

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of the Renewal of)	Order No. 90-2006
Surface Mining Operating Permits)	Findings and Conclusions
and Limited Exemption Certificates)	
For the Period 2006-2011)	

WHEREAS, applications have been received by Columbia County requesting renewal of operating and/or limited exemption permits for a total of 30 surface mining sites in Columbia County for the permit years July 1, 2006 through June 30, 2011, pursuant to Section 2.9, 4.5 and 5.5 of the Columbia Surface Mining Ordinance; and

WHEREAS, public notice was provided to owners of record within 750 feet of each mine site notifying them of their right to submit written comments to the Board of County Commissioners within 14 days regarding the renewal applications; and

WHEREAS, written comments were received regarding operating permit renewal application #05-077 for the Morse Brothers Reichhold Site from the Columbia River PUD regarding the need to update the PUD concerning compliance with water monitoring conditions and a request to not use Chaney Road for site access and from the City of Columbia City regarding replacement of dead landscaping along Highway 30; and

WHEREAS, written comments were received regarding operating permit renewal application #05-0078 for the Morse Brothers Waterview Site from the City of Columbia City regarding replacement of dead landscaping along Highway 30; and

WHEREAS, Morse Brothers responded in writing to DOGAMI by letter dated October 13, 2006, with documentation that these concerns were being addressed; and

WHEREAS, written comments were received on operating permit renewal application #05-0004 for the Columbia Rock Co., LLC. Goble Quarry from Daniel Wegener concerning effects of blasting; and

WHEREAS, the Goble Quarry site operator, Rinker Materials, responded that seismic monitoring and other best management practices would be implemented to prevent offsite impacts (i.e. excessive vibration) from occurring; and

WHEREAS, written comments were received on limited exemption certificate renewal application #05-0061 for the Clatskanie Rock Products Clatskanie Site from George and Debbie Throop, neighbors living on Beaver Falls Road, questioning whether there would be blasting and opposing the same; and

WHEREAS, the owner of this limited exempt quarry will be requested to make notification

to the Surface Mining Administrator prior to any future blasting and to discuss best management practices for mitigating offsite impacts; and

WHEREAS, a request for hearing and letter of objection regarding the operating permit renewal application #05-0032 for the Pacific Cascade Resources Siercks Road Site was signed and submitted by numerous neighbors; and

WHEREAS, the Board of County Commissioners will hold a hearing on operating permit renewal application #05-0032 by Pacific Cascade Resources, for the Sierks Road Site on December 13, 2006; and

WHEREAS, all applications have been reviewed, the sites have been inspected and findings and recommendations have been prepared by the Surface Mining Administrator based on a determination of compliance with applicable surface mining ordinances and prior conditions of approval; and

WHEREAS, the Surface Mining Advisory Committee considered the renewals at its meeting on October 25, 2006, and took action supporting the findings and recommendations of the Surface Mining Administrator with the exception of the Pacific Cascade Resources Siercks Road Site; and

WHEREAS, at its regular meeting on November 8, 2006, the Board of Commissioners reviewed each of the applications for renewal, decided that each applicant has satisfied the requirements for an operating permit or limited exemption certificate renewal, and voted to tentatively approve the applications, with the exception of operating permit renewal application #05-0032 for the Pacific Cascade Resources Siercks Road Site which will be considered at a later date;

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. The Board of County Commissioners for Columbia County, Oregon, adopts the findings of fact, conclusions of law, and recommended permit conditions in the Surface Mining Administrator's Report on Surface Mining Limited Exemption Permit Renewals dated October 16, 2006, which is attached hereto as Attachment A, and is incorporated herein by this reference.
2. The Board of County Commissioners for Columbia County, Oregon, adopts the findings of fact, conclusions of law, and recommended permit conditions in the Surface Mining Administrator's Report on Surface Mining Operating Permit Renewals dated October 16, 2006, which is attached hereto as Attachment B, and is incorporated herein by this reference.
3. The operating permits and limited exemption certificates listed below are hereby approved for the operating years 2006-2011, subject to the conditions specified in Attachment A and Attachment B, as indicated, and subject to the following additional condition:

The surface mining operating permits and limited exemption certificates shall remain valid as long as the activities on each site remain in compliance with the permit conditions, financial security obligations, and applicable portions of the Columbia County Surface Mining Ordinance, 90-11, as amended.

Site Information	Location	Permit Type
05-0002 Kynsi Construction Graham Pit	T7N, R5W, Sec 9 Tax Lot 300	Operating Permit
05-0004 Columbia Rock Co., LLC Nicolai Quarry	T6N, R2W, Sec 12 Tax Lot 1100, 1301	Operating Permit
05-0005 Glacier Northwest Santosh Pit, Pits A & B	T4N, R1W Sec 29, 30, 31, 32 Tax Lot 100	Limited Exemption Certificate
05-0012 Bascom Pacific LLC Oak Ranch Pit	T5N, R3W, Sec 5 Tax Lot 300, 301 Sec. 6 Tax Lot 200	Operating Permit
05-0012 Bascom Pacific, LLC Oak Ranch Pit	T5N, R3W, Sec 5 Tax Lot 300, 301	Limited Exemption Certificate
05-0015 Scappoose Sand & Gravel Scappoose Site	T3N, R2W, Sec 1 Tax Lot 600, 601 Sec 12 Tax Lot 100, 101	Limited Exemption Certificate
05-0018 Morse Bros Watters Site	T5N, R1W, Sec 33 Tax Lot 300	Limited Exemption Certificate
05-0018 Morse Bros Watters Site	T5N, R1W, Sec 32 Tax Lot 1600 T5N, R1W, Sec 33 Tax Lot 400	Operating Permit
05-0018 JH&D Watters Site	T5N, R1W, Sec 33 Tax Lot 300	Limited Exemption Certificate
05-0024 Morse Bros Hoffman Site	T5N, R1W, Sec 6 Tax Lot 701	Operating Permit
05-0025 Morse Bros	T5N, R1W, Sec 6 Tax Lot 902,	Operating Permit

Deer Island Site	Sec 7 Tax Lot 102	
05-0026 Morse Bros Brown Site	T5N, R1W, Sec 7 Tax Lot 101 Sec 8 Tax Lot 300	Operating Permit
05-0028 Steven D. Gerttula Mayger Quarry Site	T8N, R4W, Sec 24 Tax Lot 700	Operating Permit

05-0031 Pacific Cascade Resources (Lou Adler) Goble Quarry	T6N, R2W, Sec 11 Tax Lot 900, 1503, 1502	Operating Permit
05-0045 John F. Stennick Chehalis, WA Wonderly Road Pit	T7N, R3W, Sec 12 Tax Lot 600 CHANGE TO 601	Operating Permit
05-0046 Glacier Northwest Convay Site – Pit C	T4N, R1W Sec 32 Tax Lot 100	Operating Permit
05-0047 Glacier Northwest Havliks – Pit D	T4N, R1W, Sec 32 Tax Lot 100	Operating Permit
05-0051 OR Dept. of Transportation Oak Creek Quarry	T5N, R3W, Sec 5 Tax Lot 400	Operating Permit

05-0055 Eagle Star Rock Products L.L.C. Hankey Road Site	T5N, R1W, Sec 32 Tax Lot 1000	Operating Permit
05-0061 Clatskanie Rock Products Clatskanie Site (Portion Mined Prior to 7/1/72)	T7N, R4W, Sec 8 Tax Lot 300	Limited Exemption Certificate
05-0068 Heller & Heller Construction Neuman Pit – Fall Creek Rd (Portion Mined Prior to 7/1/72)	T4N, R2W, Sec 28 Tax Lot 900	Limited Exemption Certificate

