Amendment #Z-323-23:: Doug Cox/Randy Rupp (Land Owner)

Planning Commission Members,

I am writing this letter in opposition to the establishment of a new aggregate site identified on the assessor's map as Township 5 North, Range 29 East, Section 22, Tax Lot 400. We oppose the addition of this site to the Umatilla County Comprehensive Plan list of a Goal 5 protected large Significant Site and oppose the application of an Aggregate Resource Overlay Zone to the entire quarry site.

First and foremost, the site that Mr. Cox is proposing to use is not a significant site in the Umatilla County Comprehensive Plan. Therefore, a permit for mining aggregate should not be granted. (OAR 660-023-0180 (6)(c).) Thus, our first objection is to the addition of this site to the Comprehensive Plan on the grounds that the activities associated with this significant site would force a significant change and increased costs to the farming practices on nearby lands devoted to farm use. (ORS 215.213 (6))

Additionally, the applicant has not provided enough information to quantify the use of the 46.7 acres through soil samples and aggregate material samples. It is still unknown where in total the mining area will be, as the applicant hasn't clearly answered that question. It simply doesn't meet the standards as set forth in OAR 660-023-180(3)(a).

The existing land uses within the impact area pre-exist the current application. Ourselves and our neighbors invested in our properties with the expectation that the EFU designation gave us certain rights and protections.

This mining site will be 2100' feet from my back patio. While that may seem like a lot, it certainly isn't. To put this into perspective, it would be about 3 to 5 city blocks. We have invested in our property, not only as a home, but a way of life and an income source. Our home, livestock, water systems and barns all create an infrastructure to our way of life and could be greatly disrupted by this mining operation. Our investment is in jeopardy. The resale value of our home will be affected by the trajectory of this operation to our property. Our well, the only water source we have, could be jeopardized. Our local habitat and animal population will scatter. The PROTECTED Wetland Drainage Area will be compromised. It's not just our property. Our neighbors, 8+ other properties, are in the same situation. We just don't have enough answers to important questions to allow this project to proceed.

OAR 660-023-0182 (5)(b)(A), [Conflicts created by the site] Determine conflicts from proposed mining of a significant aggregate site, due to noise, dust or other discharges.

It is unclear to our parties as to how much our properties will be affected by the noise, dust or discharges as the applicant has failed to specifically identify the area subject to blasting. Based on our information, the entire site has potential to be blasted. The applicant also states that the existing basalt outcropping will mitigate the noise. What will stop the applicant from mining those areas in the future? The applicant has, by choice, moved his mining area a quarter mile east of the existing home in the 1500-foot impact area, and by all accounts, could move another mile or further east, as they own all of that property, lessening the burden to all bordering property owners. There is no validated report that evaluates potential noise, dust or blasting impacts to the existing dwelling or farming activities. There is no proof that the "basalt outcropping" will reduce the noise and disturbance at all and no guarantee that the applicant won't at some point mine the basalt rock outcrop that he is using as his noise dampening excuse. Seems like the applicant is giving his best guess.

Agricultural activities in the impact area include irrigated and non-irrigated grazing and some irrigated crop land. All zones are EFU. While the applicant states there will be no impact on these lands, he has no proof. Noise, dust, and discharges will inevitably affect crops, cattle and water sources. These elements affect our daily life. Our ground will be altered, our animals will be breathing dust and rock, and our crops will be covered. There are severe agricultural concerns throughout our adjacent landowners. While it may seem inconsequential to some, we have many horses that are athletes in our and our daughters' professional trade. They are part of our livelihood, business, and daily life. We can't in good conscience

expect them to breathe in dust particles and perform. These animals are a part of our livelihood and can't escape inside when the air is bad. Thus, we are not only concerned about ourselves and the contamination, but we are also concerned about our livestock, the food they eat and the water they drink.

Additionally, as adjacent property owners, we are not comfortable with the recommendation that "Blasting should be monitored using seismographs or similar equipment to collect vibration data…" This suggests that the blasting has the potential to impact the infrastructure of our land and cause problems. Specifically, we are concerned about our water systems that are the lifeline to our farms and families. The Wetland Drainage Area Goal 5 site on the subject property requires limiting conflicting uses to protect the resource. The applicant has not submitted quantifiable justification that the mining operation will not harm the Wetland Drainage Area.

While the ODOT study was done regarding traffic counts, there has been no mention of the safety of the operation. This stretch of road is busy for a rural area and the incident of accidents on these roads is frequent. The speed limit is 55 mph, which leads to safety issues when cars and heavy trucks enter and exit frequently at a slow rate of speed.

We have valid concerns about the impact on our property and our neighbors' property that we do not believe have been addressed, and quite possibly can't be addressed. In our opinion, the risk to our livelihood and property is too great to allow this mining site, when Mr. Cox has viable options just down the road. We have no desire to disable his ability to mine rock, just not in the current proposed location.

In conclusion, the unknowns are too great, and consequences cannot be analyzed or predicted due to lack of information. The conflicts to blasting do exist. The reasonable practical measures to minimize the conflicts would be for the applicant to move east on his existing property and continue with his current plan. If he is allowed to continue at the current proposed site, there is no possible way to minimize the conflicts reported.

To quote the staff of the Umatilla County Planning Commission, "Regrettably, conflicting responses addressing potential impacts appear throughout the application. Conflicting responses in both addressing potential impacts to the proposed aggregate operation from permissible uses located within the 1,500-foot impact area, and impacts by the proposed aggregate mining operation to uses located within the surrounding area."

"Applicant did not explain how the proposed quarry operation would not conflict with existing uses (dwellings, farm stands, etc.), nor how these same uses, if proposed, should not be permitted within the impact area. Additionally, the applicant contradicts themselves in numerous statements regarding conflicts. It is the applicant's burden to justify measures to protect existing and proposed uses. It is then County decision makers' responsibility to determine whether or not the proposed protection measures are adequate, fair and objective."

Considering the above quotes from the County Planning department, we are questioning HOW they can make a recommendation to approve the two requests.

We ask you to determine that the protection measures are not adequate for the sustainability and preservation of our land and family.

Respectfully,

Jenny Estes

UMATILLA COUNTY
est. 1862

Megan Davchevski <megan.davchevski@umatillacounty.gov>

Response to Comprehensive Plan Text Amendment #T-093-23, and Zone Map Amendment #Z-323-23

1 message

Justin Estes <justinestes13@gmail.com> Thu, Nov 9, 2023 at 2:57 PM
To: planning@umatillacounty.gov

Hello,

Please see the attached letter and map scans in response to the comprehensive plan text amendment #T-093-23 and zone map amendment #Z-323-23.

Justin Estes

RECEIVED
NOV 09 2023
UMATILLA COUNTY
PLANNING DEPARTMENT

4 attachments

- **Estes Map 1.pdf**
  318K
- **Estes Map 3.pdf**
  180K
- **Justin Estes - Response to Amendment T-093-23, Z-323-23.pdf**
  213K
- **Estes Map 2.pdf**
  436K

Exhibit P

Justin Estes
34214 Diagonal Rd.
Hermiston OR 97838

11/9/23

RE: Comprehensive Plan Text Amendment
#T-093-23, and Zone Map Amendment #Z-323-23:
Doug Cox, Applicant/Randy Rupp, Owner

Umatilla County Planning Commission
216 SE 4th St.
Pendleton, OR 97801

Dear Planning Commission

The proposed aggregate site is very near my home and farm. As I'm sure you are aware this creates a great concern to my families health and well being. However it seems that we are far behind in the ability to even fight this application. Apparently Mr. Cox has been working on this project for well over a year. The community that lives around this site however was only notified of these plans around the 20th of October 2023. We have only had three weeks to process the effects this will have on our health, property values, animals, and safety due to 356 times a day a truck will drive down our road.

There are studies on the effects of property values near quarries. Some find property values decrease as much as 30%. Auburn economics professor Diane Hite has a great research paper if you're interested. When the residents around our little community purchased property with Exclusive Farm Use zoning, we had a reasonable expectation that future zoning changes would have no negative effects on our property values. Changing zoning from EFU to AR is a radical change that will impact the character of this area for hundreds of years. Most of us in the area have little other than our property and devaluation of our property will be devastating for us.

There are already two quarries in close proximity to our homes. Both of which create dust and noise. This new site would be even closer to us and would make enjoying our rural lifestyle unbearable. The owner of the proposed site has approximately 20,000 acres of land past this parcel. There are plenty of sites on that land that would not affect so many homes, wildlife and not to mention the wetlands that run through the proposed site.

On the health side of things, rock quarries create invisible dust particles proven to cause silicosis. Silicosis is a progressive, incurable lung disease. Long term exposure to particulate matter is strongly associated with heart disease, stroke, infertility and pregnancy complications. I will attach links for you to verify these facts.

Going through the comprehensive plan text amendment and zoning map amendment it is very clear insufficient tests have been conducted in all areas of this proposal. Ranging from geological studies to wetlands delineation to noise and dust mitigation. Those of us who WILL be affected by this proposal strongly ask for the commissions support. Support for our health. Support for our property values. Support for our wetlands and wildlife. Support for our lives! Please help us!

Sincerely
Justin Estes

These are the links to health risks associated with exposure to airborne pollutants arising from quarrying and aggregate processing:

Sources: WHO Health Effects of Particulate Matter

EPA Overview of Particle Air Pollution

EPA Particle Pollution and Your Health; Environmental Health Perspective Particulate Matter Air Pollution Exposure

60-Million-Strong Study Shows Clear Link Between Exposure To Air Pollution & Premature Death

A Review of Airborne Particulate Matter Effects on Young Children's Respiratory Symptoms and Diseases

Association of Short-Term Exposure to Air Pollution with Mortality in Older Adults

Brief exposure to tiny air pollution particles triggers childhood lung infections

Health effects for the population living near a cement plant: An epidemiological assessment

Health Outcomes of Exposure to Biological and Chemical Components of Inhalable and Respirable Particulate Matter

