

CONDITIONAL USE PERMIT APPLICATION

PROPOSED USE: Rail Branchline in PA-80 zone

APPLICANT: Name: Next Renewable Fuels Oregon, LLC, Attn: Christopher Efird

Mailing address: 11767 Katy Freeway, Suite 705

| | | |
|----------------|--------------|--------------|
| <u>Houston</u> | <u>Texas</u> | <u>77079</u> |
| City | State | Zip Code |

Phone No.: Office (661) 201-2653 Home _____

Are you the _____ property owner? owner's agent?

PROPERTY OWNER: _____ same as above, OR:

Name: Port of Columbia County (tax lot 8423-B0-00700)

Mailing Address: PO Box 190

| | | |
|----------------------|---------------|--------------|
| <u>Columbia City</u> | <u>Oregon</u> | <u>97018</u> |
| City | State | Zip Code |

Phone No.: Office (503) 397-2888 Home _____

PROPERTY ADDRESS (if assigned): not assigned

| | | |
|------|-------|----------|
| City | State | Zip Code |
|------|-------|----------|

| | | |
|--|--------------------|----------------------|
| TAX MAP NO.: <u>8421-00-00600</u> | Acres: <u>74.5</u> | Zoning: <u>PA-80</u> |
| <u>8422-00-00400</u> | <u>43.1</u> | <u>PA-80</u> |
| <u>8422-00-00500</u> | Acres: <u>34.7</u> | Zoning: <u>PA-80</u> |
| <u>8422-00-00600</u> | <u>34.4</u> | <u>PA-80</u> |
| <u>8423-B0-00700</u> | Acres: <u>11.5</u> | Zoning: <u>PA-80</u> |

PRESENT USES: (farm pasture, forest, residential, etc.)

| <u>Use:</u> | <u>Approx. Acres</u> |
|---|----------------------|
| <u>Vacant and Wetlands</u> | <u>7.3</u> |
| <u>Wetlands and powerlines</u> | <u>4.2</u> |
| <u>Hay and row crops</u> | <u>1.5</u> |
| <u>Trees and wetlands</u> | <u>185.2</u> |
| Total acres (must agree with above): | <u>198.2</u> |

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|----------------|--------------|--------------|
| <u>Houston</u> | <u>Texas</u> | <u>77079</u> |
| City | State | Zip Code |

Phone No.: Office (661) 201-2653 Home _____

Are you the _____ property owner? owner's agent?

PROPERTY OWNER: _____ same as above, OR:

Name: Felipe and Bobby De La Cruz (tax lot 8423-B0-00800)

Mailing Address: 80393 Kallunki Rd

| | | |
|-------------------|---------------|--------------|
| <u>Clatskanie</u> | <u>Oregon</u> | <u>97016</u> |
| City | State | Zip Code |

Phone No.: Office _____ Home _____

PROPERTY ADDRESS (if assigned): not assigned

| | | |
|-------|-------|----------|
| _____ | _____ | _____ |
| City | State | Zip Code |

TAX MAP NO.: 8423-B0-00800 Acres: 4.4 Zoning: PA-80

_____ Acres: _____ Zoning: _____

_____ Acres: _____ Zoning: _____

PRESENT USES: (farm pasture, forest, residential, etc.)

| <u>Use:</u> | <u>Approx. Acres</u> |
|---|----------------------|
| <u>Hay/row crops</u> | <u>2.8</u> |
| <u>Wetlands and powerlines</u> | <u>1.6</u> |
| _____ | _____ |
| _____ | _____ |
| Total acres (must agree with above): | <u>4.4</u> |

File No. CU _____

WATER SUPPLY: _____ Private well.
_____ Community system.

Is the well installed? ___ Yes ___ No

Name N/A; no water use proposed

METHOD OF SEWAGE DISPOSAL: _____ Community Sewer. Name _____
_____ Not applicable.
_____ Septic System.

N/A; no sewage disposal required

If Septic, does the subject property already have a system? ___ Yes ___ No

If no, is the property approved for a Septic System? ___ Yes ___ No

ELECTRICITY SUPPLIER: Clatskanie PUD

CONTIGUOUS PROPERTY: List all other properties you own which have boundary lines touching this property:


| <u>Tax Account No.</u> | <u>Acres</u> | <u>Co-owners (if any)</u> |
|---|--------------|---------------------------|
| 8421-00-00500 (Port of Columbia County), 143.9 acres | | |
| 8422-00-00100 (Port of Columbia County), 52.7 acres | | |
| 8422-00-00700 (Port of Columbia County), 20.2 acres | | |
| 8423-00-00900 (Port of Columbia County), 25.6 acres | | |
| 8423-B0-00600 (Port of Columbia County), 4.4 acres | | |
| 8423-B0-00500 (Port of Columbia County), 19.0 acres | | |
| 8423-B0-00900 (Felipe & Bobby De La Cruz), 11.8 acres | | |

ACCESS CONSULTATION: The applicant has consulted with the local Rural Fire Protection District regarding emergency apparatus access.

Fire Official's Signature: _____ Date: _____

CERTIFICATION:

I hereby certify that all of the above statements, and all other documents submitted, are accurate and true to the best of my belief and knowledge.

Date: June 23, 2021 Signature: 

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Planning Department Use Only

Date Rec'd. _____ Hearing Date: _____

Or: Administrative _____

Receipt No. _____

Zoning: _____ Staff Member: _____

Previous Land Use Actions: _____

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CONDITIONAL USE PERMIT FACT SHEET

Please attach extra pages if necessary.

1. New Uses: What new uses will occur on the property if this Conditional Use Permit is approved? Describe your project.

[Rail branchline. See accompanying narrative.](#)

2. Suitability: Why is the property suitable for this use (considering lot size, shape and location, access and roads, natural features and topography, existing improvements, etc.)?

