

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Releasing Surety Bonds or)
Security Deposits Required in the Issuance)
of Operating Permits for Surface Mining)
_____)

ORDER NO. 81 - 2009

WHEREAS, the Surface Mining Ordinance, Ordinance No. 90-11, as amended, required that any landowner or operator of a surface mine, before an operating permit would be issued or renewed, submit to the Board of Commissioners a surety bond or security deposit in a sum to be determined by the Board, but in an amount not to exceed the total cost for reclamation if the County were to perform the reclamation; and

WHEREAS, pursuant to the Ordinance, all surface mines in the County under an operating permit did submit a surety bond or security deposit to the County as required; and

WHEREAS, the Surface Mining Ordinance was repealed by Ordinance No. 2009 - 5 on July 1, 2009, effective September 1, 2009 and

WHEREAS, thereafter, pursuant to ORS 517.780, regulation of surface mining in the County continued uninterrupted under the regulatory authority of the Oregon Department of Geology and Mineral Industries ("DOGAMI") pursuant to ORS 517.702 to ORS 517.989, as amended by Senate Bill 191 (2009); and

WHEREAS, DOGAMI is requiring that each landowner or operator of a surface mine file a replacement bond or security deposit for reclamation with DOGAMI; and

WHEREAS, DOGAMI has advised that several replacement bonds have been filed and it is appropriate to release the bonds submitted to the County by these surface miners; and

WHEREAS, the County Director of Land Development Services has confirmed that it is appropriate to release the County bonds when replacement bonds have been filed with DOGAMI;

NOW, THEREFORE, IT IS HEREBY ORDERED that the surety bonds or other security deposits submitted to the County by surface miners for reclamation purposes, confirmed by DOGAMI to have replacement bonds in place with the State, a list of which is attached hereto as Exhibit 1 and incorporated herein by this reference, shall be released to the appropriate surface miners.

Dated this 9th day of December, 2009.

Approved as to form

By: [Signature]
Office of County Counsel

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: [Signature]
Chair

By: [Signature]
Commissioner

By: [Signature]
Commissioner

EXHIBIT 1

<u>MINER</u>	<u>PERMIT NO.</u>	<u>SITE</u>
Steven Gerttula	05-0028	Mayger Quarry
Kynsi Construction	05-002	Grahm Pit
Eagle Star Rock Products	05-055	Hankey Road
	05-0072	Jillson Pit
Bascom Pacific LLC	05-0012	Oak Ranch Pit 2
Glacier Northwest	05-0046	Convey Site
	05-0047	Pit D
	05-0076	Pit F
	05-0079	Fort James
Northwest Aggregates	05-0081	Bates/Roth