



Tax Account/s: 28453, 28061, 435396, 435397, 28451, 38452 & 28062
Case Number: MOD DR 21-03 & CU 23-11
Applicant: NEXT Renewable Fuel
Application: Conditional Use & Modification of Design Review
Zon: RIPD & PA-80

Affidavit of Mailing

I, Amy Herzog, being first duly sworn, depose and say, I am a Permit Technician for Columbia County, and in that capacity I prepared the following mailing(s) and delivered the document(s) referenced therein:

On November 29, 2023, I mailed the following information to the Applicant/s, surrounding property owners & all withstanding (pursuant to ORS 197.763(2)(a)):
A notice of public hearing

On November 29, 2023, I mailed a referral and acknowledgement & notice of public hearing to: City of Clatskanie/Columbia City/Prescott/Rainier/Scappoose/St Helens, CPAC Clatskanie, Port of Columbia County, Beaver Drainage District, Clatskanie PUD, Soil & Water Conservation District, Lower Columbia Watershed, Clatskanie and Mist Fire District, State Fire Marshall, DEQ Western Region, Dept of State Lands, DOGAMI, FEMA, ODFW East, ODOT Highway and Rail, OWRD 18, USACE, USFW, building official, sanitarian, Public Works, Surveyor, Assessor, County Counsel, Public Health, Economic Team

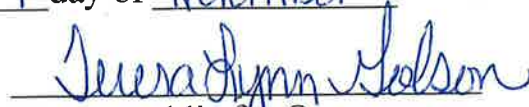
Dated this 29th day of November, 2023.



Amy Herzog, Permit Technician

SUBSCRIBED and sworn to before me on this 29 day of November 2023.

STATE OF OREGON)
) ss.
Columbia County)



Notary Public for Oregon





REFERRAL AND ACKNOWLEDGMENT

Date: January 10, 2024
File # CU 23-11 & DR 21-03 MOD
Owner: Port of Columbia County/NEXT Renewable Fuels, Inc.
Applicant: NEXT Renewable Fuels, Inc.
Map/Taxlots: 8422-00-00100, 8422-00-00200, 8422-00-01100, 8421-00-00700, 8416-00-00200, 8416-00-00300, 8422-00-00300, 8423-B0-00700, and 8423-B0-00800
Site Address: 81009 Kallunki Road, Clatskanie, OR 97016
Zone: RIPD – Resource Industrial Planned Development & Primary Agriculture – PA-80
Size: ~109 Acres

NOTICE IS HEREBY GIVEN that NEXT Renewable Fuels, Inc., has submitted an application, for a Modification of Prior Approval for a previously approved Site Design Review and Variance (DR 21-03/V 21-05). If approved, the proposal would relocate the rail tracks, tree buffer, and storm facilities northward from the Primary Agriculture (PA-80) zone into the Rural Industrial Planned Development (RIPD) zone. The rail tracks, tree buffer and storm facilities were previously approved as part of a separate application (CU 21-04), but that application was appealed and reversed by the Oregon Land Use Board of Appeals. The application proposes moving the rail tracks, tree buffer and storm facilities entirely onto land zoned RIPD. The properties total approximately 109 acres and are located at 81009 Kallunki Road.

In addition to the Modification of Prior Approval, the applicant has submitted an application for a Conditional Use Permit for a proposed railroad branchline in the Primary Agriculture (PA-80) zone, intended to serve the previously approved renewable diesel production facility. The application proposes a limited rail connection between the renewable diesel production facility and the existing Portland & Western Railroad tracks.

SAID PUBLIC HEARING will be held before the Columbia County Board of Commissioners on Wednesday, January 10th, 2024, starting at or after 10:00am. This meeting will be hybrid in nature, allowing participants to log into a digital Go-To-Meeting (link provided below) or attend in person at 230 Strand Street, Room 310, St. Helens, OR 97051.