Respiratory health effects of diesel particulate matter

Expert position paper on air pollution and cardiovascular disease

WHO Health effects of particulate matter

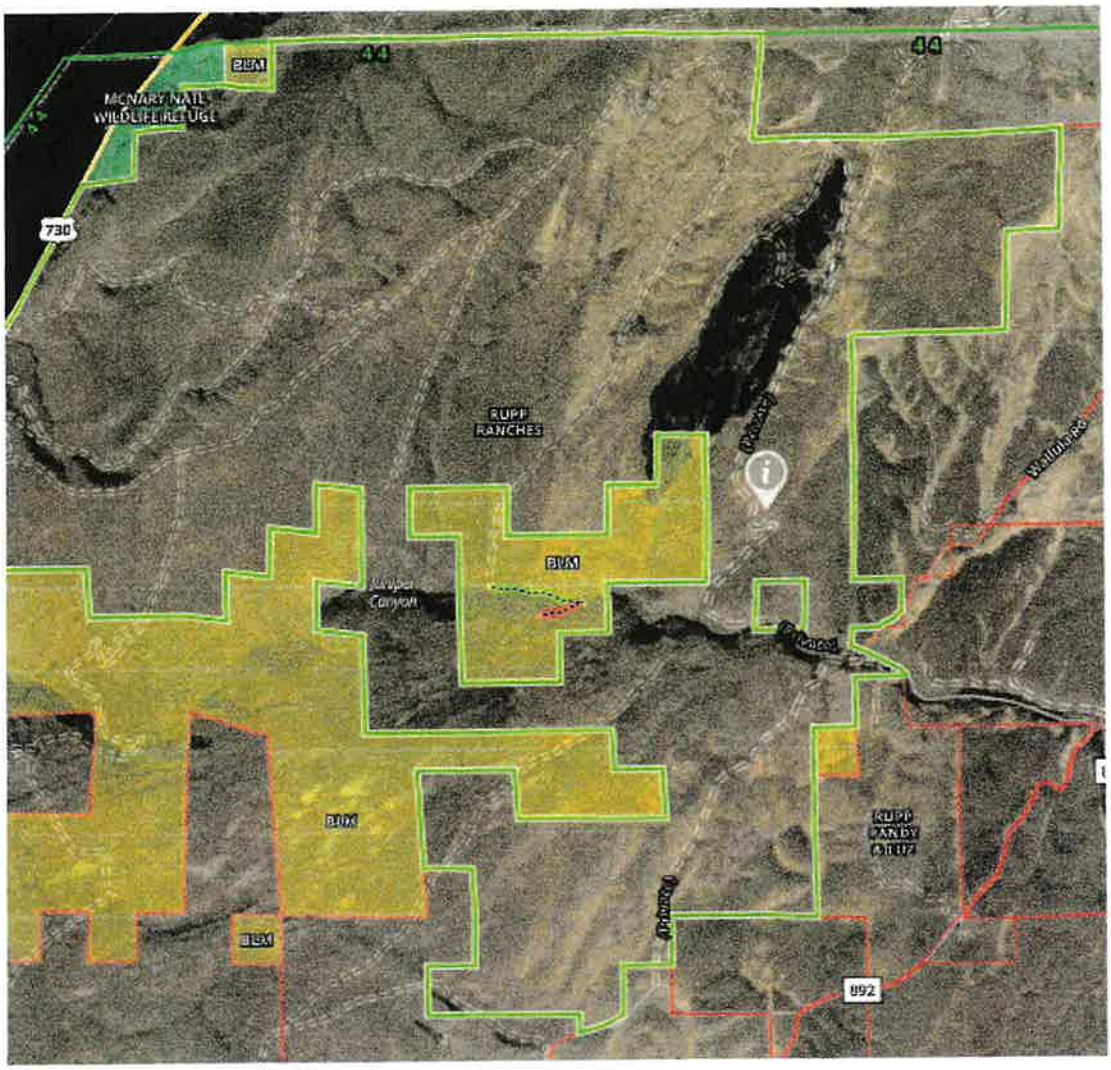
EPA Particulate Matter (PM) Pollution

EPA Particle Pollution and Your Health

Kings College Particulate Matter and Health

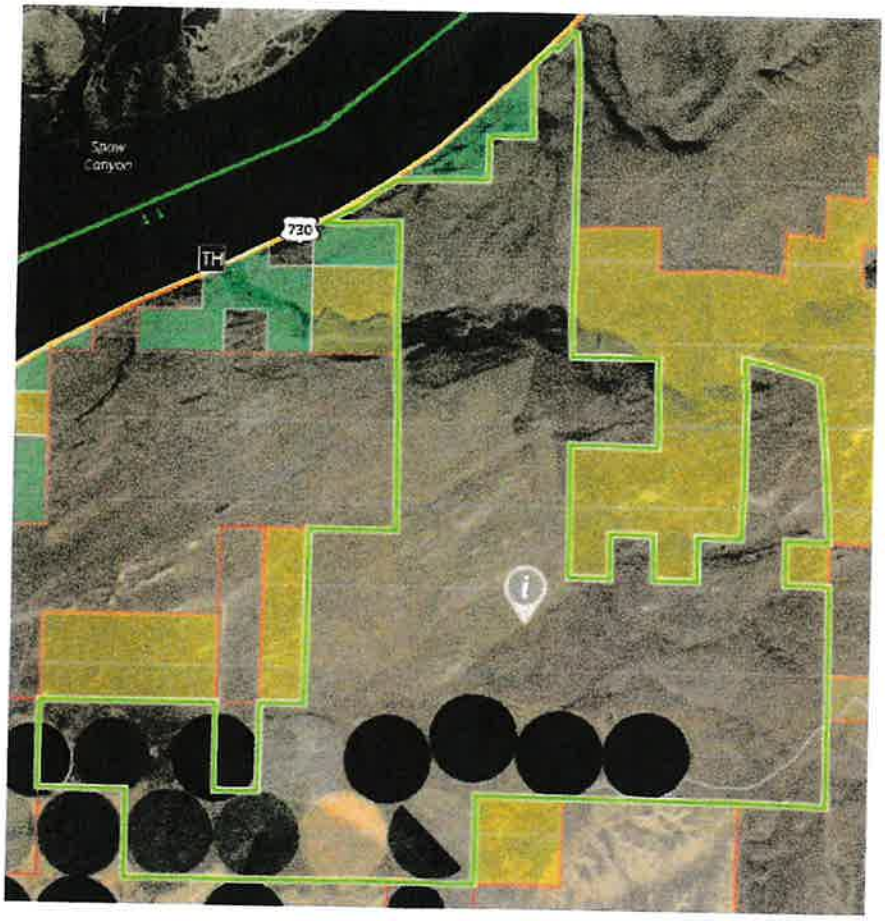
2533.9 Acres

6.5 Miles from Proposed site



95241.53 Acres

9.6 miles from Proposed Site



5708.24 Acres

7.9 miles from Proposed Site

UMATILLA COUNTY
est. 1862

Megan Davchevski <megan.davchevski@umatillacounty.gov>

#t-093-23
1 message

Terra Electric <office@terra-electric.com>
To: planning@umatillacounty.gov

Thu, Nov 9, 2023 at 3:16 PM

Good afternoon,
We will be attending the meeting this afternoon to take in information.
The concern that we would like to hear being addressed is what affects the new rock pits could have on the surrounding waterways, and what stipulations are in place in case of damages to the water table and Hat Rock Drainage.
Thank you
Casie and Michael Hull

RECEIVED
NOV 09 2023
UMATILLA COUNTY
PLANNING DEPARTMENT

Terra Electric, LLC

Exhibit Q

UMATILLA COUNTY
est. 1862

Megan Davchevski <megan.davchevski@umatillacounty.gov>

planning commission public hearing comments

1 message

Joyce Langley <jlangley1213@gmail.com> Thu, Nov 9, 2023 at 4:42 PM
To: planning@umatillacounty.gov

The rezoning of the land planned by Doug Cox and Randy Rupp is not favorable to me. As a landowner in the area, as well as a consistent user of the road\s to be affected, highway 730, Diagonal road, and Salmon Point Lane. I feel it is already a very busy area. The added traffic would create a negative situation for entering or exiting Salmon Point Lane. There are 10 or more families living on Salmon Point Lane. The farmer's trucks and equipment would also have problems entering or leaving Salmon Point Lane.

Thank you,
Joyce Langley

Exhibit S

Received at hearing

COREY, BYLER, & REW, L.L.P.

ATTORNEYS AT LAW

STEVEN H. COREY*
TIMOTHY P. O'ROURKE
KARIN E. DALLAS
JENNIFER E. CURRIN
PATRICK M. GREGG
NATALIE R. LAMBERT
ERIN N. BIENCOURT

OF COUNSEL
HENRY C. LORENZEN
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*Admitted in Oregon and Washington

222 S.E. DORION AVENUE
P.O. BOX 218
PENDLETON, OREGON 97801-0218

TELEPHONE (541) 276-3331
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STEVEN N. THOMAS, RETIRED
DOUGLAS E. HOJEM, RETIRED
ROBERT E. O'ROURKE,RETIRED

GEORGE H. COREY, DECEASED
ALEX M. BYLER, DECEASED
LAWRENCE B. REW, DECEASED

Email: currin@corey-byler.com

November 9, 2023

VIA FIRST-CLASS MAIL

Umatilla County Planning Commission
216 SE 4th Street, Room 104
Pendleton, OR 97801

Re: Doug Cox / CRP & Hauling, LLC
Land Use Permit Application

Dear Folks:

Our firm represents Doug Cox and his company CRP & Hauling, LLC ("collective CRP"). CRP is the applicant appearing before you this evening and seeks your recommended approval of a new aggregate site in Umatilla County.

We offer this supplemental letter to respond to the various points raised in the County Staff's memorandum to you of October 25, 2023, where Staff wrote that they were "unable to determine that several criteria of approval were satisfied based on the information supplied by the applicant." This letter responds to that conclusion and sets out further factual background, information, and an explanation as to why the applicable criteria are met here. We therefore ask that you recommend approval of CRP's application.

i. Supplemental Factual Background

The site currently has a rock wall and steep slope up to 60 feet tall that creates a natural barrier and sound buffer to residences south of the wall. Mining of the basalt resource will maintain this barrier as a highwall excavated to the south with a final, benched configuration up to 80 feet tall. The existing ODOT quarry, on the same tax lot and located on the north side of Highway 730, has been in place for over 30 years. We are not aware of a record or evidence of noise, dust or nuisance complaints about that quarry or mining operation from the surrounding community. Notably, that quarry has a mined highwall on its north, which serves as a sound

barrier for residences to its north, very similar to the proposed mine and properties to the south. The three homes within the 1,500-foot impact area of the proposed Cox rock quarry are south of the ODOT quarry and are geographically much more exposed to potential impacts from the ODOT quarry (noise, dust) than the proposed Cox quarry. Yet the long history of the ODOT quarry operation has not resulted in complaints. This is an important point for the Planning Commission to consider. The team will share photos at the hearing to supplement the aerial photos included in the application. The two-dimensional aerial photos can be difficult to illustrate the height and depth of the rock bluffs flanking Highway 730.

At the hearing, Erick Staley, licensed engineering geologist, will point out the features of the rock bluff and the value they serve to buffer noise and dust impacts.

The proposed quarry is very large and will take decades, if not longer, to exhaust the resource. Even so, the state DOGAMI will require a minimum 25-foot setback from the property line. That is, even when the entire basalt resource is fully mined, there will remain a sizeable barrier, both vertical and horizontal.

Industry experts have visited the site and agree it is an ideal location for a quarry. It's a natural exposure of hard rock, it has the right grade, face (north slope), direct access to a primary transportation route, and is in proximity to housing that has experience with the ODOT quarry. There is arguably no better use for that land - close to the markets and on a highway. The prevailing winds are away from residents (westerly - from the west).

We can provide specific names and credentials of experienced quarry operators. We are aware of the recent LUBA remand of the Girth Dog LLC quarry on Interstate 84. We hope the commission does not use that as a precedent. Each quarry and each Goal 5 process is unique according to each site.

Staff raised issue about water use. It is the opinion of experienced rock crusher operators that water use will not be an issue and can be provided from offsite sources. Doug Cox will be hiring a third party to set up and operate the rock crusher. There will be a water truck or tank on site to provide water for dust suppression. If the operator uses a 5,000-gallon water truck, likely only a single truck per week will be at the site. Different crusher operators use different amounts of water but usually it is a trickle from a hose into one part of the rock crusher. Water for dust control around the site is also not a significant issue given that Doug will put a layer of crushed rock on the short haul route from the operations area to the highway.

ii. Responses to Specific Concerns of County Staff

The applicant contradicts themselves in numerous statements regarding conflicts. Applicant did not explain how the proposed quarry operations would not conflict with existing uses (dwellings, farm stands, etc.), nor justify how these same uses, if proposed, should not be permitted within the impact area. It is the applicant's burden to justify measures to protect existing and proposed uses. It is then County decision makers' responsibility to determine whether or not the proposed protection measures are adequate, fair and objective.

Applicant response: The vertical relief of the southern bluff, and what will become the highwall during active mining, as well as the distance from the mine to residences will limit potential impacts to the surrounding area. The mining area is vertically and horizontally a sufficient distance from the houses.

Further, none of the adjacent tax lots would qualify for an additional dwelling and therefore there are no future uses for which the mining would create a conflict. Applicant requested the county limit new uses as a *precautionary* matter in case current state law changes. Under current law, none of the contiguous parcels or parcels within the 1,500-foot boundary would qualify for an additional dwelling. That law is very unlikely to change so, again as a precautionary matter, applicant asked county to limit new dwellings. County could approve the quarry and *not* limit future conflicting uses. Again, the rock bluffs will provide more than adequate buffer in the unlikely situation that a new development would be permitted. The only other use that may be feasible is a farm stand and, given that the contiguous parcels are not active farming operations, a farm stand is highly unlikely to be approved given that 50% of the product would need to be grown on the subject parcel. The applicant is not aware of any other uses that may be allowed.

- **OAR 660-023-0182 (3), An aggregate resource site shall be considered significant if adequate information regarding the quantity, quality and location of the resource… The applicant provided two lab reports and identified one soil sample location. Based on the information provided, staff could not conclude that a representative set of soil samples were provided.**

Applicant response: Erick Staley is a licensed, certified engineering geologist who evaluated the aggregate resource at the site. Mr. Staley will provide additional detail at the hearing to address the adequacy of information available.

- **OAR 660-023-0182 (5)(b)(A), [Conflicts created by the site] Determine conflicts from proposed mining of a significant aggregate site… due to noise, dust or other discharges…Applicant provides blasting of the basalt rock will be required and will occur occasionally, and that noise impacts from blasting will be mitigated with the existing basalt outcropping. Applicant provided an analysis of anticipated impacts from blasting from Fulcrum Geo Resources (Exhibit E). The Fulcrum report includes one detailed map (Figure 2) to support the findings, however, the map does not specifically identify the area subject to blasting. Based on the applicant's information, basalt is on the entire site, covered by sand and gravels thus the entire site would be potentially subject to blasting, although this is unclear. Fulcrum's Figure 2 map, received by Planning on September 13, 2023, identifies several basalt outcrops. The applicant provides that the basalt outcrops will serve as a natural barrier to protect existing uses from the mining activities. However, if the applicant also intends to mine these basalt outcrops, the natural barrier will eventually diminish. Because the areas subject to blasting are unclear, impacts caused by blasting cannot be determined.**

Applicant response: The mine plans prepared by Fulcrum GeoResources and dated September 2023 show the limits of extraction on the site, approximately 38 acres. This is the

area where resource extraction will occur and is less than the 46.7 acres proposed for addition to the County's AR overlay. Note that the AR overlay corresponds to the mine permit boundary being proposed to DOGAMI. Figure 2 of the mine plans also show the location of natural outcroppings of basalt on the site. The topographic contours on the same map show where the basalt bluff is located. Blasting will only be used on the site to extract basalt resource, not the sand that overlies the basalt at lower elevations. The proposed floor of the mine will be 420 feet elevation, as shown on the cross sections submitted with the mine plans (Figure 4). Thus, extraction of the sand below the bluff will generally not extend into the underlying basalt, and blasting will only occur in the southern and eastern portions of the proposed AR overlay, generally corresponding to the bluff and natural outcrop area.

Regarding the barrier effect of the bluff, the mine will be advanced southerly into the bluff, extending and deepening the vertical relief between the active mine and the remaining ground surface to the south. The final mine will result in a benched bedrock slope with up to 80 feet of vertical relief, more than the current bluff affords. Blasting will occasionally occur at the top of the bluff to create benches that will then be progressively lowered into the main excavation. Blasting will only occur a few times a year, and only a portion of those blasts will be conducted on the upslope area of the site, leaving the top of the bluff otherwise vacant of activity while the mine conducts its business in the operations area or on lower benches.

Additionally, there is a proposed topsoil storage area shown on the mine plans located in the 25-foot setback between the southern limits of extraction and the property boundary (Figure 2). This will consist of a berm of stored topsoil to be used for site reclamation when mining is complete. During active mining, this topsoil storage berm will provide an additional barrier between active mining and properties to the south.

An additional and very important aspect of this project is the horizontal distance between the proposed mine and potential receivers in the vicinity. The nearest house to the proposed extraction area is about 1,100 feet away to the west/southwest. At these distances alone, blasting and noise from the site will not pose a significant impact. Considering the natural topography, mining approach resulting in an incised north-facing highwall, and topsoil berms, the sum of these features make it unlikely the proposed mine will have an adverse impact to surrounding properties.