05-0070 Tide Creek Rock Tide Creek Pit	T6N, R2W, Sec 38 Portions of Tax Lot 500	Limited Exemption Certificate
05-0072	T5N, R1W, Sec 32	Operating Permit

Eagle Star Rock Products LLC
Jillson Pit

Tax Lot 300

05-0074 Pacific Cascade Resources Neer City Pit	T6N, R2W, Sec. 11 Tax Lot 600	Operating Permit
05-0076 Glacier NW Pit F	T3N, R1W, Sec 6	Operating Permit
05-0077 Morse Bros. Reichold Site	T5N, R1W, Sec 17	Operating Permit
05-0078 Morse Bros. Waterview Site	T5N, R1W Sec 16, 17, 21	Operating Permit
05-0079 Glacier NW Fort James Site	T4N, R1W Sec 29, 32, 33	Operating Permit
05-0080 Bascom Pacific LLC Oak Ranch Quarry Expansion	T5N, R3W, Sec 5	Operating Permit

Dated this 22nd day of November, 2006.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

Approved as to form

By: Sarah Hausser
Assistant County Counsel

By: Joe Corsiglia
Joe Corsiglia, Chair

By: Rita M. Bernhard
Rita Bernhard, Commissioner

By: Anthony Hyde
Anthony Hyde, Commissioner

ATTACHMENT A

BOARD OF COMMISSIONERS SURFACE MINING ADMINISTRATORS REPORT (October 16, 2006)

Surface Mining Limited Exemption Certificate Renewals 2006-2011

BACKGROUND:

Eight surface mine renewal applications were received asking to renew their limited exemption certificates for the permit years July 1, 2006 through June 30, 2011 pursuant to 4.5 of the Columbia Surface Mining Ordinance (SMO). These are summarized below:

Site ID #	Name	Site Name	Renewal Application Submitted
			2006-20011
05-0005	Glacier NW	Santosh Pit Pits A&B	yes
05-0012	Bascom Pacific LLC (permit transfer from John Hancock)	Oak Ranch Pit	yes
05-0015	Scappoose Sand and Gravel	Scappoose Site	yes
05-0018	Morse Bros.	Watters Site	yes
05-0018	JH&D	Watters Site	yes
05-0061	Clatskanie Rock Products	Clatskanie Site	yes
05-0068	Heller & Heller Construction	Neuman Pit	yes
05-0070	Tide Creek Rock	Tide Creek Pit	yes

The renewal of Surface Mining Operating Permits has been deemed a limited land use decision, and by that decision the renewal process must follow those procedures required by ORS 197.195(3) including but not limited to; providing written notice of owners of property within a minimum of 100 feet and providing 14 calendar days to submit written comments prior to the decision.

The renewal application procedures were followed as is written in Columbia County Ordinance 2001-3 adopted by the Columbia County Board of County Commissioners March 14, 2001, which added Section 2.9 - Renewal Process to the SMO.

The Surface Mining Ordinance 90-11, Section 4.5 indicates the criteria for renewal of surface mining limited exemption certificate. Prior to the 2001-2002 fiscal year, each limited exemption certificate must renew the permit annually. Renewals of limited exemption certificates for 2001-2002 and beyond shall be for five-year periods.

FINDINGS:

The following sections of the Surface Mining Ordinance 90-11 apply to this request:

Columbia County Surface Mining Ordinance Section 2.9 requires the following:

Giving written notice to owners of record of property where such property is located:

- (a) Within 250 feet of the subject property when the subject property is wholly or in part within an urban growth boundary;
- (b) Within 250 feet of the subject property when the subject property is outside an urban growth boundary and not within a farm or forest zone; or
- (c) Within 750 feet of the subject property when the subject property is within a farm or forest zone.

Finding 1: Following the required written notice, written comments were received on the following permit renewal application:

#05-0061 for Clatskanie Rock Products from a property owner with concerns about blasting. Extraction from this upland quarry has been accomplished primarily through the use of heavy equipment (i.e. bulldozer or excavator). However, the owner, Mr. Viuhkola, of this Limited Exempt quarry will be requested to make notification to the Surface Mining Administrator prior to any future blasting to discuss best management practices for mitigating offsite impacts.

Surface Mining Ordinance Section 2.9 requires the following:

Providing a notice of the BOC decision to the applicant and any person who submitted written comments; providing the applicant and any person entitled to notice of the decision the opportunity to request an appeal hearing of the Board's decision on renewal; to notify all involved property owners of the request for an appeal hearing; conduct a hearing and provide written notice of the Board's decision on appeal to all parties who appeared, either orally or in writing, before or at the hearing.

Finding 2: Notice of the BOC decision of renewal will be sent out to the applicant and any person who submitted written comments as soon as the decision is final.

Surface Mining Ordinance Section 4.5 requires the following:

The landowner or operator must pay the established annual renewal fee and file the renewal application on or before June 15 of the year the permit expires.

Finding 3: All applicants requesting renewal permits paid the annual renewal fees and filed renewal applications, although not all were in by June 15 of each renewal year.

Surface Mining Ordinance Section 4.5 requires the following:

The renewal application shall require a statement from the landowner or operator of the types and amounts of minerals excavated, disturbed, sold and/or removed from the surface mining site during the

past and present fiscal years and the types and amounts of minerals expected to be excavated, disturbed, sold and/or removed from the surface mining site during the present and subsequent fiscal years.

Finding 4: All applicants submitted renewal applications which included the above requested information.

Surface Mining Ordinance Section 2.2 (2a) requires the following:

The Surface Mining Advisory Committee may, but is not required to, meet with landowners and/or operators before advising the Administrator and the Board. In particular, the Committee shall advise the Administrator and the Board as to whether to issue, deny, renew, or revoke Limited Exemption Certificates.

Finding 5: The Surface Mining Advisory Committee considered the renewals at its meetings of October 25, 2006 and took action supporting the findings and the recommendations of the Surface Mining Administrator on requested limited exemption certificate renewals.

Surface Mining Ordinance Section 2.3 requires the following:

After considering the recommendations of the Administrator and advice of the Committee, if any, the Board of County Commissioners shall make the decision whether to issue, deny, renew, or revoke Limited Exemption Certificates.

Finding 6: The Board of Commissioners has scheduled consideration of limited exemption renewal request #05-0005, #05-0012, #05-0015, #05-0018, #05-0061, #05-0068, and #05-0070 on November 8, 2006.

CONCLUSION AND RECOMMENDATION:

Based on the above findings, the surface mining administrator recommends **approval** of the requested surface mining limited exemption certificate renewals with the following condition:

The surface mining limited exemption certificates shall remain valid as long as the activities on each site remain in compliance with its permit conditions listed in the attached table entitled "Summary of Permit Conditions 2006-2011", financial security obligations and applicable portions of the Columbia County Surface Mining Ordinance 90-11.