[See accompanying narrative.](#)

3. Compatibility: How will the use be compatible with surrounding uses?

[See accompanying narrative.](#)

4. Impact: What impact will the proposed use have on existing public facilities, or on your neighbors' use of their land? Why?

[See accompanying narrative.](#)

5. Hazards: Does the proposed use create any hazardous conditions such as fire hazards, traffic hazards, slope stability hazards or use any poisonous materials? Please describe them.

[See accompanying narrative.](#)

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Submission: All of the following must be completed and submitted for a complete application:

1. The attached CONDITIONAL USE PERMIT APPLICATION.
2. Answers to the above questions.
3. An accurate site plan of your property including property lines and dimensions, all existing and proposed structures, septic tank and drainfield and well locations, prominent natural features (slopes, cliffs & streams, etc.), roads, easements, and forested areas.
4. Proof of legal usable access to your property (unless you can show an unobstructed frontage on a public or county road or on a state highway).
5. A vicinity map.
6. The application fee.
7. Please also address the criteria (on a separate sheet of paper) of Section 1503, Conditional Uses, from the Columbia County Zoning Ordinance. (See below.)

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Section 1503, Conditional Uses:

- .5 Granting a Permit: The Commission may grant a Conditional Use Permit after conducting a public hearing, provided the applicant provides evidence substantiating that all the requirements of this ordinance relative to the proposed use are satisfied and demonstrates the proposes use also satisfies the following criteria:
 - A. The use is listed as a Conditional Use in the zone which is currently applied to the site;
 - B. The use meets the specific criteria established in the underlying zone;
 - C. The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, existence of improvements, and natural features;
 - D. The site and proposed development is timely, considering the adequacy of transportation systems, public facilities, and services existing or planned for the area affected by the use;
 - E. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying district;
 - F. The proposal satisfies the goals and policies of the Comprehensive Plan which apply to the proposed use;
 - G. The proposal will not create any hazardous conditions.

Mr. Matthew Laird
Planning Manager, Land Development Services
Columbia County
230 Strand Street
St. Helens, OR 97051

Re: Owner Authorization for NEXT Renewable Diesel Proposal for Port Westward

I, Bobby De La Cruz, am one of two owners of property identified as tax lot 800 of Columbia County Assessor's Map No. 80423B0. I hereby authorize NEXT Energy Group, Inc. to apply for a land use permit(s) to use a portion of my property for a railroad spur road to service NEXT's proposed Renewable Diesel facility at Port Westward. This authorization is for the limited purpose of applying for the land use application and applies only to the portion of my property identified in the application.

Signed,

Date: 7/2/2021

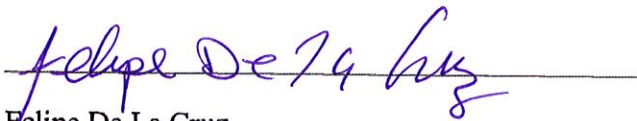


Bobby De La Cruz

I, Felipe De La Cruz, am one of two owners of property identified as tax lot 800 of Columbia County Assessor's Map No. 80423B0. I hereby authorize NEXT Energy Group, Inc. to apply for a land use permit(s) to use a portion of my property for a railroad spur road to service NEXT's proposed Renewable Diesel facility at Port Westward. This authorization is for the limited purpose of applying for the land use application and applies only to the portion of my property identified in the application.

Signed,

Date: 7-2-2021



Felipe De La Cruz



June 23, 2021

Mr. Matthew Laird
Planning Manager, Land Development Services
Columbia County
230 Strand Street
St. Helens, OR 97051

Re: Port of Columbia County Authorization for NEXT Renewable Diesel Proposal for Port Westward

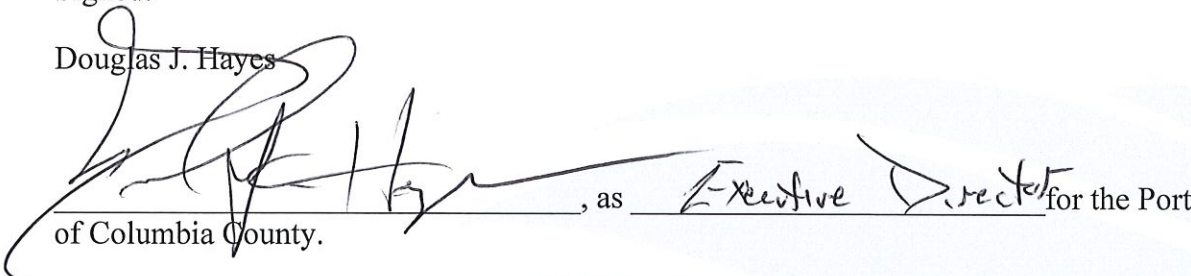
NEXT Renewable Fuels Oregon, LLC (“NEXT”) and the Port of Columbia County (the “Port”) have entered into a contractual relationship to allow NEXT to use all or a portion of the listed properties for its proposed Renewable Diesel facility at Port Westward. The Port hereby authorizes NEXT to apply for land use and development permits on the below-identified Port-owned properties in its land use application(s) for the Renewable Diesel facility.

The Port is the owner of the following properties:

| | |
|---------------|---------------|
| 8421-00-00600 | 8422-00-00100 |
| 8422-00-00400 | 8422-00-00500 |
| 8422-00-00600 | 8423-00-00900 |
| 8422-00-00200 | 8422-00-0700 |
| 8423-B0-00700 | |

Signed:

Douglas J. Hayes


_____, as Executive Director for the Port
of Columbia County.

Date: 23 Jun 21