- **OAR 660-023-0182 (5)(c), [If conflicts exist, measures to minimize] The local government shall determine reasonable and practicable measures that would minimize the conflicts identified under subsection (b) of this section.**

The applicant consulted with Fulcrum GeoResources LLC to develop an Anticipated Impacts from Blasting report (Exhibit E) the Figure 2 map submitted with this report identify a basalt extraction area subject to blasting, however this map was provided to Planning staff as a grayscale. Therefore, it is difficult to determine where the proposed blasting area is located. Figure 2 of Exhibit A identifies the basalt extraction area as the southeast corner of the proposed site. The applicant will have the opportunity to clarify the proposed blasting area.

The Planning Commission may find that the applicant's supplied Fulcrum Anticipated Impacts from Blasting report adequately addresses blasting concerns and provides guidelines for mitigating potential blasting impacts by properly planning controlled blasts, implementing blast procedures and time-delays to prevent excessive vibrations, other emissions, and by monitoring blasting to collect vibration data. A subsequent condition of approval requiring these procedures and practices could be imposed to mitigate conflicts. Subsequent Condition #2 has been added to the preliminary findings for consideration.

Applicant response: The guidelines provided in the Fulcrum GeoResources report are from federal and state requirements that will be the responsibility of a licensed blaster, who is ultimately the professional responsible for onsite blast operations. The licensed blaster will comply with all federal and state mine and safety requirements.

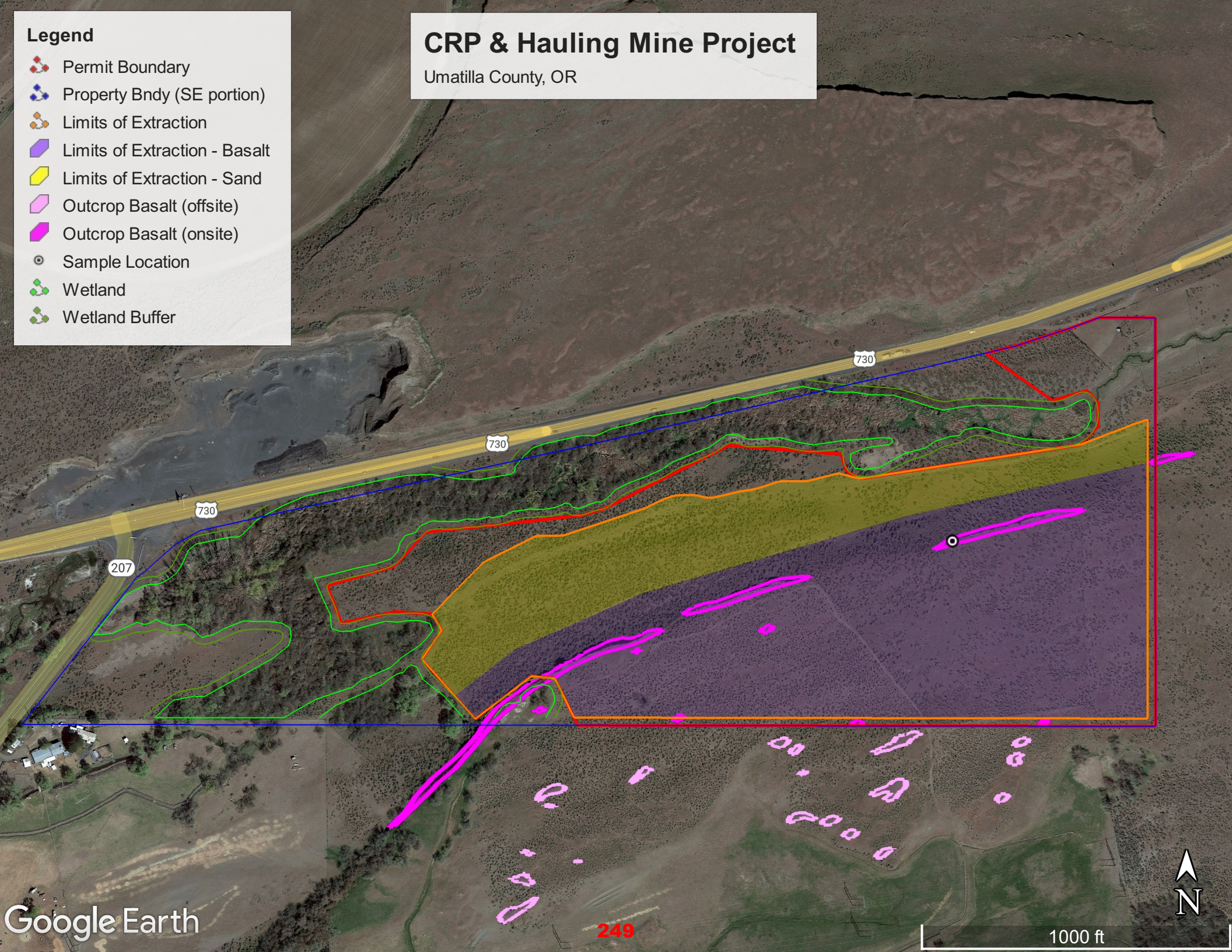
UCDC 152.487 (A) (4) Adequate screening, either natural or man-made, is available for protecting the site from surrounding land uses.
As stated above, the applicant relies on the existing basalt outcrops to provide screening of the site. However, the applicant does not address whether they intend to extract these outcrops. Additionally, the applicant does not offer an additional screening should the basalt outcrops be mined. The Planning Commission may find that additional screening is required along the site boundaries and may impose an additional condition of approval.

Applicant response: The previous discussion should address this issue. Again, both the topographic barriers being maintained during mining and the horizontal distance between active mining and potential receivers in the site vicinity must be considered to understand the unlikelihood of potential offsite impacts.

Thank you for the opportunity to supplement the record in this matter. Based on the above and supplemental information to be shared at the hearing, we hope the Planning Commission will find that the request satisfies these criteria and will recommend approval of this application.

Sincerely yours,

Jennifer E. Currin


Legend
Permit Boundary
Property Bndy (SE portion)
Limits of Extraction
Limits of Extraction - Basalt
Limits of Extraction - Sand
Outcrop Basalt (offsite)
Outcrop Basalt (onsite)
Sample Location
Wetland
Wetland Buffer
CRP & Hauling Mine Project
Umatilla County, OR
730
730
730
207
249
N
1000 ft
Google Earth

UMATILLA COUNTY

Megan Davchevsk

Exhibit U

WN2023-0835 Response to Local Case File #Z-323-23 and T-093-23

2 messages

Daniel.Evans@dsl.oregon.gov <Daniel.Evans@dsl.oregon.gov> Tue, Nov 14, 2023 at 2:45 PM
To: megan.davchevski@umatillacounty.gov

Hi there,

Cities and Counties are required by statute (ORS 215.418 & 227.350) to submit notice to DSL of any projects that may impact wetlands and waterways, according to the Statewide Wetlands Inventory. DSL has completed review of the Wetland Land Use Notification that was prepared for Doug Cox (WN2023-0835).

Please see attached for the results and conclusions of this review. To request paper copies please contact support.services@dsl.oregon.gov. Otherwise, please review the attachments carefully and if you have questions regarding this response, contact Daniel Evans, Daniel.Evans@dsl.oregon.gov. Questions regarding the local permit should be directed to your Planner: Megan Davchevski, megan.davchevski@umatillacounty.gov.

Planning and Conservation Page
Permits and Authorization Page

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NOV 14 2023
UMATILLA COUNTY
PLANNING DEPARTMENT

Thank you,

Aquatic Resource Management Program
Oregon Department of State Lands
775 Summer St. NE, Ste. 100
Salem, OR 97301-1279
www.oregon.gov/dsl

2 attachments

Wetland Land Use Notice.pdf
926K

Wetland Land Use Notice Response.pdf
786K

Megan Davchevski <megan.davchevski@umatillacounty.gov> Tue, Nov 14, 2023 at 3:53 PM
To: Daniel.Evans@dsl.oregon.gov

Thank you.
[Quoted text hidden]
--

UMATILLA COUNTY
est. 1862

Megan Davchevski, CFM

Planning Division Manager

Community Development Department

Tel: 541-278-6246 | Fax: 541-278-5480

216 SE 4th Street | Pendleton, OR 97801

http://www.umatillacounty.gov/planning

Please Be Aware - Documents such as emails, letters, maps, reports, etc. sent from or received by the Umatilla County Department of Land Use Planning are subject to Oregon Public Records law and are NOT CONFIDENTIAL. All such documents are available to the public upon request; costs for copies may be collected. This includes materials that may contain sensitive data or other information, and Umatilla County will not be held liable for its distribution.

Wetland Land Use Notification

OREGON DEPARTMENT OF STATE LANDS
775 Summer Street NE, Suite 100, Salem, OR 97301-1279
Phone: (503) 986-5200

This form is to be completed by planning department staff for mapped wetlands and waterways.

* Required Field (?) Tool Tips

Responsible Jurisdiction

*	Municipality *	Date *
○ City of ◉ County of	Umatilla	10/19/2023

Staff Contact

First Name *
Megan

Last Name *
Davchevski

Phone * (?)
541-278-6246

Email *
megan.davchevski@umatillacounty.gov

Applicant

First Name *
Doug

Last Name *
Cox

Applicant Organization Name
(if applicable)

Mailing Address *
Street Address
PO Box 131
Address Line 2

City
Hermiston

State
OR

Postal / Zip Code
97838

Country
United States

Phone (?)

Email (?)
wdcox51393@gmail.com

Is the Property Owner name and address the same as the Applicant? *
◉ No ○ Yes

Property Owner

First Name *
Randy

Last Name *
Rupp

Property Owner Organization Name
(if applicable)

Mailing Address (If different than Applicant Address)

Street Address

176 Kranichwood St

Address Line 2

City

Richland

State

WA

Postal / Zip Code

99352-8458

Country

Phone (?)

Email (?)

Activity Location

Township * (?)

05N

Range * (?)

29E

Section * (?)

22

Quarter-quarter Section (?)

Tax Lot(s) *

400

You can enter multiple tax lot numbers within this field. i.e. 100, 200, 300, etc.

To add additional tax map and lot information, please click the "add" button below.

Address

Street Address

Address Line 2

City

State

Postal / Zip Code

Country

County *

Umatilla

Adjacent Waterbody

Proposed Activity

Prior to submitting, please ensure proposed activity will involve physical alterations to the land and/or new construction or expansion of footprint of existing structures.

Local Case File # * (?)

Z-323-23 and T-093-23

Zoning

EFU

Proposed

- [ ] Building Permit (new structures)
- [ ] Grading Permit
- [ ] Site Plan Approval
- [x] Other (please describe)

  Zone Map Amendment and
  Comprehensive Plan Text Amendment
- [ ] Conditional use Permit
- [ ] Planned Unit Development
- [ ] Subdivision

Applicant's Project Description and Planner's Comments: *

The applicant requests to establish a new aggregate site, add the site to the Umatilla County Comprehensive Plan list of Goal 5 protected Large Significant Sites, and apply the Aggregate Resource (AR) Overlay Zone to the entire quarry site. The proposed site is located south of Highway 730 and east of Highway 207, south of the Hat Rock community. The site is identified on assessor's map as Township 5 North, Range 29 East, Section 22, Tax Lot 400. The site is approximately 46.7 acres and is zoned Exclusive Farm Use (EFU). The criteria of approval are found in Oregon Administrative Rule 660-023-0040 – 0050, 660-023-0180 (3), (5) and (7), and Umatilla County Development Code (UCDC) Section 152.487 – 488.

Application previously received DSL Wetland Determination #2022-0606

Required attachments with site marked: Tax map and legible, scaled site plan map. (?)

Doug Cox Public Notice Impact Area and Dwelling Buffer Map.pdf 376.42KB

Additional Attachments

DSL WD 2022-0606.pdf 976.03KB

Date

10/19/2023

Wetland Land Use Notice Response

Response Page

Department of State Lands (DSL) WN# *
WN2023-0835

Responsible Jurisdiction

Staff Contact	Jurisdiction Type	Municipality
Megan Davchevski	County	Umatilla

Local case file #	County
Z-323-23 and T-093-23	Umatilla

Activity Location

Township	Range	Section	QQ section	Tax Lot(s)
05N	29E	22		400

Street Address

Address Line 2

City

State / Province / Region

Postal / Zip Code

Country
Umatilla

Latitude	Longitude
45.901916	-119.167643

Wetland/Waterway/Other Water Features

- [ ] There are/may be wetlands, waterways or other water features on the property that are subject to the State Removal-Fill Law based upon a review of wetland maps, the county soil survey and other available information.

- [ ] The National Wetlands Inventory shows wetland, waterway or other water features on the property

- [ ] The county soil survey shows hydric (wet) soils on the property. Hydric soils indicate that there may be wetlands.

Closing Information

Additional Comments

Umatilla County submitted a Zone Map Amendment and Comprehensive Plan Amendment for DSL to review. DSL does not permit or make recommendations on zoning changes, only a review of the need for a wetland removal/fill permit associated with proposed ground disturbances or subdivision. The provided map for a zoning change included a generic outline of a work area DSL has previously reviewed, however, it is not known if there have been site specific changes.

Review History:
WD2022-0606 Wetland Determination-- DSL recommended a site-wide delineation or a relocation of the proposed work footprint to avoid identified potential wetland areas.