Summary of Permit Conditions 2006-2011

Site Information	Location	Acres	Permit Type	Permit or Limited Exemption Conditions	Financial Security
05-0002 Kynsi Construction Graham Pit	T7N, R5W, Sec 9 Tax Lot 300	13	Operating Permit	<ol style="list-style-type: none"> 1. Final highwalls must be benched and stable. 2. No off-site turbid water discharge is allowed from the site exceeding state guidelines. 3. Overburden stockpiles must be located on stable ground and final slope cannot exceed a 2:1 slope. 4. A minimum of fifty feet must be maintained between the highwall crest and the adjacent property lines, unless the affected property owner signs an affidavit allowing mining closer than 50 feet. 	\$10,390 For approximately 3 acres of disturbed area.
05-0004 Columbia Rock Co., LLC Nicolai Quarry	T6N, R2W, Sec 12 Tax Lot 1100, 1301	68.23	Operating Permit	<ol style="list-style-type: none"> 1. Reject materials and crusher fines shall be salvaged in sufficient volumes for final reclamation. 2. The mining operation is restricted to mining above the groundwater table elevation at this time. 3. Any oversize material generated by the mining operation will be buried in the pit floor or hauled off-site. 4. A visual screen shall be maintained along the east side of the site to screen the site from Highway 30. 5. Blasting shall be controlled as to not impact adjacent wells and structures. 6. Final highwalls will be benched and stable. 7. No turbid water discharge is allowed from the site exceeding state guidelines. 8. A written variance has been received from the owner of Tax Lots 900 and 1502 adjacent to the Nicolai Quarry to allow mining within the county mandated setback limits. 	\$15,000 For disturbed area.
05-0005 Glacier Northwest Santosh Pit, Pits A & B	T4N, R1W Sec 29, 30, 31, 32 Tax Lot 100		Limited Exemption Certificate	"A condition of your 00-04 01-06 operating or limited exemption permit requires that the interest due for all past outstanding regulatory fees be paid within 30-45 days from a final invoice from the County decision, including appeals on current litigation surrounding regulatory fees."	N/A
05-0012 Bascom Pacific LLC Oak Ranch Pit	T5N, R3W, Sec 5 Tax Lot 300, 301 Sec. 6 Tax Lot 200	22	Operating Permit	<ol style="list-style-type: none"> 1. No off-site turbid water discharge is allowed from the property exceeding state guidelines. 	\$5,000
05-0012 Bascom Pacific, LLC Oak Ranch Pit	T5N, R3W, Sec 5 Tax Lot 300, 301	13	Limited Exemption Certificate	None	N/A

Site Information	Location	Acres	Permit Type	Permit or Limited Exemption Conditions	Financial Security
05-0015 Scappoose Sand & Gravel Scappoose Site	T3N, R2W, Sec 1 Tax Lot 600, 601 Sec 12 Tax Lot 100, 101	103	Limited Exemption Certificate	"A condition of your 00-04 01-06 operating or limited exemption permit requires that all outstanding regulatory fees be paid within 30 45 days from a final invoice from the County decision, including appeals on current litigation surrounding regulatory fees."	N/A
05-0018 Morse Bros Watters Site	T5N, R1W, Sec 33 Tax Lot 300	89.6	Limited Exemption Certificate	None	N/A
05-0018 Morse Bros Watters Site	T5N, R1W, Sec 32 Tax Lot 1600 T5N, R1W, Sec 33 Tax Lot 400	174.09	Operating Permit	<ol style="list-style-type: none"> 1. A water management plan must be developed to handle water generated by the site and overland runoff, if turbid water runoff becomes a problem. 2. Visual screens are required for expansion areas. 3. Blasting cannot negatively impact adjacent structures including water wells, residences and buildings. 4. Any oversize generated by the operation must be properly disposed of upon completion of mining. 5. The landowner or operator must meet any D.E.Q. permit requirements regarding turbid water. 	\$10,000 This amount could change subject to field verification.
05-0018 JH&D Watters Site	T5N, R1W, Sec 33 Tax Lot 300	89.6	Limited Exemption Certificate	None	N/A
05-0024 Morse Bros Hoffman Site	T5N, R1W, Sec 6 Tax Lot 701	50	Operating Permit	<ol style="list-style-type: none"> 1. Final slopes for the first six feet below the low water level can be no steeper than 3:1 slope. The remainder of the cut bank should be at or less than the angle of repose for the material estimated at a 2:1 slope. 2. The Hoffman Site must be visually screened from all points along Highway 30, except the access road, by fast growing trees. 3. The gas pipeline requires a twenty-five foot buffer on both sides of the line in the mining areas and permanent access to the gas pipeline at all points. The operator must submit final plans for the long term location and access to the gas pipeline prior to any changes being made. 4. Berms must be established around the perimeter of the site to prevent turbid water discharge and to protect the water quality of the pond. 5. The landowner or operator shall comply with the conditions of the conditional use permit issued for this property. 	\$10,000 (\$1,000 per acre for 10 acres)

Site Information	Location	Acres	Permit Type	Permit or Limited Exemption Conditions	Financial Security
05-0025 Morse Bros Deer Island Site	T5N, R1W, Sec 6 Tax Lot 902, Sec 7 Tax Lot 102	72.98	Operating Permit	<ol style="list-style-type: none"> 1. The landowner or operator must maintain a visual screen on the southwest side of the site. 2. A fifty foot buffer must be maintained between Benhan Slough and the crest of the cut bank. 3. Final cut banks below the water table must be stable. 4. Topsoil must be salvaged in sufficient volumes to place on exposed cut banks at completion of mining. 5. Final reclamation must include wildlife or wetland enhancement including irregular shorelines, varied cut bank slope or islands. 6. No turbid water discharge is allowed from the site exceeding state guidelines. 7. The gas pipeline requires a twenty-five foot buffer on both sides of the line in the mining areas and permanent access to the gas pipeline at all points. The operator must submit final plans for the long term location and access to the gas pipeline prior to any changes being made. 	\$10,000
05-0026 Morse Bros Brown Site	T5N, R1W, Sec 7 Tax Lot 101 Sec 8 Tax Lot 300	25	Operating Permit	<ol style="list-style-type: none"> 1. An adequate buffer must be maintained between all external property lines and the mining operation. 2. No turbid water discharge is allowed from the site exceeding state guidelines. 3. Water quality or quantity at adjacent residences cannot be negatively impacted. 4. Final cut banks must be stable. 5. The final reclamation plan for the site must be integrated with the adjacent permit #05-0025. 6. A visual screen must be maintained along the southwest property line. 7. The gas pipeline requires a twenty-five foot buffer on both sides of the line in the mining areas and permanent access to the gas pipeline at all points. The operator must submit final plans for the long term location and access to the gas pipeline prior to any changes being made. 	\$10,000 (\$2,000 per acre)
05-0028 Steven D. Gerttula Mayger Quarry Site	T8N, R4W, Sec 24 Tax Lot 700	13.62	Operating Permit	<ol style="list-style-type: none"> 1. Crusher fines or rejects must be salvaged before the completion of mining to apply one foot of reject materials to the mine-out pit floor. 2. Visual screens must be maintained along the north property line along Mayger Road. 3. No turbid water discharge is allowed from the site exceeding state guidelines. 4. Any oversize generated by the mining operation must be hauled off-site or buried in the pit floor. 5. The final highwall must be benched and the slope must be stable. 	\$2,500 per acre The financial security must be provided before the start of operations. In the event of expansion beyond one acre, the financial security must be increased accordingly.