<https://global.gotomeeting.com/join/357054141>

United States (Toll Free): 1 866 899 4679

Access Code: 357-054-141

Application materials can be found at the Board of Commissioner's website at:

<https://www.columbiacountyor.gov/departments/BoardofCommissionersOffice/Hearings>

THIS APPLICATION IS FOR Columbia County Board of Commissioners on January 10, 2023

PLEASE RETURN BY: December 10, 2023

Planner: **Hayden Richardson**

The enclosed application is being referred to you for your information and comment. Your recommendation and suggestions will be used by the County Planning Department and/or the Columbia County Planning Commission in arriving at a decision. Your prompt reply will help us to process this application and will ensure the inclusion of your recommendations in the staff report. Please comment below.

1. _____ We have reviewed the enclosed application and have no objection to its approval as submitted.
2. _____ Please see attached letter or notes below for our comments.
3. _____ We are considering the proposal further and will have comments to you by _____.
4. _____ Our board must meet to consider this; we will return their comments to you by _____.
5. _____ Please contact our office so we may discuss this.
6. _____ We recommend denial of the application, for the reasons below:

COMMENTS: _____

Signed: _____ Printed Name: _____

Title: _____ Date: _____

Amy Herzog

From: Amy Herzog
Sent: Tuesday, November 28, 2023 4:28 PM
To: Stephenson, Garrett H.; gene@nextrenewables.com; Board of Commissioners Office; Hayden Richardson; Spencer Parsons; Department-Counsel; Brian Varricchione; Suzie Dahl; Amy Herzog; Deborah Jacob
Subject: Columbia County Board of Commissioners-January 10, 2024 Meeting
Attachments: January 10 BOC Hearing Notice.pdf

Good afternoon,

Please see the attached meeting notice for NEXT Renewables applications for MOD DR 23-01 & CU 23-11.

Thank you

Amy Herzog
Permit Technician
Columbia County Land Development

230 Strand St.

St Helens OR 97051

503-397-1501 ext 8483

Amy.Herzog@columbiacountyor.gov

www.columbiacountyor.gov

Please note:

Land Development Services has moved to a temporary location at 445 Port Avenue, St. Helens.

We're available to assist you in person, by phone 503-397-1501 and email:

building@columbiacountyor.gov or planning@columbiacountyor.gov.



NOTICE OF PUBLIC HEARING
(Remote Access Available)

Date: January 10, 2024

File # CU 23-11 & DR 21-03 MOD

Owner: Port of Columbia County/NEXT Renewable Fuels, Inc.

Applicant: NEXT Renewable Fuels, Inc.

**Map/Taxlots: 8422-00-00100, 8422-00-00200, 8422-00-01100, 8421-00-00700,
8416-00-00200, 8416-00-00300, 8422-00-00300, 8423-B0-00700,
and 8423-B0-00800**

Site Address: 81009 Kallunki Road, Clatskanie, OR 97016

Zone: RIPD – Resource Industrial Planned Development & Primary Agriculture – PA-80

Size: ~125 Acres

NOTICE IS HEREBY GIVEN that NEXT Renewable Fuels, Inc., has submitted an application, for a Modification of Prior Approval for a previously approved Site Design Review and Variance (DR 21-03/V 21-05). If approved, the proposal would relocate the rail tracks, tree buffer, and storm facilities northward from the Primary Agriculture (PA-80) zone into the Rural Industrial Planned Development (RIPD) zone. The rail tracks, tree buffer and storm facilities were previously approved as part of a separate application (CU 21-04), but that application was appealed and reversed by the Oregon Land Use Board of Appeals. The application proposes moving the rail tracks, tree buffer and storm facilities entirely onto land zoned RIPD. The properties total approximately 109 acres and are located at 81009 Kallunki Road.

In addition to the Modification of Prior Approval, the applicant has submitted an application for a Conditional Use Permit for a proposed railroad branchline in the Primary Agriculture (PA-80) zone, intended to serve the previously approved renewable diesel production facility. The application proposes a limited rail connection between the renewable diesel production facility and the existing Portland & Western Railroad tracks. The two affected tax lots include 8423-B0-00700 and 8423-B0-00800 and total approximately 15.9 acres.