WD2023-0095 Wetland Determination--DSL reviewed a new site-wide plan and determined that the reconfigured footprint appears to avoid impacts to wetlands and waters. Please note: the wetland/waters boundaries shown on the applicant's 1/25/2023 site plan were specifically called out as unverified and not part of a DSL-approved wetland delineation, however, there was confidence that the site specific plan would not require a wetland removal-fill permit.

I've attached WD2023-0095 and the 1/25/2023 site plan. If there are no changes to the applicants 1/25/2023 site plan, then it appears a permit is still not required. If there are changes, DSL will need an updated detailed site plan in order to conduct a review.

This is a preliminary jurisdictional determination and is advisory only.

This report is for the State Removal-Fill law only. City or County permits may be required for the proposed activity.

Contact Information

- For information on permitting, use of a state-owned water, wetland determination or delineation report requirements please contact the respective DSL Aquatic Resource, Proprietary or Jurisdiction Coordinator for the site county. The current list is found at: http://www.oregon.gov/dsl/ww/pages/wwstaff.aspx
- The current Removal-Fill permit and/or Wetland Delineation report fee schedule is found at: https://www.oregon.gov/dsl/WW/Documents/Removal-FillFees.pdf

Response Date

11/14/2023

Response by:

Daniel Evans

Response Phone:

503-986-5271

UMATILLA COUNTY
est. 1862

Shawnna Van Sickle

Exhibit V

T-093-232-323-23

1 message

'Darlene Westerling' via Planning <planning@umatillacounty.gov> Mon, Nov 20, 2023 at 10:03 PM
Reply-To: Darlene Westerling <darlenewesterling@yahoo.com>
To: "planning@umatillacounty.gov" <planning@umatillacounty.gov>

I HAVE MANY CONCERNS ABOUT THIS PURPOSED OPERATION. MANY STATEMENTS ARE CONTRADICTORY
PG 10 THE PROPOSED MINING AREA WILL BE 500 FT OR MORE FROM THE TWO HOME SITES.
PG 14 STATES THAT TAX LOT 600 , MY PROPERTY, IS APPROX 1/4 FROM THE PROPOSED MINING AREA. WHICH WILL BE INSIDE THE 1,500 FT IMPACT AREA pg 41 Mining will not be done within 100 ft of the home, processing equipment shall not be operated with in 500 ft of an existing dwelling at the time of the application. The nearest dwelling is located to the south and west of the quarry area . the dwelling will be appro 1500 ft from the mining area. Many contradictions

.PG 15, THE MINING OPERATION WILL COMPLY WITH ALL STATE DUST AND NOISE IMPACTS TO THE ADJACENT HOUSE. SEVERAL TECHNIQUES WILL BE UTILIZED TO ENSURE THE IMPACT FROM THE BLASTING WILL BE ABSORBED ON THE SUBJECT PARCEL. THIS WILL ENSURE THAT IMPACTS TO THE ADJACENT DWELLING WILL BE NON-EXISTENT OR VERY MINIMAL .IN MY RESEARCH I FOUND Pits and quarries disrupt the existing movement of surface water and groundwater; they interrupt natural water recharge and can lead to reduced quantity and quality of drinking water for residents and wildlife near or downstream from a quarry site. IT STATES THAT THE 30 FT -50 BASALT CROPPING WILL CREATE A BUFFER TO THE HOUSE. THIS BASALT CROPPING IS EAST OF MY HOUSE WITH A LARGE OPEN AREA BETWEEN IT AND MY HOUSE AND IT WILL NOT CREATE A BARRIER TO SOUND ETC. MOST OF MY PROPERTY IS WEST OF THE RIM. IT WILL ACTUALLY CREATE A FUNNEL TO SEND IT RIGHT TO MY HOUSE.THERE ARE CONCERNS ABOUT THE BLASTING VIBRATIONS EFFECTING THE FOUNDATION OF THE HOUSE AND CAUSING CRACKS IN THE WALLS ETC ALSO THAT THE BLASTING COULD CAUSE VIBRATIONS IN THE GROUND THAT COULD CAUSE UNDERGROUND WATER TO BE REROUTED SO I WOULD HAVE NO WATER IN MY WELL.

PG 23 IT IS THEN COUNTY DECISION MAKERS' RESPONSIBILITY TO DETERMINE WHETHER OR NOT THE PROPOSED PROTECTION MEASURES ARE ADEQUATE , FAIR OBJECTIVE.
PG 35 RESTRICTS A LANDOWNER'S ABILITY TO PURSUE A CLAIM FOR RELIEF OR CAUSE OF ACTION ALLEGING INJURY FROM AGGREGATE OPERATION. IS THIS FAIR AND OBJECTIVE?

PG 37 UMATILLA COUNTY FINDS THAT PROPOSED CONFLICTING USES WITHIN THE 1,500 FT IMPACT AREA ARE REQUIRED TO SIGN A WAIVER OF REMONSTRANCE TO ACHIEVE GOAL 5 AND WAIVE THEIR RIGHTS TO REMONSTRANCE AGAINST THE MINING ACTIVITIES ALLOWED BY THIS DECISION. WHAT ABOUT MY HOUSE BEING WITHIN THE 1500 IMPACT ZONE NOW?

PG 14 STATES THAT TAX LOT 600 , MY PROPERTY, IS APPROX 1/4 FROM THE PROPOSED MINING AREA. WHICH WILL BE INSIDE THE 1,500 FT IMPACT AREA

pg 41 Mining will not be done within 100 ft of the home, processing equipment shall not be operated with in 500 ft of an existing dwelling at the time of the application. The nearest dwelling is located to the south and west of the quarry area . the dwelling will be approximatly 1500 ft from the mining area. (contradiction) SO IT SOUNDS LIKE THEY CAN OPERATE UP TO 100 FT FROM MY HOUSE. I DO NOT WANT TO HAVE MINING DONE WITHIN 100 FT OF MY HOUSE. I OPPOSE THIS OPERATION

.PG 15, THE MINING OPERATION WILL COMPLY WITH ALL STATE DUST AND NOISE IMPACTS TO THE ADJACENT HOUSE. SEVERAL TECHNIQUES WILL BE UTILIZED TO ENSURE THE IMPACT FROM THE BLASTING WILL BE ABSORBED ON THE SUBJECT PARCEL. THIS WILL ENSURE THAT IMPACTS TO THE ADJACENT DWELLING WILL BE NON-EXISTENT OR VERY MINIMAL. WHAT TECHNIQUES WILL BE USED.? IT STATES THAT THE 30 FT -50 BASALT CROPPING WILL CREATE A BUFFER TO THE HOUSE. THIS BASALT CROPPING IS EAST OF MY HOUSE WITH AN OPEN AREA BETWEEN IT AND MY HOUSE AND IT WILL NOT CREATE A BARRIER TO SOUND ETC. IT WILL ACTUALLY CREATE A FUNNEL TO SEND IT RIGHT TO MY HOUSE.THERE ARE CONCERNS ABOUT THE

BLASTING VIBRATIONS EFFECTING THE FOUNDATION OF THE HOUSE AND CAUSING CRACKS IN THE WALLS ETC ALSO THAT THE BLASTING COULD CAUSE VIBRATIONS IN THE GROUND THAT COULD CAUSE UNDERGROUND WATER TO BE REROUTED SO I WOULD HAVE NO WATER IN MY WELL.

PG 23 iT IS THEN COUNTY DECISION MAKERS' RESPONSIBILITY TO DETERMINE WHETHER OR NOT THE PROPOSED PROTECTION MEASURES ARE ADEQUATE , FAIR OBJECTIVE.

PG 35 RESTRICTS A LANDOWNER'S ABILITY TO PURSUE A CLAIM FOR RELIEF OR CAUSE OF ACTION ALLEGING INJURY FROM AGGREGATE OPERATION. HOW IS THIS FAIR?

PG 37 UMATILLA COUNTY FINDS THAT PROPOSED CONFLICTING USES WITHIN THE 1,500 FT IMPACT AREA ARE REQUIRED TO SIGN A WAIVER OF REMONSTRANCE TO ACHIEVE GOAL 5 AND WAIVE THEIR RIGHTS TO REMONSTRANCE AGAINST THE MINING ACTIVITIES ALLOWED BY THIS DECISION. HOW IS THIS FAIR?

PG 31, THIS SAYS PROCESSING EQUIPMENT WILL BE SITED TO RETAIN THE 500 FT SETBACK TO THE EXISTING DWELLINGS. . WHAT DOES THIS MEAN? THE DWELLING WILL BE 1,500 FT FROM THE MINING AREA SO WHY IS PR0CESSING EQUIPMENT SO CLOSE TO MY HOUSE? HOW WILL PROCESSING EQUIPMENT BE A BUFFER. IF THEY ARE OPERATING THEY WILL BE NOISY, THAT IS NOT A BUFFER. IF MY HOUSE IS GOING TO BE 1,500 FT FROM THE SITE WHY IS OPERATING EQUIPMENT BEING ALLOWED WITHIN 500 FT OF MY HOUSE?

PG 52 ACCORDING TO THE MAP ON THIS PAGE IT SHOWS THE ZONING BOUNDARY WHICH IS MUCH FARTHER THAN 1,500 FT FROM MY HOUSE, SO i DON'T UNDERSTAND WHY IT SAYS THEY CAN HAVE EQUIPMENT 500 FT FROM MY HOUSE

the purposed Goal 5 site is a 46.7 acre portion TL400. 13 Adjacent use;;Adjacent to the west side of the subject property Is OPEN space with some vegetation and one dwelling.
Applicant states the proposed mining area will be 500 ft or more from the home sites This seems to conflict with WHAT was said before ON PG 52 WHERE IT SAYS THE OPERATION WILL BE 1500 FT FROM MY HOUSE.

PG 196 WHAT IS THE MAXIMUM VERTICAL DEPTH TO BE MINED RELATIVE TO SEA LEVEL? 80 FT. HOW WILL THIS EFFECT MY WELL? IT IS 100 FT AND THE ROCK IS AT 80 FT. MY WELL IS 100 FT DEEP AND THE ROCK IS 80 FT. HOW IS THIS GOING TO EFFECT MY WELL? THIS IS GETTING INTO MY WATER STRATA.

The silica dust will contaminate the pastures , alfalfa lands and of course any other farm crops that are grown in the area.

WETLANDS NV5 developed a mine plan to avoid impact on the wetlands area. What is this plan? The drainage pond will impact the animals , eagles ducks, geese, deer that will use the pond as it will be contaminated by the silica that is in the dust that is washed from the gravel. IMPACT AREA; response; tax lot 600 will be 1/4 mi west of the purposed mining area. There is no other factual information upon which to evaluate further impacts. My response;; I have researched this a lot and there are many serious impacts 3. The Environmental Impacts of Aggregate Extraction | Toronto Environmental Alliance (web site)
Creating the pits or quarries requires the removal of virtually all natural vegetation, top soil and subsoil to reach the aggregate underneath. Not only does this lead to a loss of existing animal wildlife, it also leads to a huge loss of biodiversity as plants and aquatic habitats are destroyed. Moreover, adjacent eco-systems are affected by noise, dust, pollution and contaminated water.

Pits and quarries disrupt the existing movement of surface water and groundwater; they interrupt natural water recharge and can lead to reduced quantity and quality of drinking water for residents and wildlife near or downstream from a quarry site. Potential impairment of water quality on the site, including harm to the aquifer
The water quality of residential wells close by could be harmed.
There will be a drainage pond to put the silica water washed from the gravel that will be a contaminate for the wild life that will drink from it and geese and duck that will frequent it also.
This is a complete disaster for wild life and surrounding homes and wells.
When the quarry is dug below the water table, the water needs to be pumped out. This can effectively drain the water from the surrounding neighborhood and lower the ground water level. Can be something of an issue for wells especially. They plan on digging 80 ft deep and my water table is 80. How might this effect my water well?
Dust created by gravel quarries is considered respirable crystalline silica, a type of particulate matter. Studies have established a strong link between these particles and the following health effects:

Silicosis
Pulmonary disease1
Reduction in lung function

Leukemia

Atherosclerosis and heart disease2
Dysrhythmia
Heart failure and cardiac arrest
Stroke and cognitive disorders3

Fertility problems
Miscarriage
Premature birth
Low birth weight4
Carcinogenic Dust - Stop 3009 Vulcan Quarry (web site)

PM10 particles can travel as little as a hundred yards or as much as 30 miles.

Why put a Gravel Pit / mining operation that creates a known carcin(web site)
It seems to me that the pollution from the silica dust is going to BE way worse than the exhaust from the trucks as this site states that the silica never leaves the lungs.
PRELIMINARY FINDINGS AND CONCLUSIONS
PG 26, CONSEQUENCES RELATED TO LOSS OF QUARRY' vehicle emission will increase if trucks must travel further to access material.

The value of property decreases most within the immediate vicinity but will be felt several miles away. Homes within a quarter mile will drop by about 30%. A mile away the value of homes will decrease by about 13%, Homes as far as 3 miles away can expect about a 6% drop in value.

The people at Hat Rock were not informed of this purposed site. They will be the most effected by the silica dust as the wind blows from the west most of the time. The bluff will not be a barrier as it stops at the Hat Rock road. any wind will blow this contaminated dust right to them. Hat Rock Park is a state park also.

As I have pointed out there are many problems with having rock quarry at this location, impact on wild life, wells, farm land, air quality, health problems, DECREASE IN PROPERTY VALUE I CONSIDER MY PROPERTY TO BE VERY UNIQUE PROPERTY AND CAN NOT BE REPLACED. I OPPOSE THIS OPERATION, DARLENE WESTERLING

, or

UMATILLA COUNTY

Megan Davchevski < Exhibit W ounty.gov>

Mining can result in increased nitrogen levels in groundwater

1 message

Darlene Westerling <darlenewesterling@yahoo.com> Sun, Nov 26, 2023 at 4:39 AM
To: Megan Davchevski <megan.davchevski@umatillacounty.gov>

I found some more important info that I feel needs to be addressed.