Site Information	Location	Acres	Permit Type	Permit or Limited Exemption Conditions	Financial Security
05-0031 Pacific Cascade Resources (Lou Adler) Goble Quarry	T6N, R2W, Sec 11 Tax Lot 900, 1503, 1502	71.5	Operating Permit	<ol style="list-style-type: none"> 1. Topsoil/overburden shall be salvaged in sufficient volumes for final reclamation. 2. Oversize generated by the mining operation must be properly disposed of. 3. Mining below the water table is not allowed unless a modification to the reclamation plan is submitted. 4. Blasting cannot impact adjacent residences, buildings or wells. 5. A written variance has been received from the owner of Tax Lot 1100 adjacent to the Goble Quarry to allow mining within the county mandated setback limits. 6. According to the 1991 and 1999 Planning Commission Conditional Use for this site, the existing ponds on the south end of Tax Lots 900 and 901 cannot be impacted by access roads or any other activities. A buffer area of 25 feet shall be kept undisturbed around the perimeter of all ponds, except that dirt berms may be placed for flood control, and berms and channels be constructed and maintained to prevent drainage into the ponds from filled and cleared areas and roads. The existing berm shall be layered with a cover of dirt and planted with appropriate shade producing and/or riparian vegetation. Before work starts on any additional flood control berms, the owner/operator shall discuss the plan with the Planning Director or designee and receive approval of placement first. 7. Operating hours extending prior to 7:00 a.m. or past 6:00 p.m. must be approved by the County. 	\$5,000
05-0045 John F. Stennick Chehalis, WA Wonderly Road Pit	T7N, R3W, Sec 12 Tax Lot 600 CHANGE TO 601	19.66	Operating Permit	<ol style="list-style-type: none"> 1. No off-site turbid water discharge from the site exceeding state guidelines. 2. Visual screen maintained along outer perimeter of property. 3. Oversize shall be hauled off-site or buried in pit floor on completion of mining. 4. The access road must be developed as specified in the road maintenance agreement and past inspection reports. 5. Obtain a variance before additional development above the current highwall in the 50 foot buffer zone. 6. Mining operations shall not impact adjacent water supplies. 7. Final highwall and overburden stockpiles will be stable. 	\$500 per acre
05-0046 Glacier Northwest Convay Site – Pit C	T4N, R1W Sec 32 Tax Lot 100	34.3	Operating Permit	"A condition of your 00-04 01-06 operating or limited exemption permit requires that the interest due for all past outstanding regulatory fees be paid within 30-45 days from a final invoice from the County decision, including appeals on current litigation surrounding regulatory fees."	\$1,000
Site Information	Location	Acres	Permit	Permit or Limited Exemption Conditions	Financial Security

Site Information	Location	Acres	Permit Type	Permit or Limited Exemption Conditions	Financial Security
05-0047 Glacier Northwest Havliks – Pit D	T4N, R1W, Sec 32 Tax Lot 100	32.45	Operating Permit	"A condition of your 00-04 01-06 operating or limited exemption permit requires that the interest due for all past outstanding regulatory fees be paid within 30-45 days from a final invoice from the County decision, including appeals on current litigation surrounding regulatory fees. "	\$1,000
05-0051 OR Dept. of Transportation Oak Creek Quarry	T5N, R3W, Sec 5 Tax Lot 400	22.7	Operating Permit	<ol style="list-style-type: none"> 1. Turbid water discharge is not allowed from the site exceeding state guidelines. 2. The trees must be removed prior to stripping overburden and cut slopes cannot exceed the angle of repose for overburden. 3. No oversize materials can be left at the site upon completion of the final reclamation. 4. Overburden stockpiles must be laid out in stable areas and out slopes cannot exceed a 2:1 slope. 	N/A
05-0055 Eagle Star Rock Products L.L.C. Hankey Road Site	T5N, R1W, Sec 32 Tax Lot 1000	51.45	Operating Permit	<ol style="list-style-type: none"> 1. The final highwall must be benched and stable. 2. Turbid water discharge is not allowed from the site exceeding state guidelines. 3. Flyrock cannot leave the permit boundary during blasting. 4. Blasting cannot negatively impact adjacent structures and residences. 5. A 50' riparian corridor boundary must be maintained along Perry Creek. Input from the National Marine Fisheries Service will be sought by the County prior to approval of a removal/fill or other pertinent permits issued within the 300' riparian zone adjacent to Milton Creek. 6. A flood plain analysis conducted by the applicant and a removal/fill permit application must be submitted to and approved by the County prior to any work within the 100 year flood plain. 7. The Division of State Lands must be consulted and all necessary permits obtained prior to any work within the 100 year flood plain. 8. The County road department requires an additional 5 feet of right-of-way on both sides of Hankey Road, through Tax Lot 1000, for a total of 10 feet of additional right-of-way prior to affecting the newly permitted acreage. 9. If other than a 1½ :1 final reclamation slope is proposed along the west side of the permit, adjacent to Tax Lot 5131-040-00101 an administrative review of the proposed change must occur including notification of the property owner of Tax Lot 5131-040-00101. 	\$15,000 (\$3,000 per acre for the five acres proposed to be mined.)
Site Information	Location	Acres	Permit Type	Permit or Limited Exemption Conditions	Financial Security

05-0061 Clatskanie Rock Products Clatskanie Site (Portion Mined Prior to 7/1/72)	T7N, R4W, Sec 8 Tax Lot 300	5	Limited Exemption Certificate	1. No material is to be stockpiled off of the 5 acre permitted portion of Tax Lot 300 without first obtaining necessary permits from the county.	N/A
05-0068 Heller & Heller Construction Neuman Pit – Fall Creek Rd (Portion Mined Prior to 7/1/72)	T4N, R2W, Sec 28 Tax Lot 900	9.83	Limited Exemption Certificate	None	N/A
05-0070 Tide Creek Rock Tide Creek Pit	T6N, R2W, Sec 36 Portions of Tax Lot 500	11.65 per survey 5/8/01	Limited Exemption Certificate	<p>2000-2001 The renewal application asked for renewal of a limited exemption certificate for 160 acres. Since that renewal application was submitted, the BOC passed Amended Board Order 26-01. I recommend that in light of the Board Order, the SMAC recommend denial of the permit renewal application as submitted and approve the renewal application based on compliance with Amended Board Order 26-01.</p> <p>2001-2006 1. All conditions and stipulations as stated in Amended Board Order 26-01 must be complied with.</p> <p>2006-2011 1. All conditions and stipulations as stated in Amended Board Order 26-01 must be complied with.</p>	N/A
05-0072 Eagle Star Rock Products LLC Jillson Pit	T5N, R1W, Sec 32 Tax Lot 300	10	Operating Permit	<ol style="list-style-type: none"> 1. Must follow conditional use permit conditions. 2. No mining within 50 feet or materials stockpiling within 25 feet of the road right-of-way may occur without first applying for and receiving a variance from the county. 3. Site access needs to be limited by constructing a fence to prevent public access. 	\$5,000
Site Information	Location	Acres	Permit Type	Permit or Limited Exemption Conditions	Financial Security

05-0074 Pacific Cascade Resources Near City Pit	T6N, R2W, Sec. 11 Tax Lot 600	10.66	Operating Permit	<ol style="list-style-type: none"> 1. The final highwall must be benched and stable. 2. Turbid water discharge is not allowed from the site exceeding state guidelines. 3. Blasting cannot negatively impact adjacent structures and residences. 4. Verbal pre-blast notification is required for all persons requesting notification. 	\$5,000
05-0076 Glacier NW Pit F	T3N, R1W, Sec 6	13	Operating Permit	Submit to the County results of the well monitoring program on an annual basis. Submit a financial security in the amount of \$22,500 for the site The financial security bond for the 10-acres of agricultural land must be held for a minimum of ten years after final reclamation to better assure against long-term slope stability and subsidence or, some other agreed upon method of long-term insurance.	\$22,500
05-0077 Morse Bros. Reichold Site	T5N, R1W, Sec 17	202	Operating Permit	Permit conditions are those approved for the Site Design Review and Post Acknowledgement Plan Amendment (PAPA) application.	
05-0078 Morse Bros. Waterview Site	T5N, R1W Sec 16, 17, 21	99	Operating Permit	Permit conditions are those approved for the Site Design Review and for the use permitted under the RIPD Zone.	
05-0079 Glacier NW Fort James Site	T4N, R1W Sec 29, 32, 33	52	Operating Permit	<p>Inclusion of the PAPA and Site Design Conditions unless otherwise stated in the Surface Mining Ordinance (i.e. 200 ft. setback).</p> <p>Implementation of the ground water monitoring plan as stated in the operating permit application.</p> <p>A DSL approved wetland delineation and mitigation plan.</p> <p>Construction of a 6' cyclone fence per the PAPA conditions.</p> <p>Segregation of topsoil to be used in reclamation and not stored in berms with overburden. Overburden not to be used for topsoil unless testing indicates suitable fertility for plant growth.</p> <p>Post a reclamation bond in the amount of \$42,500 for the first 10-acres disturbed with the amount subject to increase as additional acres are disturbed.</p>	\$42,500
Site Information	Location	Acres	Permit Type	Permit or Limited Exemption Conditions	Financial Security