SAID PUBLIC HEARING will be held before the Columbia County Board of Commissioners on **Wednesday, January 10th, 2024**, starting at or after 10:00am. This meeting will be hybrid in nature, allowing participants to log into a digital Go-To-Meeting (link provided below) or attend in person at 230 Strand Street, Room 310, St. Helens, OR 97051.

<https://global.gotomeeting.com/join/357054141>

United States (Toll Free): 1 866 899 4679

Access Code: 357-054-141

Interested parties may appear and be heard. If you have any questions or concerns regarding access to the meeting or need accommodation, please call Jacyn Normine in the Board of Commissioner's office at (503) 397-4322.

The criteria to be used in deciding the request will be found in the following:

Columbia County Zoning Ordinance Section 200 General Provisions Section 300 Primary Agriculture, Section 680 Resource Industrial-Planned Development, Section 1100 Flood Hazard Overlay, Section 1120 Sensitive Bird Habitat Overlay, Section 1130 Historic Overlay, Section 1170 Riparian Corridors, Wetlands, Water Quality, and Fish and Wildlife Habitat Protection Overlay Zone, Section 1180 Wetland Area Overlay, Section 1185 Natural Area Overlay, Section 1190 Big Game Habitat Overlay, Section 1300 Signs, Section 1400 Off-Street Parking and Loading, Section 1450 Transportation Impact Analysis, Section 1550 Site Design Review, Section 1603 Quasijudicial Public Hearings, as well as Columbia County Stormwater and Erosion Control Ordinance Section I(B) Applicability.

A copy of the staff report will be available for inspection at no cost at least one week prior to the public hearing. Copies of these materials will be provided at a reasonable cost upon request. All application materials will also be available for inspection in person or on the Columbia County Board of Commissioner's webpage at:

<https://www.columbiacountyor.gov/departments/BoardofCommissionersOffice/Hearings>

You received this notice because you own property located near the property that is the subject of this notice. Columbia County is required only to notify the applicant, owner, owners of record of property of adjacent properties per the most recent property tax assessment roll, and other persons identified. You may want to share this notice with others in your neighborhood as some may not be aware of the proposal.

Notice to mortgagee, lien holder, vendor or seller: ORS Chapter 215 requires that if you receive this notice, it must be promptly forwarded to the purchaser. Failure to raise an issue in a hearing, in person or by writing, or failure to provide statements or evidence sufficient to afford the Approval Authority an opportunity to respond to the issue precludes raising the issue in an appeal to the Land Use Board of Appeals.

Additional information about this application may be obtained by calling Hayden Richardson at (503) 397-1501. Written materials may be submitted prior to the public hearing. Those submitting written materials are encouraged to submit their materials prior to the date of the public hearing. Please submit written materials to Planning@ColumbiaCountyOR.gov

You can also send written materials via US Mail to:
Columbia County
Land Development Services
Attn: Planning
230 Strand Street
St. Helens, OR 97051

The hearing will be held according to the procedures established in the Columbia County Zoning Ordinance, including CCZO Section 1603, and in accordance with ORS 197.797. Under state law, the failure to raise an issue at the hearing, in person or by letter, or the failure to provide statements or evidence sufficient to afford the decision-maker an opportunity to respond to the issue, precludes the ability to appeal the decision based on that issue.

REFERRAL CONTACT LIST

Applicant Name:

File No.:

s Cities	s Fire Districts
Clatskanie	Clatskanie (Alston, Mayger, Woodson)
Columbia City	Mist-Birkenfeld (Natal)
Prescott	Columbia River Fire & Rescue (St.Helens/Rainier)
Rainier	Scappoose (Chapman)
Scappoose	Vernonia (Pittsburg, Keasey)
St. Helens	State Fire Marshall (outside RFPDs)
Vernonia	s State & Federal Agencies
s School Districts	DEQ - Division (WESTERN REG)
Clatskanie (Quincy, Mayger)	DLCD - Land Conservation & Development
Rainier (Prescott, Goble)	DSL - Department of State Lands
St. Helens (Columbia City, Deer Island)	DOGAMI - Geology & Mineral Industries
Scappoose	FEMA Region X
Vernonia (Mist, Birkenfeld)	NRCS - Natural Resources Conservation Service
s Water Districts	ODF - Oregon Department of Forestry
McNulty Water PUD	ODFW - [East] [West] of Highway 47
Warren Water District	OMD - Oregon Military Department
Quincy Water District	OPR - Oregon Parks & Recreation
Other:	ODOT - [Aeronautics] [Highways] [Rail]
s Special Districts	OWRD - Watermaster District [18] [1]
CPAC (Clats.))	SHPO - State Historic Preservation Office
Port of Columbia County	USACE - U.S. Army Corps of Engineers
Drainage District (Beaver))	USFW - U.S. Fish & Wildlife
Clatskanie PUD	s County Departments
Columbia River PUD	Building Official
West Oregon Electric	Public Works - Roads (Transportation Planner)
Soil & Water Conservation District	Sanitarian
OSU Agricultural Extension Office	Surveyor
s Water Shed Councils	Assessor
Scappoose Bay	Animal Control Officer
Lower Columbia	LDS Compliance Specialist
Upper Nehalem	County Counsel
s Misc. / Other	Public Health / Environmental Health (CCPH)
1000 Friends of Oregon	C COM - Columbia 911 (Road Naming)
	CC Economic Team

Allie Freed
Great Vow Zen Monastery
79640 Quincy-Mayger Rd.
Clatskanie, OR. 97016

Alta Lynch
PO Box 369
Scappoose, OR 97056

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Clatskanie, OR 97016

Andrew Park
13745 Webb District Rd
Clatskanie, OR 97016

Barbara Green
17078 Hall Rd
Clatskanie, OR 97016

Beaver Drainage Improvement Co.
PO Box 201
Clatskanie, OR 97016

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Portland, OR. 97221

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255 N. 18th #11
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PO Box 190
100 E. Street
Columbia City, OR. 97018

Chris Iverson, Vice President
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Columbia City, OR. 97018

City of Clatskanie
PO Box 9
Clatskanie, OR 97016

Clatskanie Chamber of Commerce
PO Box 635
Clatskanie OR 97016

Clatskanie School District Board
815 S Nehalem St.
Clatskanie, OR 97016

Columbia Economic Team
PO Bo 1653
St. Helens, OR 97051

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Portland OR, 97204

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1000 Friends of Oregon
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WA 98671

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Kalama WA 98625

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Milwaukie, OR 97267

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Clatskanie, OR 97016

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77590 Erickson Dike Rd, Clatskanie, OR
97016

Governor Kate Brown
Attn: Gordon Howard
635 Capital Street NW, Suite 150
Salem, OR 97301-2540

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WA 98625

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Clatskanie, OR. 97016

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Port of Columbia County
PO Box 190
Columbia City, OR 97018

City of Prescott
72742 Blakely Street
Rainier, OR 97048

City of Rainier
PO Box 100
Rainier, OR 97048

City of Scappoose, Planning Dept.
33568 E. Columbia Ave.
Scappoose, OR 97056

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Joann Glass
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Vernonia, OR 97064

Clatskanie School District
471 SW Belaire Drive
Clatskanie, OR 97016

Rainier School District
PO Box 160
Rainier, OR 97048

Quincy Water District
78718 Quincy-Mayger Road
Clatskanie, OR 97016

BPA
PO Box 3621
Portland, OR 97208

Clatskanie PUD
Attn: E&O Manager
PO Box 216
Clatskanie, OR 97016

Portland General Electric
PO Box 4438
Portland OR 97208

Soil & Water Conservation District
35285 Millard Road
St. Helens OR 97051

Oregon State University Extension
Service
505 N. Columbia River Highway
St. Helens, OR 97051

Lower Columbia Watershed Council
35285 Millard Road
St. Helens, OR 97051

Oregon Dept. of Energy
550 Capital St NE 1st floor
Salem, OR 97301

Clatskanie Fire District
PO Box 807
Clatskanie, OR 97016

Mist-Birkenfeld Fire District
12525 Highway 202
Mist, OR 97016

Columbia River Fire & Rescue
270 Columbia Blvd.
St. Helens, OR 97051

Office of State Fire Marshall
Oregon State Police 13 Port Way
Astoria, OR 97103

Development Review
ODOT District 1350 W Marine Dr
Astoria OR 97103

Oregon Dept. Fish & Wildlife West
Tillamook District
4907 Third Street
Tillamook, OR 97141