Mining can result in increased nitrogen levels in groundwater through the use of nitrogen-based explosives. Most commercial explosives contain between 70% and 90% ammonium nitrate – which is highly soluble in water. Spillage, dissolution in wet holes and incomplete detonation during blasting activities results in soil and water contamination with nitrates, nitrites and ammonia. Nitrogen-rich water is typically pumped from the underground workings and then circulates through process water dams, the tailings dam return water and the concentrator plant. If not contained in the mine water circuit, surface spills or seepage through unlined facilities may pose a risk to groundwater.

Helping mines find the real source of nitrates in water

Helping mines find the real source of nitrates in water

The issue of water quality has become topical in the aftermath of the contamination in the Olifants River catchm...

Skinner's presentation advances tools for mines to more efficiently identify **nitrate** sources in surface and ground **water**. Mining can result in increased nitrogen levels in groundwater through ...

Published: 21 April 2023
(This article belongs to the Special Issue Novel Approaches in Contaminant Hydrology and Groundwater Remediation)

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Abstract

Gravel pits are considered potentially hazardous in terms of groundwater quality protection as they represent an open part of the aquifer system, increasing the aquifer's vulnerability to contamination from the surface. The aim of this research was to determine the biogeochemical processes in gravel pits that have a positive effect on the groundwater quality in the alluvial aquifer in NW Croatia. The aquifer is situated below developed agricultural land, with high groundwater nitrate concentrations having been recorded over the last decades. The differences between two gravel pits and the surrounding groundwater were studied using in situ, hydrochemical, and isotopic parameters ($\delta^{15}N\text{-}NO_3$ and $\delta^{18}O\text{-}NO_3$), together with existing microbial data. The analyses of nitrogen species indicated that nitrate attenuation processes take place in gravel pits. Bacterial denitrification and nitrate uptake by algae were responsible for significant decreases in nitrate concentration. These processes were more effective in the inactive gravel pit, which has a longer water residence time and during warm periods, when microbial biomass, abundance, and activity were high. The seasonally variable microbial activity also affected trace metals, removing them from groundwater, possibly through the biosorption of metal ions. The presented research shows that the observed biogeochemical processes are associated with seasonal changes that affect the types and number of microbial communities and the chemical composition of water, resulting in gravel pits being groundwater remediation points.
Keywords:
gravel pit; surface and groundwater quality; nitrogen species; denitrification; biosorption

DRAFT MINUTES

COMPREHENSIVE PLAN TEXT AMENDMENT #T-093-23
ZONE MAP AMENDMENT #Z-323-23

DOUG COX, APPLICANT
RANDY RUPP, OWNER

The applicant requests to establish a new aggregate site, add the site to the Umatilla County Comprehensive Plan list of Goal 5 protected Large Significant Sites, and apply the Aggregate Resource (AR) Overlay Zone to the entire quarry site. The proposed site is located south of Highway 730 and east of Highway 207, south of the Hat Rock community. The site is identified on assessor's map as Township 5 North, Range 29 East, Section 22, Tax Lot 400. The site is approximately 46.7 acres and is zoned Exclusive Farm Use (EFU). The criteria of approval are found in Oregon Administrative Rule 660-023-0040 – 0050, 660-023-0180 (3), (5) and (7), and Umatilla County Development Code (UCDC) Section 152.487 – 488.

UMATILLA COUNTY
PLANNING COMMISSION HEARING

November 9, 2023

DRAFT MINUTES
UMATILLA COUNTY PLANNING COMMISSION
Meeting of Thursday, November 9, 2023, 6:30pm

** **

COMMISSIONERS PRESENT: Suni Danforth, Chair, Don Wysocki, Vice Chair, John Standley, Emery Gentry and Ann Minton

COMMISSIONER PRESENT VIA ZOOM: Kim Gillet

COMMISSIONERS ABSENT: Tammie Williams, Tami Green, and Sam Tucker

PLANNING STAFF: Robert Waldher, Community Development Director, Megan Davchevski, Planning Manager, Tierney Cimmiyotti, Planner, and Shawnna Van Sickle, Administrative Assistant

** **

NOTE: THE FOLLOWING IS A SUMMARY OF THE MEETING. RECORDING IS AVAILABLE AT THE PLANNING OFFICE.

CALL TO ORDER

Chair Danforth called the meeting to order at 6:34PM and read the Opening Statement.

NEW HEARING

COMPREHENSIVE PLAN TEXT AMENDMENT #T-093-23, and ZONE MAP AMENDMENT #Z-323-23: DOUG COX, APPLICANT / RANDY RUPP, OWNER. The applicant requests to establish a new aggregate site, add the site to the Umatilla County Comprehensive Plan list of Goal 5 protected Large Significant Sites, and apply the Aggregate Resource (AR) Overlay Zone to the entire quarry site. The proposed site is located south of Highway 730 and east of Highway 207, south of the Hat Rock community. The site is identified on assessor's map as Township 5 North, Range 29 East, Section 22, Tax Lot 400. The site is approximately 46.7 acres and is zoned Exclusive Farm Use (EFU). The criteria of approval are found in Oregon Administrative Rule 660-023-0040 – 0050, 660-023-0180 (3), (5) and (7), and Umatilla County Development Code (UCDC) Section 152.487 – 488.

Chair Danforth called for any abstentions, bias, conflicts of interest, declarations of ex parte contact or objections to jurisdiction. No reports were made.

Chair Danforth called for the Staff Report.

STAFF REPORT

Mrs. Megan Davchevski, Umatilla County Planning Division Manager, stated the applicant is requesting to add a portion of Tax Lot 400 on Assessor's Map 5N 29 22 to the Umatilla County

list of Large Significant Sites, providing necessary protections under Goal 5 including limiting conflicting uses within the impact area, and applying the Aggregate Resource Overlay Zone to the proposed site. The applicant is requesting approval for occasional blasting, extraction, operation of a rock crusher, scale, office, stockpile areas and an asphalt batch plant. The proposed Goal 5 site is a 46.7-acre portion of TL 400, which is 109.65-acres.

Mrs. Davchevski stated the proposal, if approved, would add this site as a large significant site onto the County's Goal 5 inventory of significant sites. The applicant desires to establish the 46.7-acre Large Significant Site with protections under Goal 5 and to allow mining (including blasting), processing, stockpiling and operation of an asphalt batch plant.

Mrs. Davchevski wanted to note that aggregate may be mined in limited quantities with a conditional use permit in the EFU zone. The Umatilla Ready Mix site to the east of this proposed site was approved with a conditional use permit. However, when an applicant requests protection under Statewide Planning Goal 5 it is because the applicant desires to extract more materials than allowed under a conditional use permit, because they recognize that the site has a significant inventory of both quality and quantity of aggregate materials and because they desire protections from conflicting uses. Therefore, the bar for approval of Goal 5 sites versus sites under a conditional use permit are much higher.

Mrs. Davchevski said notice of the applicant's request was mailed on October 20, 2023 to nearby property owners and agencies. The applicant requests all conflicting uses to be limited to outside the 1,500-foot impact area. Staff determined this would limit allowed uses for nearby properties. For this reason, the notice boundary was extended from the required 750-feet to also include properties within the 1,500-foot impact area. Notice of the Planning Commission and Board of Commissioner hearings was published in the East Oregonian on October 28, 2023.

Mrs. Davchevski stated that the criteria of approval can be found in Oregon Administrative Rule 660-023-0040 – 0050, 660-023-0180 (3), (5) and (7), and Umatilla County Development Code (UCDC) Section 152.487 – 488.

Mrs. Davchevski explained staff were unable to determine that several criteria of approval were satisfied based on the information supplied by the applicant. Additionally, the applicant contradicts themselves in numerous statements regarding conflicts. She states it is the applicant's burden to justify measures to protect existing uses. It is then the County decision maker's responsibility to determine whether the proposed protection measures are adequate, fair and objective. The applicant also does not provide the analysis required to inform a decision to allow, limit, or prohibit future new uses within the impact area.

Mrs. Davchevski shared that the applicant would have the opportunity to address the criteria and supply additional information to the Planning Commission. Staff had previously requested this information from the applicant, however it was not provided. The questionable criteria of approval include the following.

OAR 660-023-0182 (3), states an aggregate resource site shall be considered significant if adequate information regarding the quantity, quality and location of the resource… The applicant provided two lab reports and identified one aggregate sample location. Based on the information provided, staff could not conclude that a representative set of aggregate samples were provided.

OAR 660-023-0182 (5)(b)(A), [Conflicts created by the site] Determine conflicts from proposed mining of a significant aggregate site… due to noise, dust or other discharges… Applicant provides blasting of the basalt rock will be required and will occur occasionally, and noise impacts from blasting will be mitigated with the existing basalt outcropping. The Applicant provided an analysis of anticipated impacts from blasting from Fulcrum Geo Resources (Exhibit E). The Fulcrum report includes one detailed map (Figure 2) to support the findings, however, the map does not specifically identify the area subject to blasting. Based on the applicant's information, basalt is on the entire site, covered by sand and gravels thus the entire site would be potentially subject to blasting, although this is unclear. Fulcrum's Figure 2 map, received by Planning on September 13, 2023, identifies several basalt outcrops. The applicant provides that the basalt outcrops will serve as a natural barrier to protect existing uses from the mining activities. However, if the applicant also intends to mine these basalt outcrops, the natural barrier will eventually diminish. Because the areas subject to blasting are unclear, impacts caused by blasting cannot be determined.

OAR 660-023-0182 (5)(c), [If conflicts exist, measures to minimize] The local government shall determine reasonable and practicable measures that would minimize the conflicts identified under subsection (b) of this section. The applicant consulted with Fulcrum GeoResources LLC to develop an Anticipated Impacts from Blasting report (Exhibit E) the Figure 2 map submitted with this report identifies a basalt extraction area subject to blasting, however the map was provided to Planning staff as a grayscale. It is difficult to determine where the proposed blasting area is located. Figure 2 of Exhibit A identifies the basalt extraction area as the southeast corner of the proposed site. The applicant will have the opportunity to clarify the proposed blasting area.

Mrs. Davchevski explained the Planning Commission may find the applicant's supplied Fulcrum Anticipated Impacts from Blasting report adequately addresses blasting concerns and provides guidelines for mitigating potential blasting impacts by properly planning controlled blasts, implementing blast procedures and time-delays to prevent excessive vibrations, other emissions, and by monitoring blasting to collect vibration data. A subsequent condition of approval requiring these procedures and practices could be imposed to mitigate conflicts. Subsequent Condition #2 has been added to the preliminary findings for consideration.

UCDC 152.487 (A) (4) Adequate screening, either natural or man-made, is available for protecting the site from surrounding land uses. As stated above, the applicant relies on the existing basalt outcrops to provide screening of the site. However, the applicant does not address whether they intend to extract these outcrops. Additionally, the applicant does not offer an

additional screening should the basalt outcrops be mined. The Planning Commission may find that additional screening is required along the site boundaries and may impose an additional condition of approval.

Mrs. Davchevski explained additionally that the Planning Commission may find the request satisfies these criteria. These findings must be based on facts in the record. There have been two recent LUBA decisions providing clear expectations of applicants requesting Goal 5 protections for a Large Significant Aggregate Resource Site: LUBA No. 2022-060 (Beath & Koopowitz vs. Douglas County) and LUBA No. 2023-033 (Rock Solid Sand & Gravel & Aylett vs. Umatilla County). In the Douglas County case, LUBA found that describing the entire Mining Site is not adequate for identifying the location of the aggregate resources. LUBA also concluded a single sample of gravel is not "representative" of the proposed site, and is not adequate for finding compliance of the rule. LUBA determined the Administrative rule requires "a set of samples, meaning multiple samples" and that sample locations must be identified to be found representative.

Mrs. Davchevski stated in the Umatilla County case, LUBA found the levels of noise, dust or other discharges generated by the aggregate mining and processing activities must be identified and analyzed. The analysis should detail discharges by separate activities at different locations and explain how the activities will affect conflicting uses within the impact area. Until this analysis is completed, measures for minimizing conflicts cannot be identified.

Mrs. Davchevski explained the process of approval by the County involves review by the County Planning Commission with a recommendation to the Board of County Commissioners (BCC). The decision includes a set of Precedent and Subsequent Conditions of approval. The Planning Commission is tasked with determining if the application satisfies the criteria of approval, based on the facts in the record. Staff have provided Preliminary Findings of Fact and Conclusions of Law based on the applicant's supplied information. The criteria that could not be conclusory determined as satisfied include statements about potential Planning Commission findings and state "the Planning Commission may find". These statements will be amended to reflect the findings made by the Planning Commission this evening.

Mrs. Davchevski concluded by stating following the Planning Commission's recommendation, the Board of County Commissioner's must also hold a public hearing(s) and decide whether or not to adopt the proposed amendments. A public hearing before the Board of County Commissioner's is scheduled for December 6, 2023.

Mrs. Davchevski noted staff had received several written comments today from notified property owners. These comments have been emailed to the Planning Commissioners and applicant, hard copies are also available. She requested they be entered into the record as Exhibits K through S.

Chair Danforth had a question for staff regarding what was listed in the application on page 192 in the packet. Farm was not selected as a listed structure of facility that might be disturbed within 1500 feet of the permit area.

Mrs. Davchevski explained this was the applicant's DOGAMI application and the applicant would be the best to answer questions regarding this application since it was a supplemental form added to the packet.

Chair Danforth called Mr. Cox and his representatives to allow for applicant testimony.