<p>05-0080 Bascom Pacific LLC Oak Ranch Quarry Expansion</p>	<p>T5N, R3W, Sec 5</p>	<p>30.08</p>	<p>Operating Permit</p>	<p>Post a reclamation bond in the amount of \$50,500. Demarcate on the ground, by staking or other means, a 50-foot setback from the property line. Not discharge storm water offsite without first obtaining a 1200A permit. Seed and mulch all exposed soil and overburden stockpiles prior to October 1 of each year. Not conduct pit dewatering without approval from the SMA. Maintain a 350-ft. setback from Oak Ranch Creek for excavating and a 100-ft setback for processing and stockpile areas. Place a minimum 4-feet of soil over the pit floor, processing and stockpile areas after ripping, then revegetate with native timber, shrubs and grass species. Submit a post-mining drainage plan for approval by the SMA within 3-years of completion of mining. The access/service road will remain dust free within 300-feet of Apiary Rd.</p>	<p>\$50,500</p>
---	------------------------	--------------	------------------------------	--	-----------------

ATTACHMENT B

BOARD OF COMMISSIONERS SURFACE MINING ADMINISTRATORS REPORT (October 16, 2006)

Surface Mining Operating Permit Renewals 2006-2011

BACKGROUND:

Twenty two surface mine sites submitted renewal applications asking to renew their operating permits for the permit years July 1, 2006 through June 30, 2011 pursuant to 5.5 of the Columbia Surface Mining Ordinance (SMO). These are summarized below:

Site ID #	Name	Site Name	Renewal Application Submitted
			2006-2011
05-0002	Kynsi Construction	Graham Pit	yes
05-0004	Columbia Rock Co., LLC	Goble Quarry	yes
05-0007	Morse Bros., Inc.	Lost Creek Quarry	closed
05-0012	Forest Systems Inc.	Oak Ranch Pit	yes
05-0018	Morse Bros.	Watters Site	yes
05-0024	Morse Bros.	Hoffman Site	yes
05-0025	Morse Bros.	Deer Island Site	yes
05-0026	Morse Bros.	Brown Site	yes
05-0027	Columbia Road and Driveway	Scappoose Creek Site	closed
05-0028	Steven D. Gertulla	Mayger Quarry Site	yes
05-0029	Lammi Sand and Rock Products	OK Creek Quarry	Under closer order
05-0031	Pacific Cascade Resources	Goble Quarry	yes
05-0032	Pacific Cascade Resources	Sierks Road Site	yes
05-0045	John F. Stennick (permit transfer from Menasha Corp)	Wonderly Road Pit	yes
05-0046	Glacier NW	Convey - Pit C	yes
05-0047	Glacier NW	Havliks - Pit D	yes
05-0051	Oregon Dept. of Transportation	Oak Creek Quarry	yes
05-0055	Eagle Star Rock Products (permit transfer from Columbia Road & Driveway	Hankey Pit	yes
05-0072	Eagle Star Rock Products (permit transfer from Columbia Road & Driveway	Jillson Pit	yes
05-0074	Pacific Cascade Resources	Neer City Pit	yes

05-0075	The Confederated Tribes of the Grand Ronde Community of Oregon	Grand Ronde Quarry	did not renew
05-0076	Glacier NW	Pit F	yes
05-0077	Morse Bros.	Reichhold Site	yes
05-0078	Morse Bros.	Waterview Site	yes
05-0079	Glacier NW	Fort James	yes
05-0080	Forest Systems Inc	Oak Ranch Quarry Expansion	yes

The renewal of Surface Mining Operating Permits has been deemed a limited land use decision, and by that decision the renewal process must follow those procedures required by ORS 197.195(3) including but not limited to; providing written notice of owners of property within a minimum of 100 feet and providing 14 calendar days to submit written comments prior to the decision.

The renewal application procedures were followed as is written in Columbia County Ordinance 2001-3 adopted by the Columbia County Board of County Commissioners March 14, 2001, which added Section 2.9 - Renewal Process to the SMO.

The Surface Mining Ordinance 90-11, Section 5.5 contains the criteria for renewal of surface mining operating permits. Renewals of operating permits are considered for five-year periods.

FINDINGS:

The following sections of the Surface Mining Ordinance (SMO) 90-11 apply to this request:

Columbia County Surface Mining Ordinance Section 2.9 requires the following:

Giving written notice to owners of record of property where such property is located:

- (a) Within 250 feet of the subject property when the subject property is wholly or in part within an urban growth boundary;
- (b) Within 250 feet of the subject property when the subject property is outside an urban growth boundary and not within a farm or forest zone; or
- (c) Within 750 feet of the subject property when the subject property is within a farm or forest zone.

Finding 1: Following the required written notice, written comments were received on the following permit renewal applications:

#05-0077 for Morse Bros Reichhold Site from Steve Hursh with Columbia River PUD regarding ground water monitoring and testing, submittal of test results and a copy of the monitoring plan approved by ODEQ. In addition Mr. Hursh requested the security be maintained for potential future costs of well replacement. Mr. Hursh also had a request regarding site access. Comment was received on the renewal of **# 05-0078 for Morse Bros, Reichhold Site and #05-0077 Morse Bros Waterview Site** from Leahnette Rivers with the City of

Columbia City requesting the replacement of deceased landscape vegetation. Morse Bros. submitted a letter dated October 13, 2006 addressing the comments and confirmed that the concerns would be addressed for both mining sites.

#05-0032 for Pacific Cascade Resources from adjacent property owners (see attached) as per Section 2.9 with concerns about property values, operating hours, truck traffic, noise, blasting, air quality and storm water discharge. The property owners have also requested an appeal hearing of the Board's decision on renewal.

The subject site has had little or no activity dating to 1999. In a conversation with the owner, Mr. Lou Adler, he affirmed that the site had been operated on an as needed basis only and it was unknown when or if activities would increase. Currently the site is in compliance with the surface mining permit and the permit conditions address concerns such as storm water discharge, blasting, noise, dust, and hours of operation. Truck traffic is under the control of the Land Development Services.

Since a public hearing has been requested, this renewal will be scheduled for separate consideration after notices to parties for a public hearing.

#05-0004 for Columbia Rock Co. from a property owner with concern about blasting. The site operator, Rinker Materials, has been notified of blasting issues such as vibration. Rinker has responded by indicating seismic monitoring and other best management practices would be implemented to prevent offsite impacts (i.e. excessive vibration) from occurring. In addition, a condition of the surface mining permit is to prevent offsite impacts from blasting at the quarry.

