

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Releasing Certain Reclamation)
Surety Bonds or Security Deposits)
_____)

ORDER NO. 13 - 2010

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 mine owners or operators 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WHEREAS, the Surface Mining Ordinance was repealed by Ordinance No. 2009 - 5 on July 1, 2009, effective September 1, 2009; and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 by landowners or operators of surface mines and it is appropriate to release the bonds submitted to the County by these landowners or operators; 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 as follows:

1) That the surety bonds or other security deposits submitted to the County as shown in Exhibit 1, which is attached hereto and incorporated herein by this reference, shall be released to the appropriate landowners or operators as shown in Exhibit 1.

2) That the original bonds as shown in Exhibit 1 shall be returned to the landowners or operators.

Dated this 14th day of April, 2010.

Approved as to form

By: *Sandra Lawson*
Office of County Counsel

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: *[Signature]*
Anthony Hyde, Chair

By: *[Signature]*
Earl Fisher, Commissioner

By: *[Signature]*
Rita Bernhard, Commissioner

EXHIBIT 1

<u>LANDOWNER/OPERATOR</u>	<u>PERMIT NO.</u>	<u>SITE</u>
Columbia Road & Driveway	05-0055	St. Helens Rock Pit
	05-072	Jillson Site
Robert Hendrickson & Columbia Rock Company	05-0004	Nicolai Quarry
Pacific Cascade Resources	05-0074	Neer City
	05-0031	Goble Quarry
Wayne Chappell	05-0055	St. Helens Rock Pit