Applicant Testimony: Mr. Doug Cox, 78376 Lincton Mountain Rd, Weston, OR 97886; Ms. Jennifer Currin, PO Box 218, Pendleton, OR 97838; Mr. Erick Staley, 17600 Pacific Hwy, Marylhurst, OR 97036

Ms. Currin opened her testimony by introducing herself as an attorney with Corey, Byler and Rew in Pendleton, Oregon. She introduces her support of the applicant, Mr. Doug Cox, and asked for the Planning Commission to approve the application as submitted. She additionally notes a supplement letter addressing some of the concerns brought forth by staff tonight. She provided additional background information for all to hopefully help supplement the record. This letter was entered into the record as Exhibit S.

Ms. Currin stated she believes after hearing all the testimony and material tonight the Planning Commissioners will decide this isn't a close case and to approve because of the quality of the application. She stated this site is in a particularly good location. Being close to a highway, but not near a lot of residences, and it will not have an impact on transportation. Mr. Cox had a transportation study completed to show no adverse impacts to neighbors. Along with the quality of resources, so much so that another quarry in the same area is operated by ODOT, and there is a need for aggregate.

Ms. Currin explained Mr. Cox is a business owner that's been working tirelessly now for a year to meet the criteria and the Planning Commission will see he meets or exceeds the criteria at every level. She stated most of the complaints filed today do not address complaints made regarding the criteria. Mr. Cox must meet certain criteria. She stated complaints are not based on criteria not met, but about concerns they were not happy about. She asked the Planning Commission to remember the criteria when reviewing the complaints.

Ms. Currin states the applicant's goal is to minimize the impact to the environment and all of Mr. Cox's proposal today will do that along with providing a great service to the community. Mr. Cox is a hometown guy and grew up in Hermiston. He began by digging ditches and continues to make a living digging ditches. He wants what is best for this community, and he is doing this by working in construction for 30-40 years. She added we need aggregate. This is a service for our communities. She states the applicant will meet the criteria as described by staff.

Mr. Cox stated he owns and operates CRP & Hauling and is co-owner of Sign-Co Construction, both companies are based out of Hermiston, Oregon. He adds he has been in the construction business for almost 35 years. Recently it has continued to be tough on contractors around the Hermiston to get aggregate. The town is growing rapidly and through experience in this industry he has seen those changes, especially getting materials to build sites. He states himself, along with his business partner, drive for their company and the amount of time spent to get product is overwhelming.

Mr. Cox emphasized the needs of the community and this particular aggregate source is excellent and in a great location. He also brought up his communications with local county officials and their needs for sources and this parcel is ideal for their needs as well.

Ms. Currin also wanted to highlight Randy Rupp is the landowner of this tax lot and he is here in support today. She introduced Erick Staley, a licensed certified engineering geologist, whom Mr. Cox hired. He has evaluated this aggregate site and is using his education and expertise to help the Planning Commission understand why this is an ideal location. She added Mr. Staley will share information about this site and address concerns from staff. She stated he will use Google Maps to share his perspective on this quarry and the steep bluff providing a buffer with horizontal and vertical barriers.

Mr. Erick Staley began by introducing himself. He is a Certified Engineering Geologist in Oregon and he's consulted on mining sites for 23 years, across more than 20 states. His experience lends to understanding resources, doing the geologic research, on-site reconnaissance, evaluating resources, and doing a drill program where appropriate. Mr. Staley stated Mr. Cox hired him to look at the site, evaluate it for volume estimation, and create a mining plan that meets state and/or local regulations. As well as help maximize the use of resources on the site.

Mr. Staley stated the site is located at the southeast corner of State Highway 730 and State Highway 207. Mr. Staley shared his computer screen to Google Earth and demonstrated, in blue, where the subject property is located, including the proposed mining area. He stated additional factors to consider include the presence of wetlands, which are shown in green on the screen. The wetlands were determined in coordination with the Department of State Lands (DSL). He stated initially DSL identified the wetland conflicts and the applicant adjusted the mining plan to avoid the wetlands, which resulted in agreement with DSL.

Mr. Staley stated additional benefits to this site include the presence of a basalt outcrop. Mr. Staley identified the basalt outcrops as the area on screen in magenta (Exhibit T). This bluff transects the property as well as the few isolated knobs of the basalt bed rock, which are visible when walking the site and can be viewed on an aerial as well. Additional outcrops off the property to the south were discovered as well, which are indicated in pink on Exhibit T. He stated these are effective indications of an extensive basalt flow that's on the property and in the area.

Mr. Staley indicates on the screen regarding another basalt flow on the north side of State Highway 730 that has a similar bluff edge. Mr. Staley demonstrated what the topography is like in this area, as he changed view to show the westerly angle. A steep slope comes down past the bluffs then levels off into a relatively flat area south of the wetlands. He described the deposit as primarily basalt bedrock, but accumulation of sand is present to the north. The area is effectively enclosed by natural topography on the north and south and it extends abundantly east and west, which is an important aspect for this site.

Mr. Staley discussed how they would develop a mine plan with the existing topography. He showed a wetland buffer, indicated in green on Exhibit T. A 25-foot buffer was added as an appropriate setback with coordination from DSL. Additionally, a permit boundary, indicated in red. DOGAMI will require all mining operations to occur within this area. Operations include extraction and processing of the basalt, extraction and processing of the sand, forming stockpiles, the asphalt batch plant, and stormwater management. He stated County Staff questioned why there was only one sample obtained from this site. He indicated where the sample was retrieved as a white dot on Exhibit T. He stated according to his expertise, this site is more unusual where there is a transection of basalt exposed across the site. Indications of basalt further off the property indicates the resource is extensive. He stated he knows of a LUBA case regarding a sand and gravel only site, that had one sample and was remanded. Mr. Staley has been involved with projects where Goal 5 designations were done without any drill or sampling because of similarities in the surrounding area. This site is important because not only does it have a natural outcrop around and across the site, but there's also mining in the vicinity that meets the criteria.

Mr. Staley explained that ODOT has a pit to use for their own material, and their base rock must pass classifications. He performed a hammer test, which tests how many strikes are needed to break the material. They analyze exposure, fresh material, weatherization, clay filled partings, and degradation of material. Which he did not see. With the findings he felt the material was very high quality and submitted a report even though they only had one confirmation sample.

Mr. Staley demonstrated, in orange, where the extraction will occur on Exhibit T. He stated the 38-acre permit boundary would allow for both basalt extraction and sand extraction on the lower slopes. The gap between the orange (extraction) and the red (permit boundary) is a 25-foot set back, in accordance with DOGAMI. DOGAMI requested a setback between the extent of the mining and the ultimate property boundary to account for any over blast or error in placement of that edge. He added a comment, included in the blast report, stating blasting would occur where the salt outcrops and the cliffs bluff and approximately 100 feet north.

Mr. Staley again stated the magenta area, on Exhibit T, is where they anticipate blasting to occur. This area includes the bluff, south of the bluff, and a marginal area that may have shallow sand. The yellow area indicates where sand extraction will occur. The proposed finished mine floor is where the slope comes down.

Mr. Staley pulled up a similar document for the mine plan on screen and demonstrated the basalt outcrops in magenta, sample location in white, wetlands in green, so those are all similar with the previous map. New features on this are some stormwater management ponds the applicant plans to build into the site. He stated an access road will come off Highway 730, which will go over a culvert for the outlet out of the wash indicated on screen. He stated it will come around the site outside the wetland buffer and then come down to the operations area in the southwest. He added there will be a ditch, along the roadway, that captures drainage coming off the site and lead through a series of check dams to the infiltration pond.

Mr. Staley showed Exhibit D, Site Plans, located on page 72 in the packet and explained the site plan. He continued to show the next topographic map representing the floor of the site sitting at 420 feet above mean sea level. Side elevations range from 480 to 500 feet. Which showed an approximately 60 to 80-foot-high wall key for containment or formation of barriers of the operation to the surrounding area. He described the topography will ultimately look like a benched excavation. Reduction of materials will take time to mine and will probably operate for decades. He stated currently there's a bluff, initial mining will include drilling and blasting up top, but as soon as it's incised those benches will be lowered from mining activity. Especially the operations area shown will always exist behind the either natural or man-made steep slope that forms a barrier for noise and dust from the site.

Ms. Currin directed a statement at Mr. Staley. Asking if the staff notes indicated the applicant intends to mine those basalt outcrops, the natural barrier will eventually diminish. Was he stating that is not the case and it will increase?

Mr. Staley answered it will indeed increase the vertical barrier as mining continues. Blasting will occur a few times a year and it is unnecessary to be more frequent. Only some of those blasts will be above the basalt outcrops. Blasting only takes seconds, where drilling can take a matter of days. Mining will be down over the edge of the slope and contained within, or downslope of the vertical barrier.

Mr. Staley stated based on his expertise there must be enough hard rock to warrant the effort, and close to transport for marketing. The aggregate site must have the appropriate logistics to support the type of mining needed and where it can be found. They want it to be as close as possible to a highway, disrupt the least number of neighbors, and have decent amount of material. He assures this site has all of those, which is not very common. It has a very short route from the site to the highway and has a very large amount of high-quality material.

Commissioner Gentry asked about the sample site and whether drilling was used to procure the sample or if a representative sample from the surface was obtained? Mr. Staley answered he took a representative sample from the cliff, which is 30 to 50 vertical feet. He mentioned it had a pretty good thickness exposed which indicates it has had some degree of weathering by being exposed to the surface conditions and passed all the tests performed. Commissioner Wysocki

asked what the chain of custody for that sample was. Mr. Staley responded that he retrieved the sample and then transported it to the lab, Carlson testing, in Tigard.

Commissioner Standley requested the applicant speak about the concerns received regarding impacts to neighbors from the rock pit and asphalt batch plant. Ms. Currin responded stating there is speculation that property values will drop. She reiterated the area already has a rock quarry used by ODOT which has operated there for many years, likely before some of these farm properties were established. Commissioner Standley asked Ms. Currin when the ODOT quarry was approved. Mr. Cox stated it was established in 1935.

Commissioner Standley mentioned this land has been zoned as Exclusive Farm Use (EFU) since 1972 onward. Ms. Currin reiterated the ODOT quarry has operated for many years and the neighbors have not submitted complaints about the site. Chair Danforth asked if blasting occurs at the ODOT site. Mr. Staley responded yes, there would be no way to mine this area without blasting.

Commissioner Standley asked about the asphalt batch plant, are there additional benefits other than creating asphalt. Asphalt plants create odor, and he asked if there be any ill effects from it? Mr. Staley responded the site is confined and with predominantly west winds it would have minimal impact to individuals living nearby, which would also reduce sound impacts.

Commissioner Standley asked what the hours of operation would be for this site. Per the packet it was listed as 6am to 3pm for commercial access. He wanted to know what operating times would be for work taking place inside the pit. Mr. Cox stated industry standard is from 6am until between 5pm to 7pm. Crushing rock would take place for three weeks after blasting to form stock piles, and then sale of the stock piles would happen thereafter. Mr. Staley commented and agreed with Mr. Cox who stated he will bring in another company to perform the drilling, blasting and crushing and forming of stock piles.

Commissioner Standley asked the applicant again to clarify a more precise operating time, and to explain activities for asphalt processing. Mr. Cox stated the proposed hours are 6am to 7pm. He tried to investigate hours of operation for the nearby ODOT quarry and could not find them. He stated once stock piles are created the commercial hours will be 6am to 3pm. Mr. Staley stated the site must receive approval and DOGAMI permit before purchases like a boiler can be made. General assumptions are made based on the business plan proposal, but until all approvals and permits are received they really can't make guarantees.

Commissioner Gentry asked if any problems have arisen regarding obtaining access permits with Oregon Department of Transportation (ODOT). Mr. Cox stated he has his access permit granted from ODOT. The permit requires a buffer lane of asphalt to widen the road for trucks to enter and exit. Commissioner Gentry asked about the wetlands and any concerns with the wetland regulations. Mr. Staley stated if the fill is under 50 cubic yards Department of State Lands (DSL) will approve. Commissioner Minton requested information regarding any run-off into the current

wetlands. Mr. Staley responded a buffer is required. If they abide by the buffer and maintain the floor of the site, run-off will go into the ditch and not into the wetland.

Commissioner Standley asked if a pre-blasting notification will be sent to residents nearby. Mr. Cox responded a notification 48 hours prior to any blasting activities is required. All rules will be followed. He went into detail about his business with construction and the need for following rules and dealings with the public.

Commissioner Standley stated he wants to get all the information answered. The hope is that the neighbors' concerns can be answered ahead of time and the applicant needs to address those concerns before a decision can be made. Chair Danforth reminded Commissioner Standley and the other commissioners that they are giving a recommendation to the County Commissioners.

Chair Danforth asked a question regarding the wetland setback on the site plan, which stated it was 50-feet. Mr. Staley stated the setback is 25-feet. Chair Danforth brought forth the regulation listed on page 20 in the packet, stating the Goal 5 analysis for this wetland calls for limiting conflicting uses with implementation of a 100-foot setback from wetlands and streams. Mr. Staley stated that is in the Technical Report from 1980 from Umatilla County. Mrs. Davchevski stated the standard is also in the Umatilla County Development Code that all wetlands must have setbacks 100 feet from conflicting uses, but this wetland is also a Goal 5 protected wetland as listed in the 1980 Technical Report. Mr. Staley asked about the conflicting uses stated. Mrs. Davchevski answered it just references mining activities associated with mining, including stockpiling and ponds. Mr. Staley stated they can change the site plan to accommodate that standard.

Chair Danforth requested more information regarding the probability of the location or check dams for runoff. She asked if there was a firm plan, and if any existing fault lines run through this property. Mr. Staley responded the plans made for mining sites are more dynamic, monitoring standards and other things dictate the design and adjustments must occur over time. He stated no active faults run through this property that have been mapped by the United States Geological Survey (USGS).