Surface Mining Ordinance Section 2.9 requires the following:

Providing a notice of the BOC decision to the applicant and any person who submitted written comments; providing the applicant and any person entitled to notice of the decision the opportunity to request an appeal hearing of the Board's decision on renewal; to notify all involved property owners of the request for an appeal hearing; conduct a hearing and provide written notice of the Board's decision on appeal to all parties who appeared, either orally or in writing, before or at the hearing.

Finding 2:

Notice of the BOC decision of renewal will be sent out to the applicant and any person who submitted written comments as soon as the decision is final.

Surface Mining Ordinance Section 5.5 requires the following:

The landowner or operator must pay the established annual renewal fee and file the renewal application on or before June 15 of the year the permit expires.

Finding 3: All applicants requesting renewal permits paid the annual renewal fees and filed renewal applications, although not all were in by June 15 of each renewal year.

Surface Mining Ordinance Section 5.5 requires the following:

The renewal application shall require a statement from the landowner or operator of the types and amounts of minerals excavated, disturbed, sold and/or removed from the surface mining site during the

past and present fiscal years and the types and amounts of minerals expected to be excavated, disturbed, sold and/or removed from the surface mining site during the present and subsequent fiscal years. If there is a change in the surface mining activities and/or reclamation plan, the application shall describe the changes.

Finding 4: All applicants submitted renewal applications which included the above requested information. None of the sites, within their renewal applications, indicated any changes in their surface mining activities and/or reclamation plans.

Continuing with Surface Mining Ordinance Section 5.5 :

The renewal may be granted so long as the landowner or operator maintains the necessary financial security.

Finding 5: All applicants have renewed their surety bonds, letters of credit or other financial security as required by their financial institutions to maintain compliance with the SMO.

Continuing with Surface Mining Ordinance Section 5.5:

The renewal may be granted so long as the landowner or operator complies with the conditions of the permit, the reclamation plan, and with the SMO.

Finding 6: All surface mining sites were inspected by the Surface Mining Administrator on an annual basis. Copies of the inspection reports are available in the Land Development Services Office for review. Any items of concern found during the inspections or permit file reviews were brought to the operators attention, have been addressed to the Surface Mining Advisory Committee's satisfaction and if required remedial actions undertaken.

Continuing with Surface Mining Ordinance Section 5.5:

The Administrator and Board shall investigate and may consider any prior statutory, administrative rule and/or county ordinance violations by the landowner and/or operator related to surface mining in determining whether an operating permit should be renewed.

Finding 7: Each operation was reviewed to determine if a pattern of prior statutory, administrative rule and/or county ordinance violations existed such that the operating permit should not be renewed. Of those applications recommended for approval none were determined to have violations which would prevent renewal of the operating permits.

Surface Mining Ordinance Section 2.2 (2a) requires the following:

The Surface Mining Advisory Committee may, but is not required to, meet with landowners and/or operators before advising the Administrator and the Board. In particular, the Committee shall advise the Administrator and the Board as to whether to issue, deny, renew, or revoke operating permits.

Finding 8: The Surface Mining Advisory Committee considered the renewals at its meetings on October 25, 2006 and took action supporting the findings and the recommendations of the Surface Mining Administrator for the requested renewals of all operating permits with the exception of the renewal application of Pacific Cascade Resources for the Siercks Road site(#05-0032) for which a public hearing will be held and Committee recommendations will be heard at a later date.

Surface Mining Ordinance Section 2.3 requires the following:

After considering the recommendations of the Administrator and advice of the Committee, if any, the Board of County Commissioners shall make the decision whether to issue, deny, renew, or revoke operating permits.

Finding 9: The Board of Commissioners has scheduled consideration of applications for renewal of operating permits #05-0002, #05-0004, #05-0012, #05-0018, #05-0024, #05-0025, #05-0026, #05-0028, #05-0031, #05-0045, #05-0046, #05-0047, #05-0051 #05-0055, #05-0072, #05-0074, #05-0076, #05-0077, #05-0078, #05-0079, and #05-0080 on November 8, 2006. .

CONCLUSION AND RECOMMENDATION:

Based on the above findings, the surface mining administrator recommends **approval** of operating permits #05-0002, #05-0004, #05-0012, #05-0018, #05-0024, #05-0025, #05-0026, #05-0028, #05-0031, #05-0045, #05-0046, #05-0047, #05-0051 #05-0055, #05-0072, #05-0074, #05-0076, #05-0077, #05-0078, #05-0079, and #05-0080 the requested surface mining operating permit renewals with the following condition:

The surface mining operating permits shall remain valid as long as the activities on each site remain in compliance with its permit conditions listed in the attached table entitled "Summary of Permit Conditions 2006-2011", financial security obligations and applicable portions of the Columbia County Surface Mining Ordinance 90-11.

Action on operating permit #05-0032 Pacific Cascade Resources Siercks Road Site will not be taken at this meeting. Renewal of this permit will be scheduled for separate consideration after notices to parties for a public hearing before the Board of Commissioners.

Summary of Permits and Conditions 2006-2011

Site Information	Location	Acres	Permit Type	Permit or Limited Exemption Conditions	Financial Security
05-0002 Kynsi Construction Graham Pit	T7N, R5W, Sec 9 Tax Lot 300	13	Operating Permit	<ol style="list-style-type: none"> 1. Final highwalls must be benched and stable. 2. No off-site turbid water discharge is allowed from the site exceeding state guidelines. 3. Overburden stockpiles must be located on stable ground and final slope cannot exceed a 2:1 slope. 4. A minimum of fifty feet must be maintained between the highwall crest and the adjacent property lines, unless the affected property owner signs an affidavit allowing mining closer than 50 feet. 	\$10,390 For approximately 3 acres of disturbed area.
05-0004 Columbia Rock Co., LLC Nicolai Quarry	T6N, R2W, Sec 12 Tax Lot 1100, 1301	68.23	Operating Permit	<ol style="list-style-type: none"> 1. Reject materials and crusher fines shall be salvaged in sufficient volumes for final reclamation. 2. The mining operation is restricted to mining above the groundwater table elevation at this time. 3. Any oversize material generated by the mining operation will be buried in the pit floor or hauled off-site. 4. A visual screen shall be maintained along the east side of the site to screen the site from Highway 30. 5. Blasting shall be controlled as to not impact adjacent wells and structures. 6. Final highwalls will be benched and stable. 7. No turbid water discharge is allowed from the site exceeding state guidelines. 8. A written variance has been received from the owner of Tax Lots 900 and 1502 adjacent to the Nicolai Quarry to allow mining within the county mandated setback limits. 	\$15,000 For disturbed area.
05-0005 Glacier Northwest Santosh Pit, Pits A & B	T4N, R1W Sec 29, 30, 31, 32 Tax Lot 100		Limited Exemption Certificate	"A condition of your 00-04 01-06 operating or limited exemption permit requires that the interest due for all past outstanding regulatory fees be paid within 30-45 days from a final invoice from the County decision, including appeals on current litigation surrounding regulatory fees."	N/A
05-0012 Bascom Pacific LLC Oak Ranch Pit	T5N, R3W, Sec 5 Tax Lot 300, 301 Sec. 6 Tax Lot 200	22	Operating Permit	1. No off-site turbid water discharge is allowed from the property exceeding state guidelines.	\$5,000
05-0012 Bascom Pacific, LLC Oak Ranch Pit	T5N, R3W, Sec 5 Tax Lot 300, 301	13	Limited Exemption Certificate	None	N/A