Oregon Dept. of Fish & Wildlife (East)
Lower Columbia Wildlife District
18330 NW Sauvie Island Road
Portland, OR 97231

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Quality Wester Region Eugen Office
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Clatskanie, OR. 97016

Virginia Harris
18380 Potter Road
Clatskanie OR 97016

Warren Seely
9069 Beaver Dike Road
Clatskanie OR 97016

Warren Seely, President/Secretary
Beaver Drainage Improvement Co.
Po Box 201
Clatskanie, OR. 97016

Wendy Schmidt & Bobby Huynh
19396 Hermo Road
Clatskanie, OR 97016

Willy Myers
3535 SE 86th Ave
Portland OR 97266

Watermaster District 18
1400 S.W. Walnut Street Suite 240,
MS 49
Hillsboro, OR 97123

Oregon Department of State Lands
775 Summer Street NE
Salem, OR 97301-1279

Oregon State Depart. of Agricultural
635 Capital Street NE
Salem, OR 97310-0110

DLCD Lisa Phipps
635 Capitol NW, Suite 150
Salem, OR 7301-2540

US Corps of Engineers
PO Box 2946
Portland, OR 97208

Natural Recourse Conservation
Service
35285 Millard Road
St. Helens, OR 97051

Sanitarian


Transportation Planner

Assessor's Office

Surveyor

Building Official

County Counsel


FEMA 10
30 228th St
SW Bothell, WA 98021

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Houston, TX 77079

Port of Columbia County
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Columbia City, OR 97018

Machenzie Brian Varricchione
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Portland, OR97214

Portland General Electric Co
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Portland, OR 97231

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Clatskanie, OR 97016

Reino & Thlema Lehto
79680 Quincy Mayger Road
Clatskanie, OR 97016

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Clatskanie, OR 97016

Karen Poysky
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Valerie White
80773 Kallunki Road
Clatskanie OR 97016

Tiede Engineering LLC
2392 Fuller Ct
Ann Arbor, MI48105

Ken Kern
PO Box 825
Clatskanie, OR 97016

Lower Columbia Tree Farm LLC
1500 SW First Ave. # 1150
Portland, OR 97231

Gary & Constance Leininen
79859 Kola Road
Clatskanie, OR 97016

City of St. Helens
265 Strand
St. Helens, OR 97051

City of Columbia City
PO Box 189
Clatskanie, OR 97018

Boswell E & Thompson G, Rob, and Roger
20047 S Fischers Mill Rd
Oregon City, OR 97045

Cascade Kelly Holdings, LLC
81200 Kallunki Rd
Clatskanie, OR 97016

Larry White
80741 Kallunki Rd
Clatskanie, OR 97016



NOTICE OF PUBLIC HEARING (Remote Access Available)

Date: January 10, 2024

File # CU 23-11 & DR 21-03 MOD

Owner: Port of Columbia County/NEXT Renewable Fuels, Inc.

Applicant: NEXT Renewable Fuels, Inc.

Map/Taxlots: ~~8422-00-00100, 8422-00-00200, 8422-00-01100, 8421-00-00700,~~
~~8416-00-00200, 8416-00-00300, 8422-00-00300, 8423-B0-00700,~~
and 8423-B0-00800

Site Address: 81009 Kallunki Road, Clatskanie, OR 97016

Zone: RIPD – Resource Industrial Planned Development & Primary Agriculture – PA-80

Size: ~109 Acres

250' { 100-3
200-1
1100-1
700-1
200-1
300-1
300-0
500' — 700-2
500' — 800-1

NOTICE IS HEREBY GIVEN that NEXT Renewable Fuels, Inc., has submitted an application, for a Modification of Prior Approval for a previously approved Site Design Review and Variance (DR 21-03/V 21-05). If approved, the proposal would relocate the rail tracks, tree buffer, and storm facilities northward from the Primary Agriculture (PA-80) zone into the Rural Industrial Planned Development (RIPD) zone. The rail tracks, tree buffer and storm facilities were previously approved as part of a separate application (CU 21-04), but that application was appealed and reversed by the Oregon Land Use Board of Appeals. The application proposes moving the rail tracks, tree buffer and storm facilities entirely onto land zoned RIPD. The properties are identified by tax map numbers referenced above, are all zoned Resource Industrial Planned Development, total approximately 109 acres and are located at 81009 Kallunki Road.