Chair Danforth asked about the DOGAMI application, referring to page 192 in the packet, and why farm was not checked as a Structure, Facilities or Surface Disturbances within 1,500 feet of the permit area. Mr. Staley responded it may have been an oversight and could be corrected since the application will not be processed until the site passes the local process first. Chair Danforth added she wanted a clear representation of the application.

Commissioner Standley asked about the next section of the DOGAMI application, does the answer regarding 1,100 feet "…from the nearest structure not owned by the permitee", does that represent an outbuilding, property line or home. He asked what type of different effect does blasting have on a structure housing animals but not people. Mr. Staley demonstrated on the computer the structure the application referred to. He stated generally the structures represent

those occupied by people or a critical structure, like a school. He was able to show the nearest outbuilding on-screen.

Commissioner Standley asked about the amount of dust that might be created while crushing takes place and with 10-15 trucks a day into the site. He asked how many loads they would have, and the dust created during a typical busy day, what would neighbors expect. Mr. Cox answered likely five trucks every half-hour. There would be a water truck on site, which can and will be permitted should it need to. He plans to adhere to all the standards for air quality.

Chair Danforth asked about their plans to mitigate runoff in the site area and the aggregate samples. Mr. Staley explained why they chose one sample site instead of several samples across different areas in the proposed site. Access to the site was difficult at this time of year due to recent snowfall. He used LIDAR imagery and looked at hill shade elevations demonstrating prior scouring of the basalt flats and locations of the sand deposits.

Chair Danforth had questions regarding the terminology used regarding the buffer zone and asked if mining would diminish the basalt outcrop over time. Mr. Staley and Ms. Currin both answered stating there would always be a vertical barrier and referred to the mining of this site as a side hill excavation.

Chair Danforth asked why a supplemental blasting plan was not provided as part of the application to Planning staff. Mr. Staley stated this would be something added by a licensed blaster involved and could be provided but those plans are prepared depending on what approach the blaster takes with design and there are strict criteria to follow.

Commissioner Wysocki asked what the volume of basalt was and its thickness. Mr. Staley responded a maximum depth of 80 feet from the mine floor to the top of the vertical cliff, referring to the area on-screen in purple. They have ability to expand about 25 acres.

Commissioner Standley asked about the two different types of applications and differences in Large Goal 5 sites and the limit of aggregate that can be mined each year. Mrs. Davchevski answered there are less criteria and more limits on the amount of aggregate mined each year. She believes the amount mined yearly cannot exceed 500,000 tons for the smaller site. Discussions went on with Commissioner Gentry, Commissioner Wysocki and Mrs. Davchevski regarding the differences between small and large Goal 5 sites.

Commissioner Wysocki asked if Mr. Staley had identified what stratigraphic unit of basalt his specimen sample was. Mr. Staley said he did but was unable to confirm at that time.

Commissioner Gentry asked what the maximum production and projected lifespan of this site. Mr. Staley stated it has the capability of being a large significant site. Rock volume is estimated at 2 million cubic yards, approximately 4.7 million tons, which can be found on page 13 in the findings.

Commissioner Wysocki asked Mr. Cox which county officials were in support of this project. Mr. Cox answered Tom Fellows, the Umatilla County Roadmaster.

Commissioner Standley asked Mr. Cox if the nearby rock source to the east was still producing quite a bit of product. Mr. Cox said he is unsure how they operate and quantity. He shared his business plan includes newer equipment to have shorter periods of time for blasting and crushing. The other quarry has outdated equipment and is said to run for longer periods of time per a local landowner.

Commissioner Standley asked about regulations regarding the other site mentioned to staff and what inventory might exist. Mrs. Davchevski stated the site was grandfathered in and a conditional use permit was granted for their batch plant in the early 1990s.

Ms. Currin mentioned existing dwellings have operated well within the area surrounding the ODOT quarry. She stated this proposed location is better since it has those buffers along the north face, as well as south and west.

Neutral: Casie Hull, 34287 Diagonal Rd, Hermiston, OR 97838. Ms. Casie Hull asked what other property this landowner has with exposed basalt that could be used for mining.

Opponents: Cody Basford, 33869 E. Progress Rd, Hermiston, 97838. Mr. Cody Basford asked if his submitted comment had been received. Mrs. Davchevski answered the document noted as Exhibit N was provided to the Planning Commissioners.

Mr. Basford read his statement submitted, Exhibit N, before the Planning Commissioners.

Opponents: Kyla Latham, 82532 Salmon Point Ln, Hermiston, 97838. Ms. Kyla Latham read her statement submitted as comment, Exhibit M.

She also added the site would disrupt the wildlife on the land and could cause traffic problems along Highway 730 and Diagonal Road. She added it would cause the area to have increase of dust, foul smells, and poor air quality. Chair Danforth asked where her property was located, and she demonstrated on the map her property is located on 5N 29 22 Tax Lot 1300 and 5N 29 Tax Lot 4600. Mrs. Davchevski with further clarification, relayed to Ms. Latham that her property is not included in the site boundary. Chair Danforth and Commissioner Gentry asked if Ms. Latham was aware which boundaries now impact her home and she stated she understood the map better now. Additionally, Chair Danforth asked if she has been impacted by the ODOT quarry nearest her property. Ms. Latham said no, she hardly witnesses any activity.

Commissioner Standley asked if any of the comments this evening put her mind at ease. Ms. Latham stated if anything it has made her more concerned, due to traffic. Commissioner Standley reiterated some of the things covered, including transportation and signage, hours of operation and wind prevailing to the west, so dust would move from where they live. Chair Danforth also

asked if she had any farm buildings within that area. Ms. Latham stated she only has pivots and circles in that area.

Opponents: Joyce Langley, PO Box 577, Umatilla, OR 97882. Ms. Joyce Langley shared her concerns regarding the traffic report that Highway 730 is very busy, along with Diagonal Road and onto Salmon Point Lane. She expressed concerns with farmers and their equipment entering, exiting the road on an already very busy area.

Opponents: Barbara Atwood, 33679 E. Progress Rd, Hermiston, OR 97838. Ms. Barbara Atwood stated her property is southwest of the proposed site. She expressed concern regarding the impact of noise. The quarry one and one-half miles from their farm is very noisy. Even though there are west prevailing winds they still smell odors from the jobsite. She noted the ODOT quarry had an asphalt grinding or recycling machinery and it was quite odiferous. She expressed her family has allergies, and her daughter has asthma. She states that she is a physician and has history of patients having severe sensitivity to dust and strong smells.

Ms. Atwood also mentioned worries about her land value decreasing. She is getting older and worries if the noise, traffic, and unsightly area cause loss of money on any future sale. They enjoy the ability to see the wildlife running through their property. She also expressed how they have tolerated the ODOT quarry because it isn't very active. She mentioned they were not aware of the quarry East of their property until the last several years when it started becoming more active.

Commissioner Standley asked what her property is zoned. Ms. Atwood responded her property is zoned EFU. They raise animals and utilize their farming property. She worries about the horses she raises and how easily spooked they can be. At times have ran through fences in the past with disturbances like fireworks, so she can only imagine how blasting might affect them and her alfalfa. She indicated that the dust could impact the quality of the farm products including alfalfa and hay. She is unable to feed those dusty crops to her livestock.

Opponents: Justin & Jenny Estes, 34214 Diagonal Rd, Hermiston, OR 97838. Mr. Justin Estes expressed concerns about how the determination of tonnage based on the one sample taken. He also spoke about how he has worked as a ranch hand from the age of twelve and now currently forty-nine, he has worked hard to get what he has. He spoke about the ODOT quarry and how infrequent it has operated noticeably over the past 18 years he has owned his property. He also referenced the other quarry located 1.4 miles from his house and the amount of dust produced from it. He doesn't agree with the comments made stating the site is confined, he differs in opinion and believes it is more of a canyon and dust won't be confined. Chair Danforth interrupted to question which quarry was close to his home. Mr. Estes answered it was the Umatilla Ready Mix site.

Mr. Estes also brought up the comment regarding predominant west winds during the summer time. He mentioned during this time of year those change and get pushed their direction instead.

He expressed additional concerns regarding the placement of the rock crusher and the noise that would be produced from that site. Discussion went on regarding the property owner's acreage with basalt and stated Mr. Rupp owns 20,000 acres to the east and asked why that property can't be mined. Mr. Estes spoke in length regarding the road, his inability to move his mailbox to the side of road nearest his property and was refused citing USPS safety for their drivers. He mentioned links to studies in his comment, Exhibit P, regarding EPA studies with effects of silica and prolonged exposure. He also mentioned concern for the false statements he states Staff brought forward.

Mrs. Jenny Estes stated she wants to highlight the study regarding traffic counts, she questioned the safety portion of the operation. She added this area is very busy and if trucks are entering the roadway at a slow rate of speed how is that going to effect other travelers and their safety. She does not want to take away his ability to mine rock, but states there is a lot of land to the south that could be a good location further away from the eight homes that existing in this area.

Opponents: Steve White, 33551 E. Progress Rd, Hermiston, OR 97838. Mr. Steve White stated he lives west of Dr. Atwood, and south of the Estes'. He stated his complaints are redundant and wanted to share his silence should not be mistaken for agreeing with this proposal. He added he has a lot of the same concerns being brought forth by others.

Chair Danforth asked how long Mr. White has lived in the area. Mr. White responded by stating he has lived in his current home for 11 years, and in the Hermiston, area combined over 20 years. His wife is unable to attend tonight but has resided in Hermiston for several years. They are concerned with the traffic report and stated 356 trips per day would be a large nuisance.

Opponents: Brandon Hayden, 81255 N. Golda Rd, Hermiston, OR 97838. Mr. Brandon Hayden shares a lot of the same concerns by others stated this evening. He stated he lives approximately one and one-half miles away from the proposed site. Chair Danforth asked him which direction. Mr. Hayden indicated closer to Progress Road. Chair Danforth asked if that was more to the west. Mr. Hayden confirmed. He mentioned he only recently learned about this notice. He stated he would like to see what studies were used to determine the impact radius. He would also like to see the supportive information from those who do agree with this proposed site to understand both sides.

Opponents: Rob Curry, 33779 Diagonal Rd, Hermiston, OR 97838. Mr. Rob Curry stated he lives at mile marker one headed into town. His biggest concern is the safety aspect. He has kids who ride the school bus just prior to 7am each school day. He describes a situation regarding a loaded dump truck traveling at 55 to 60 miles-per-hour in the fog and danger presented if sight is diminished and stopping can't happen quickly in those conditions. He added the Edwards area is already accident prone and adding a potential 300 plus trucks, where is the safety factor in this all.

Public Agencies: None

Applicant Rebuttal: Mr. Doug Cox, 78376 Lincton Mountain Rd, Weston, OR 97886; Ms. Jennifer Currin, Attorney for applicant, PO Box 218, Pendleton, OR 97838; Mr. Erick Staley, 17600 Pacific Hwy, Marylhurst, OR 97036

Ms. Currin stated many consistent themes were heard by opposition testimony. She asked that focus be placed on this particular site and not other issues or matters between Mr. Cox and other property owners. Ms. Currin stated herself, Mr. Cox and Mr. Staley have addressed the issues regarding dust, noise, safety concerns and criteria must be met before any work (blasting or otherwise) can begin. She reiterated Mr. Cox will do all that is necessary to abide by the provisions, statutes, and safety criteria is always followed. Ms. Currin repeated some information from Ms. Kyla Latham's testimony regarding a misunderstanding of the maps boundaries and that has been interpreted correctly now. Ms. Currin referenced Ms. Latham's statement written in Exhibit M.

Ms. Currin stated she also heard comments in the audience regarding information presented and those individuals may have not been fully informed about this site and what even some of the maps might mean. She commented about studies brought forth from testimony regarding reduction of property values as much as 30% when rock pits are established nearby. She questioned if those studies are relevant to this region, if they are in Eastern Oregon. Ms. Currin continued to state factors specific to this area and whether multiple quarries are nearby. She questioned if those are facts brought up in this mentioned study of reduced property values.

Ms. Currin explains many concerns shared by Ms. Barbara Atwood regarding odor and air quality. She stated Ms. Atwood does not have a history of complaints regarding the already existing sites filed with Umatilla County. She stated Ms. Atwood has continued to live on her property long-term and raise horses despite the nearby quarries. She added the concerns have been noted but believes most of this to be speculation and asks the Planning Commissioners to consider all Mr. Cox has done to meet the criteria for this proposed site. Ms. Currin added Mr. Staley, who was hired by Mr. Cox, was able to provide the information about studies regarding the topography, testing done on-site, and why only one sample was tested on multifactorial analysis. She asked that Mr. Staley have creditability based on his expertise and the information he presented tonight.

Mr. Cox discussed the traffic study that he paid for and wanted to speak about the 365 trips mentioned. Mr. Staley corrected him by mentioning the trips listed on the study per truck being two trips. Mr. Cox recalled a statement about 15-minute intervals and trucks from the proposed site would be traveling from many routes and not always on Diagonal Road. Mr. Staley referenced the 15-minute traffic stated it was from the Staff Report. Mrs. Davchevski stated the information used was from the Traffic Impact Analysis submitted by the applicant is located on page 93 in the packet, referencing 'Table 7 – Aggregate Mining/Asphalt Batch Plant Trip Generation Estimates' and daily trips section outlining 356 trips.