Site Information	Location	Acres	Permit Type	Permit or Limited Exemption Conditions	Financial Security
05-0015 Scappoose Sand & Gravel Scappoose Site	T3N, R2W, Sec 1 Tax Lot 600, 601 Sec 12 Tax Lot 100, 101	103	Limited Exemption Certificate	"A condition of your 00-04 01-06 operating or limited exemption permit requires that all outstanding regulatory fees be paid within 30 45 days from a final invoice from the County decision, including appeals on current litigation surrounding regulatory fees. "	N/A
05-0018 Morse Bros Watters Site	T5N, R1W, Sec 33 Tax Lot 300	89.6	Limited Exemption Certificate	None	N/A
05-0018 Morse Bros Watters Site	T5N, R1W, Sec 32 Tax Lot 1600 T5N, R1W, Sec 33 Tax Lot 400	174.09	Operating Permit	<ol style="list-style-type: none"> 1. A water management plan must be developed to handle water generated by the site and overland runoff, if turbid water runoff becomes a problem. 2. Visual screens are required for expansion areas. 3. Blasting cannot negatively impact adjacent structures including water wells, residences and buildings. 4. Any oversize generated by the operation must be properly disposed of upon completion of mining. 5. The landowner or operator must meet any D.E.Q. permit requirements regarding turbid water. 	\$10,000 This amount could change subject to field verification.
05-0018 JH&D Watters Site	T5N, R1W, Sec 33 Tax Lot 300	89.6	Limited Exemption Certificate	None	N/A
05-0024 Morse Bros Hoffman Site	T5N, R1W, Sec 6 Tax Lot 701	50	Operating Permit	<ol style="list-style-type: none"> 1. Final slopes for the first six feet below the low water level can be no steeper than 3:1 slope. The remainder of the cut bank should be at or less than the angle of repose for the material estimated at a 2:1 slope. 2. The Hoffman Site must be visually screened from all points along Highway 30, except the access road, by fast growing trees. 3. The gas pipeline requires a twenty-five foot buffer on both sides of the line in the mining areas and permanent access to the gas pipeline at all points. The operator must submit final plans for the long term location and access to the gas pipeline prior to any changes being made. 4. Berms must be established around the perimeter of the site to prevent turbid water discharge and to protect the water quality of the pond. 5. The landowner or operator shall comply with the conditions of the conditional use permit issued for this property. 	\$10,000 (\$1,000 per acre for 10 acres)

Site Information	Location	Acres	Permit Type	Permit or Limited Exemption Conditions	Financial Security
05-0025 Morse Bros Deer Island Site	T5N, R1W, Sec 6 Tax Lot 902, Sec 7 Tax Lot 102	72.98	Operating Permit	<ol style="list-style-type: none"> 1. The landowner or operator must maintain a visual screen on the southwest side of the site. 2. A fifty foot buffer must be maintained between Benhan Slough and the crest of the cut bank. 3. Final cut banks below the water table must be stable. 4. Topsoil must be salvaged in sufficient volumes to place on exposed cut banks at completion of mining. 5. Final reclamation must include wildlife or wetland enhancement including irregular shorelines, varied cut bank slope or islands. 6. No turbid water discharge is allowed from the site exceeding state guidelines. 7. The gas pipeline requires a twenty-five foot buffer on both sides of the line in the mining areas and permanent access to the gas pipeline at all points. The operator must submit final plans for the long term location and access to the gas pipeline prior to any changes being made. 	\$10,000
05-0026 Morse Bros Brown Site	T5N, R1W, Sec 7 Tax Lot 101 Sec 8 Tax Lot 300	25	Operating Permit	<ol style="list-style-type: none"> 1. An adequate buffer must be maintained between all external property lines and the mining operation. 2. No turbid water discharge is allowed from the site exceeding state guidelines. 3. Water quality or quantity at adjacent residences cannot be negatively impacted. 4. Final cut banks must be stable. 5. The final reclamation plan for the site must be integrated with the adjacent permit #05-0025. 6. A visual screen must be maintained along the southwest property line. 7. The gas pipeline requires a twenty-five foot buffer on both sides of the line in the mining areas and permanent access to the gas pipeline at all points. The operator must submit final plans for the long term location and access to the gas pipeline prior to any changes being made. 	\$10,000 (\$2,000 per acre)
05-0028 Steven D. Gerttula Mayger Quarry Site	T8N, R4W, Sec 24 Tax Lot 700	13.62	Operating Permit	<ol style="list-style-type: none"> 1. Crusher fines or rejects must be salvaged before the completion of mining to apply one foot of reject materials to the mine-out pit floor. 2. Visual screens must be maintained along the north property line along Mayger Road. 3. No turbid water discharge is allowed from the site exceeding state guidelines. 4. Any oversize generated by the mining operation must be hauled off-site or buried in the pit floor. 5. The final highwall must be benched and the slope must be stable. 	\$2,500 per acre The financial security must be provided before the start of operations. In the event of expansion beyond one acre, the financial security must be increased accordingly.

Site Information	Location	Acres	Permit Type	Permit or Limited Exemption Conditions	Financial Security
05-0031 Pacific Cascade Resources (Lou Adler) Goble Quarry	T6N, R2W, Sec 11 Tax Lot 900, 1503, 1502	71.5	Operating Permit	<ol style="list-style-type: none"> 1. Topsoil/overburden shall be salvaged in sufficient volumes for final reclamation. 2. Oversize generated by the mining operation must be properly disposed of. 3. Mining below the water table is not allowed unless a modification to the reclamation plan is submitted. 4. Blasting cannot impact adjacent residences, buildings or wells. 5. A written variance has been received from the owner of Tax Lot 1100 adjacent to the Goble Quarry to allow mining within the county mandated setback limits. 6. According to the 1991 and 1999 Planning Commission Conditional Use for this site, the existing ponds on the south end of Tax Lots 900 and 901 cannot be impacted by access roads or any other activities. A buffer area of 25 feet shall be kept undisturbed around the perimeter of all ponds, except that dirt berms may be placed for flood control, and berms and channels be constructed and maintained to prevent drainage into the ponds from filled and cleared areas and roads. The existing berm shall be layered with a cover of dirt and planted with appropriate shade producing and/or riparian vegetation. Before work starts on any additional flood control berms, the owner/operator shall discuss the plan with the Planning Director or designee and receive approval of placement first. 7. Operating hours extending prior to 7:00 a.m. or past 6:00 p.m. must be approved by the County. 	\$5,000
05-0045 John F. Stennick Chehalis, WA Wonderly Road Pit	T7N, R3W, Sec 12 Tax Lot 600 CHANGE TO 601	19.66	Operating Permit	<ol style="list-style-type: none"> 1. No off-site turbid water discharge from the site exceeding state guidelines. 2. Visual screen maintained along outer perimeter of property. 3. Oversize shall be hauled off-site or buried in pit floor on completion of mining. 4. The access road must be developed as specified in the road maintenance agreement and past inspection reports. 5. Obtain a variance before additional development above the current highwall in the 50 foot buffer zone. 6. Mining operations shall not impact adjacent water supplies. 7. Final highwall and overburden stockpiles will be stable. 	\$500 per acre
05-0046 Glacier Northwest Convay Site – Pit C	T4N, R1W Sec 32 Tax Lot 100	34.3	Operating Permit	"A condition of your 00-01 01-06 operating or limited exemption permit requires that the interest due for all past outstanding regulatory fees be paid within 30-45 days from a final invoice from the County decision, including appeals on current litigation surrounding regulatory fees."	\$1,000
Site Information	Location	Acres	Permit	Permit or Limited Exemption Conditions	Financial Security