In addition to the Modification of Prior Approval, the applicant has submitted an application for a Conditional Use Permit for a proposed railroad branchline in the Primary Agriculture (PA-80) zone, intended to serve the previously approved renewable diesel production facility. The application proposes a limited rail connection between the renewable diesel production facility and the existing Portland & Western Railroad tracks.

SAID PUBLIC HEARING will be held before the Columbia County Board of Commissioners on **Wednesday, January 10th, 2024**, starting at or after 10:00am. This meeting will be hybrid in nature, allowing participants to log into a digital Go-To-Meeting (link provided below) or attend in person at 230 Strand Street, Room 310, St. Helens, OR 97051.

<https://global.gotomeeting.com/join/357054141>

United States (Toll Free): 1 866 899 4679

Access Code: 357-054-141

Interested parties may appear and be heard. If you have any questions or concerns regarding access to the meeting or need accommodation, please call Jacyn Normine in the Board of Commissioner's office at (503) 397-4322.

The criteria to be used in deciding the request will be found in the following:

Columbia County Zoning Ordinance Section 200 General Provisions Section 300 Primary Agriculture, Section 680 Resource Industrial-Planned Development, Section 1100 Flood Hazard Overlay, Section 1120 Sensitive Bird Habitat Overlay, Section 1130 Historic Overlay, Section 1170 Riparian Corridors, Wetlands, Water Quality, and Fish and Wildlife Habitat Protection Overlay Zone, Section 1180 Wetland Area Overlay, Section 1185 Natural Area Overlay, Section 1190 Big Game Habitat Overlay, Section 1300 Signs, Section 1400 Off-Street Parking and Loading, Section 1450 Transportation Impact Analysis, Section 1550 Site Design Review, Section 1603 Quasijudicial Public Hearings, as well as Columbia County Stormwater and Erosion Control Ordinance Section I(B) Applicability.

A copy of the staff report will be available for inspection at no cost at least one week prior to the public hearing. Copies of these materials will be provided at a reasonable cost upon request. All application materials will also be available for inspection in person or on the Columbia County Board of Commissioner's webpage at:

<https://www.columbiacountyor.gov/departments/BoardofCommissionersOffice/Hearings>

You received this notice because you own property located near the property that is the subject of this notice. Columbia County is required only to notify the applicant, owner, owners of record of property of adjacent properties per the most recent property tax assessment roll, and other persons identified. You may want to share this notice with others in your neighborhood as some may not be aware of the proposal.

Notice to mortgagee, lien holder, vendor or seller: ORS Chapter 215 requires that if you receive this notice, it must be promptly forwarded to the purchaser. Failure to raise an issue in a hearing, in person or by writing, or failure to provide statements or evidence sufficient to afford the Approval Authority an opportunity to respond to the issue precludes raising the issue in an appeal to the Land Use Board of Appeals.

Additional information about this application may be obtained by calling Hayden Richardson at (503) 397-1501. Written materials may be submitted prior to the public hearing. Those submitting written materials are encouraged to submit their materials prior to the date of the public hearing. Please submit written materials to Planning@ColumbiaCountyOR.gov

You can also send written materials via US Mail to:

Columbia County
Land Development Services
Attn: [Planning](#)
230 Strand Street
St. Helens, OR 97051

The hearing will be held according to the procedures established in the Columbia County Zoning Ordinance, including CCZO Section 1603, and in accordance with ORS 197.797. Under state law, the failure to raise an issue at the hearing, in person or by letter, or the failure to provide statements or evidence sufficient to afford the decision-maker an opportunity to respond to the issue, precludes the ability to appeal the decision based on that issue.