Mr. Cox mentioned a concern expressed by opposition testimony this evening. He was required to have a survey of the property to start the process. He hired someone to do the fence around the property and this worker was stopped by the Basford's. Mr. Cox contacted the Basford family and brought forth information about the fence line and location being over the property line into the proposed site. He personally, has never removed any fencing. Mr. Cox stated he agreed to put up the fence over the bluff, but not until the proper permit is granted and he can access the area. He further explained the area can only be accessed by foot or ATV. Chair Danforth asked why the area in inaccessible by truck. Mr. Cox answered there is no access.

Mr. Cox added he does not have a permit from ODOT yet. Once all approvals are granted he intends to build an actual road off from Highway 730 and safely unload a low-boy. He stated currently there is no safe area to unload equipment on that property, he would have to unload across the road and drive across. He further explained this is one of the reasons he has been unable to return to build the fence because access is very limited. He wanted to add he is a very friendly and neighborly person. Mr. Cox continued to speak about his neighborly nature and how he intends to keep everyone's interest in mind.

Ms. Currin stated she hopes decisions are based upon fencing or surveying in this case. She commented regarding testimony by Mrs. Hull and Mrs. Estes speaking about ownership of property by the same landowner. Ms. Currin asked to have Mr. Staley speak to those comments. Mr. Staley stated he was unsure how much additional land is available to the landowner. He explained this site was an ideal location not only because of the basalt, but due to proximity of transportation, and other factors mentioned prior. He added the landowner could find something similar, it's possible but it may not be in the best location to serve this market. From his understanding, the landowner has had multiple parties approach him stating interest in the aggregate resource. However, the landowner would be the best resource to speak to that subject.

Ms. Currin added Mr. Rupp does have other property, but this property was the most economical and reduced the amount of environmental impacts. Mr. Cox added he attempted to use the ODOT rock pit but was unable to. Chair Danforth asked if they had tried to look further east. Mr. Cox said no, that area was not looked at.

Mr. Staley approached the concern about blasting occurring close to other properties and flying rock during a blast. He stated fly rock is very dangerous and if such an incident occurred there would be reports of this. He added blasters motivation is to perform safely, otherwise fines and loss of license could occur.

Commissioner Standley stated they can't mitigate the ground shaking; any vibration could startle animals and can't be controlled. Mr. Staley stated shaking can be controlled by distance. Animals could be taken elsewhere if property owners think they may be affected. This is mitigated by providing notice 48-hours ahead of time. Commissioner Standley asked where the owner is supposed to move the animals or simply place earmuffs on them. Mr. Staley stated most

animals are tolerant of blasting, and he could cite many examples of ranches right next to functioning quarries that have not been affected. He mentioned a site on the west side of Washington, in Lewis County where a deer raises one or two fawns yearly and they always return. This quarry continues to blast, and the animals are always there or return.

Mr. Staley further discussed why fly rock is detrimental to any project; loss of money, because the process is expensive and if charges are not deep enough you are repeating the process to fracture the rock for processing. Fly rock is a waste and operators don't want to pay for that, beyond controlling regulations and safety. He added dust will be managed with construction of a top soil berm material at the edge of the property. Mr. Staley stated the goal is to maintain topsoil which consists of organic material for future revegetation of the site. The berms must be stabilized against erosion, will be seeded with mulch added to keep the berm intact.

Mr. Staley stated regarding testimony made about storage of fuel and oil, DEQ would be involved with standards and criteria for storage of hydrocarbons like these. Either double walls or exterior containment can be used as a secondary measure in case of tank ruptures. Commissioner Standley shared those types of things need to be known to the Planning Commission. Commissioner Standley further explained previous approvals have been questioned due to the lack of questions asked regarding containment, hours of operation and what standards for this operation. Commissioner Standley added more information to firm up these details so there is no question to their operations or out of compliance. He referenced page 79 in the packet, Mr. Staley's report in Exhibit E, *Fulcrum Geo Resources, Anticipated Impacts from Blasting*, "No warranty or other conditions, express or implied, should be understood." He interpreted you can but can't guarantee everything, like blasting errors can be made during an operation can affect EFU zoned property and was his concern.

Mr. Staley stated is difficult to publish any professional report without limitations, it is a requirement he must follow because his insurance requires it. Commissioner Standley, Mr. Staley and Ms. Currin further discussed the rules outlined to meet criteria. They referred to previous statements about aggregate testing and what criteria have been met based on facts, expertise and evidence.

Chair Danforth stated she wanted to give attention to the concerns from the affected neighbors of this proposed site. She directed a question towards Mr. Cox's statement, will he lease the project to someone else. Mr. Cox stated he will hire someone to do the blasting and crushing, their equipment would be brought on-site to drill, blast, and crush. That would be the extent of their use on-site. Mr. Cox will be responsible for piling the aggregate, operations of the scale house, loading material. Chair Danforth asked if the contractor would be responsible for the dust abatement. Mr. Cox added yes, but he would also be responsible. Chair Danforth added our county is primarily complaint driven and it would be on the neighbors to complain to get something resolved, and it would be more neighborly to mitigate that, so complaints don't take

place. Mr. Cox added he wants to make sure that is done. Mr. Cox added during blasting there will be a water truck on site to address dust issues.

Mr. Staley spoke about the concerns on traffic. He referenced the *Preliminary Findings and Conclusions* on page 46 of the packet, under goal 12 County Finding, "The applicant submitted a Traffic Impact Analysis (Exhibit F) which found that the proposed mining operations will add approximately 356 daily trips on local roads, which overall will have minimal impact on both Highway 207 and Highway 730. The current 15-minute traffic count for the intersection of these two state highways is nearly equivalent to the average daily trips of the mining operation." Mr. Staley added this was one of the reasons they didn't feel there would be much impact on traffic because the 15-minute traffic count is equivalent to the trips per day of the aggregate site.

Ms. Currin lastly referred to Exhibit K submitted by Dr. Barbara Atwood, citing her quote regarding OSHA and asphalt fumes, Dr. Atwood cites health concerns. Ms. Currin stated the document does not reflect OSHA standards for exposure regulating of asphalt fumes, and this information is not relevant to this case. She hoped the Planning Commission requires discerning factors made on complaints like the requirements imposed on Mr. Cox and his business CRP & Hauling.

Chair Danforth closed the hearing for deliberation.

Chair Danforth adopted the following exhibits into the record:

Exhibit K; November 8, 2023, Letter to Planning Commission submitted by Dr. Barbara Atwood

Exhibit L; November 8, 2023, Letter to Planning Commission submitted by Crystal Atwood

Exhibit M; November 9, 2023, Letter to Planning Commission submitted by Kyla Langley Latham

Exhibit N; November 9, 2023, Letter to Planning Commission submitted by Wylie Ranch and Aaron Basford

Exhibit O; November 9, 2023, Letter to Planning Commission submitted by Jenny Estes

Exhibit P; November 9, 2023, Letter to Planning Commission submitted by Justin Estes

Exhibit Q; November 9, 2023, Letter to Planning Commission submitted by Casie and Michael Hull (Terra Electric, LLC)

Exhibit R; November 9, 2023, Letter to Planning Commission submitted by Joyce Langley

Exhibit S; Submitted during November 9, 2023 hearing, additional information provided by Jennifer E. Currin (Attorney for Doug Cox, CRP & Hauling)

Exhibit T; Submitted during November 9, 2023 hearing, Project Site map presented by Erick Staley (Geologist for Doug Cox, CRP & Hauling)

DELIBERATION & DECISION

Commissioner Gentry started by stating he does not know much about mining and geology. From his perspective he believes they have done their due diligence with finding this site and wouldn't move forward if they didn't think it was a significant site with adequate aggregate supply.

Commissioner Standley shared that many concerns were stated this evening. He talked about hours of operation, impact to neighbors and how to mitigate concerns. He added this is a large significant site and has impact on neighbors. He asked if Mr. Cox is going to regulate the concerns, if he is going to hire someone, who will that be. Commissioner Standley asked the other commissioners if anyone is familiar with asphalt batch plants and odors from these plants. Chair Danforth answered she has one near her home and thankfully cannot smell it very often.

Commissioner Standley added he has experience hauling asphalt and doesn't care for the smell. Chair Danforth stated she lives near a mine that blasts and she feels the blasting. Commissioner Standley spoke about a pit in Pilot Rock, there are not many concerns related to animals because it's located in the Urban Growth Boundary (UGB).

Chair Danforth stated she would have no opposition on this project except for the proximity of neighbors. She added the zoning classification for area around this site as well. This approval would require property owners to sign paperwork regarding Goal 5 protection and restrictions put in place. She further explained how this presents more of a conflict for her because it is permanent. She mentioned a previous case that was approved by the Planning Commission was recently remanded by LUBA (Land Use Board of Appeals) because adequate soil samples were not obtained. She finished by stating she does not feel enough due diligence was done, she respected Mr. Staley's experience and expert opinion, but felt more could have been done with testing.

Commissioner Minton asked Chair Danforth about the zoning changes she talked about. Chair Danforth explained the previous statement and that the non-remonstrance agreements affect all the surrounding properties in the impact area. She added the properties would still be zoned EFU.

Mrs. Davchevski asked to clarify this information. She stated the properties would remain zoned EFU, but within the 1,500-foot impact area, the applicant identifies conflicting uses they are wanting to protect against for the aggregate site. She added the conflicting uses include

dwellings, wineries, farm stands, gathering spaces which are all allowed in EFU zone, but would conflict with the aggregate operations. She further explained if an applicant wants to establish one of these proposed uses they would have to sign a non-remonstrance agreement if it is included on the Goal 5 approval. Mrs. Davchevski stated the applicant has requested conflicting uses not be allowed at all in the 1,500-foot impact area. She expressed the Planning Commission would have the choice to recommend or not recommend this limitation to the Board of Commissioners. She ended by stating the non-remonstrance agreement states property owner's will not sue the aggregate operations for impacting their new use because it came after the aggregate operation was established. Mrs. Davchevski demonstrated the impact area on the map, page 6 in the packet.

Chair Danforth stated she does not favor the imposition of this restriction on the neighboring properties. She stated the sound does not dissipate much from this area because it is against a canyon, not an open space where the sound is drowned out. Commissioner Standley added further discussion regarding nearby facilities to his own home that he hears on a regular basis.

Commissioner Wysocki countered Chair Danforth's comment and stated he wouldn't identify this area as a canyon.

Mrs. Davchevski clarified there are two decisions for recommendation. First, is there a significant amount of resources that meet the requirements to deem it significant. Second, if it is significant to approve mining at the site.

Commissioner Minton asked if enough information has been gathered to approve a significant site.

Chair Danforth stated she does not feel there is enough information gathered to determine the first point, therefore the second point would not be met.

Commissioner Minton stated she wished there were more samples taken to give them a fuller picture.

Commissioner Standley made a motion to recommend denial of the Doug Cox Comprehensive Text Plan Amendment #T-093-23 and Zoning Map Amendment #Z-323-23, to the Board of Commissioners based on evidence in the record and with the following addition Findings of Fact: Concerns weren't mitigated enough based on shared concerns on impacts by the neighbors, including dust, noise, and blasting. Hours of operation not clearly defined, nor how the asphalt batch plant would be managed. Proximity to neighbors and effects on those properties. Proposed restrictions were not adequately addressed. Lack of soil samples taken to verify quantity and quality of aggregate. How much topsoil exists and would be taken off the property. Noise impacts because of the canyon and wind direction were not addressed.

Commissioner Minton seconded the motion. Motion failed with a vote of 3:3.

Further Deliberation ensued. Clarifications were made by Mrs. Davchevski regarding how the vote can proceed. Chair Danforth agreed they cannot determine, based on testimony and evidence, if there is enough resource to call this site significant. Commissioner Standley added that if they collectively are asking these questions that others are going to question it further above the Planning Commissioners. He further expressed how he hoped the application could have been continued so more information could be gathered by the applicant to address more of the detailed issues, like aggregate samples. Commissioner Standley stated even the smallest of parts in this application will be looked at under magnifying glass.

Chair Danforth added there has been a LUBA case, seen before the Planning Commission, sent back because lack of soil analysis. She stated this case made her rethink methods and request more due diligence.

Commissioner Minton added she could make a good argument on both sides of this proposal. Commissioner Standley stated he has no personal feelings about rock pits. He discussed previous points made prior regarding concerns made by neighbors.

After additional discussion a secondary vote was called.

Commissioner Minton made a new motion to recommend denial of the Doug Cox Comprehensive Text Plan Amendment #T-093-23 and Zoning Map Amendment #Z-323-23, to the Board of Commissioners based on evidence in the record and citing the same above Findings of Fact.

Commissioner Standley seconded the motion. Motion carried with a vote of 5:1 recommending denial to the Board of County Commissioners.

The Planning Commission found the following criteria of approval were not met by the applicant:

1. OAR 660-023-130 (3)(a) A representative set of samples of aggregate material in the deposit on the site
2. OAR 660-023-130 (5) (b) [Conflicts created by the site]
3. OAR 660-023-130 (5) (c) [If conflicts exist, measures to minimize]
4. UCDC 152.487(A)(2) There is sufficient information supplied by the applicant to show that there exists quantities of aggregate material that would warrant the overlay
5. UCDC 152.487(A)(5) The site complies with Oregon Administrative Rules (OAR) 660-023-0180.

OTHER BUSINESS

Mrs. Davchevski provided an update regarding long-term Planning projects. They anticipate a work session in February to discuss new animal density standards and to discuss Senate Bill 1013 which was passed by Legislature. She stated our office has received request to consider adoption of Senate Bill 1013 to permit Recreation Vehicles (RVs) as accessory dwellings in residential zoning. She added the Planning Commission would look at developing standards around the Senate Bill or pursue allowing RVs as accessory dwellings.

ADJOURNMENT

Chair Danforth adjourned the meeting at 9:44PM.

Respectfully submitted,

Shawnna Van Sickle,

Administrative Assistant