Site Information	Location	Acres	Permit Type	Permit or Limited Exemption Conditions	Financial Security
05-0047 Glacier Northwest Havliks – Pit D	T4N, R1W, Sec 32 Tax Lot 100	32.45	Operating Permit	"A condition of your 00-04 01-06 operating or limited exemption permit requires that the interest due for all past outstanding regulatory fees be paid within 30-45 days from a final invoice from the County decision, including appeals on current litigation surrounding regulatory fees. "	\$1,000
05-0051 OR Dept. of Transportation Oak Creek Quarry	T5N, R3W, Sec 5 Tax Lot 400	22.7	Operating Permit	<ol style="list-style-type: none"> 1. Turbid water discharge is not allowed from the site exceeding state guidelines. 2. The trees must be removed prior to stripping overburden and cut slopes cannot exceed the angle of repose for overburden. 3. No oversize materials can be left at the site upon completion of the final reclamation. 4. Overburden stockpiles must be laid out in stable areas and out slopes cannot exceed a 2:1 slope. 	N/A
05-0055 Eagle Star Rock Products L.L.C. Hankey Road Site	T5N, R1W, Sec 32 Tax Lot 1000	51.45	Operating Permit	<ol style="list-style-type: none"> 1. The final highwall must be benched and stable. 2. Turbid water discharge is not allowed from the site exceeding state guidelines. 3. Flyrock cannot leave the permit boundary during blasting. 4. Blasting cannot negatively impact adjacent structures and residences. 5. A 50' riparian corridor boundary must be maintained along Perry Creek. nput from the National Marine Fisheries Service will be sought by the County prior to approval of a removal/fill or other pertinent permits issued within the 300' riparian zone adjacent to Milton Creek. 6. A flood plain analysis conducted by the applicant and a removal/fill permit application must be submitted to and approved by the County prior to any work within the 100 year flood plain. 7. The Division of State Lands must be consulted and all necessary permits obtained prior to any work within the 100 year flood plain. 8. The County road department requires an additional 5 feet of right-of-way on both sides of Hankey Road, through Tax Lot 1000, for a total of 10 feet of additional right-of-way prior to affecting the newly permitted acreage. 9. If other than a 1½ :1 final reclamation slope is proposed along the west side of the permit, adjacent to Tax Lot 5131-040-00101 an administrative review of the proposed change must occur including notification of the property owner of Tax Lot 5131-040-00101. 	\$15,000 (\$3,000 per acre for the five acres proposed to be mined.)
Site Information	Location	Acres	Permit Type	Permit or Limited Exemption Conditions	Financial Security

05-0061 Clatskanie Rock Products Clatskanie Site (Portion Mined Prior to 7/1/72)	T7N, R4W, Sec 8 Tax Lot 300	5	Limited Exemption Certificate	1. No material is to be stockpiled off of the 5 acre permitted portion of Tax Lot 300 without first obtaining necessary permits from the county.	N/A
05-0068 Heller & Heller Construction Neuman Pit – Fall Creek Rd (Portion Mined Prior to 7/1/72)	T4N, R2W, Sec 28 Tax Lot 900	9.83	Limited Exemption Certificate	None	N/A
05-0070 Tide Creek Rock Tide Creek Pit	T6N, R2W, Sec 36 Portions of Tax Lot 500	11.65 per survey 5/8/01	Limited Exemption Certificate	<p>2000-2001 The renewal application asked for renewal of a limited exemption certificate for 160 acres. Since that renewal application was submitted, the BOC passed Amended Board Order 26-01. I recommend that in light of the Board Order, the SMAC recommend denial of the permit renewal application as submitted and approve the renewal application based on compliance with Amended Board Order 26-01.</p> <p>2001-2006 1. All conditions and stipulations as stated in Amended Board Order 26-01 must be complied with.</p> <p>2006-2011 1. All conditions and stipulations as stated in Amended Board Order 26-01 must be complied with.</p>	N/A
05-0072 Eagle Star Rock Products LLC Jillson Pit	T5N, R1W, Sec 32 Tax Lot 300	10	Operating Permit	<ol style="list-style-type: none"> 1. Must follow conditional use permit conditions. 2. No mining within 50 feet or materials stockpiling within 25 feet of the road right-of-way may occur without first applying for and receiving a variance from the county. 3. Site access needs to be limited by constructing a fence to prevent public access. 	\$5,000
Site Information	Location	Acres	Permit Type	Permit or Limited Exemption Conditions	Financial Security

05-0074 Pacific Cascade Resources Near City Pit	T6N, R2W, Sec. 11 Tax Lot 600	10.66	Operating Permit	<ol style="list-style-type: none"> 1. The final highwall must be benched and stable. 2. Turbid water discharge is not allowed from the site exceeding state guidelines. 3. Blasting cannot negatively impact adjacent structures and residences. 4. Verbal pre-blast notification is required for all persons requesting notification. 	\$5,000
05-0076 Glacier NW Pit F	T3N, R1W, Sec 6	13	Operating Permit	<p>Submit to the County results of the well monitoring program on an annual basis.</p> <p>Submit a financial security in the amount of \$22,500 for the site</p> <p>The financial security bond for the 10-acres of agricultural land must be held for a minimum of ten years after final reclamation to better assure against long-term slope stability and subsidence or, some other agreed upon method of long-term insurance.</p>	\$22,500
05-0077 Morse Bros. Reichold Site	T5N, R1W, Sec 17	202	Operating Permit	Permit conditions are those approved for the Site Design Review and Post Acknowledgement Plan Amendment (PAPA) application.	
05-0078 Morse Bros. Waterview Site	T5N, R1W Sec 16, 17, 21	99	Operating Permit	Permit conditions are those approved for the Site Design Review and for the use permitted under the RIPD Zone.	
05-0079 Glacier NW Fort James Site	T4N, R1W Sec 29, 32, 33	52	Operating Permit	<p>Inclusion of the PAPA and Site Design Conditions unless otherwise stated in the Surface Mining Ordinance (i.e. 200 ft. setback).</p> <p>Implementation of the ground water monitoring plan as stated in the operating permit application.</p> <p>A DSL approved wetland delineation and mitigation plan.</p> <p>Construction of a 6' cyclone fence per the PAPA conditions.</p> <p>Segregation of topsoil to be used in reclamation and not stored in berms with overburden. Overburden not to be used for topsoil unless testing indicates suitable fertility for plant growth.</p> <p>Post a reclamation bond in the amount of \$42,500 for the first 10-acres disturbed with the amount subject to increase as additional acres are disturbed.</p>	\$42,500
Site Information	Location	Acres	Permit Type	Permit or Limited Exemption Conditions	Financial Security

<p>05-0080 Bascom Pacific LLC Oak Ranch Quarry Expansion</p>	<p>T5N, R3W, Sec 5</p>	<p>30.08</p>	<p>Operating Permit</p>	<p>Post a reclamation bond in the amount of \$50,500. Demarcate on the ground, by staking or other means, a 50-foot setback from the property line. Not discharge storm water offsite without first obtaining a 1200A permit. Seed and mulch all exposed soil and overburden stockpiles prior to October 1 of each year. Not conduct pit dewatering without approval from the SMA. Maintain a 350-ft. setback from Oak Ranch Creek for excavating and a 100-ft setback for processing and stockpile areas. Place a minimum 4-feet of soil over the pit floor, processing and stockpile areas after ripping, then revegetate with native timber, shrubs and grass species. Submit a post-mining drainage plan for approval by the SMA within 3-years of completion of mining. The access/service road will remain dust free within 300-feet of Apiary Rd.</p>	<p>\$50,500</p>
---	------------------------	--------------	------------------------------	--	-----------------