

**KNIFE RIVER – NORTHWEST
APPLICANT’S BURDEN OF PROOF DOCUMENT
AMENDMENT TO COMP PLAN INVENTORY OF SIGNIFCANT AGGREGATE SITES**

Owner: Robert J. Vanier and Lani Vanier
P.O. Box 326
Dayville, OR 97825

Applicant: Matt Ropp, Manager of Land Planning
Knife River Corporation – Northwest
32260 Old Highway 34
Tangent, OR 97389

Site Address: 6487 NW Lamonta Road, Prineville, Oregon

Subject Property: T14 R15 Section 14 tax lot 103

Location: The subject property is located at the intersection of NW Stahancyk Lane and NW Lamonta Road on the north side of Stahancyk and west side of Lamonta, approximately 3 miles northwest of the City of Prineville.

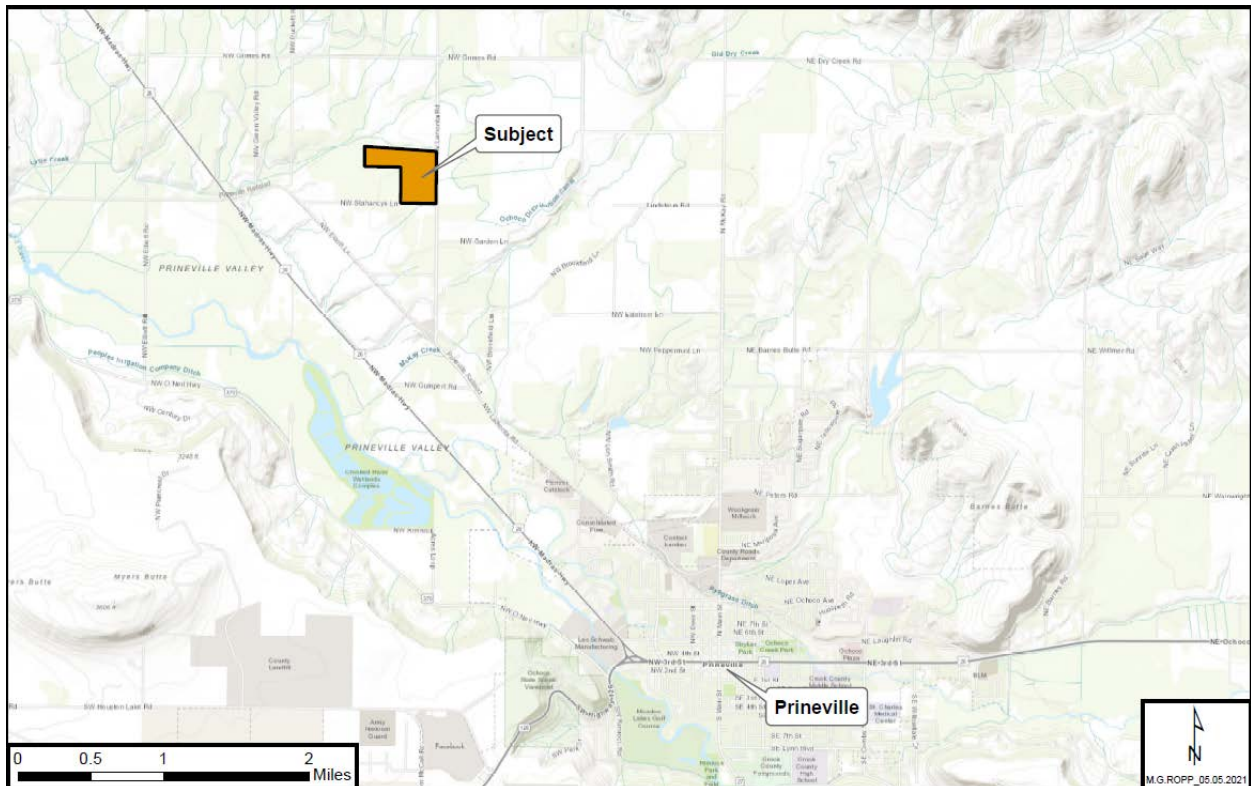


Figure 1. Property Location.

I. PROPERTY FACTS

1. **Subject Parcel Size:** 77.98 Acres
2. **Parcel Creation:** The subject was created in May of 2006 as Parcel 3 of Partition Plat 2006-22, approved by Crook County through Planning case number C-LP-568-06(F).
3. **Zoning:** Exclusive Farm Use – 2 (EFU-2)
4. **Comprehensive Plan Designation:** Agricultural Land
5. **Access:** The subject has direct frontage on NW Stahancyk Lane and NW Lamonta Road, both County owned and maintained roads. However, the property will be accessed for mining activities from Applicant’s existing operations, to the west: mining activities will not require direct access to NW Stahancyk Lane or NW Lamonta Road.
6. **Current and Historic Land Use:** The subject property includes one single-family dwelling. The subject is currently - and has been for many years- employed for farm use – irrigated hay and pasture.
7. **Property Class:** 551 – Farm Use.
8. **Soils:** According to United States Department of Agricultural (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey the subject is comprised of three soil mapping units (SMU), all with an Irrigated Land Capability Class (LCC) of 3. The subject is comprised of the following SMU: 020 – Boyce Silt Loam, 0 to 2 percent slopes, 0.2 acres; 123, Ochoco-Prineville complex, 0 to 3 percent slopes, 75.9 acres; Ochoco-Prineville complex, 3 to 8 percent slopes, 2 acres.
9. **Existing Improvements:** 2,326 sq.ft single family dwelling, est. 1920; 600 sq.ft. GP building; 480 sq.ft GP building; 3,420 machine shed.
10. **Natural Hazards:** There are no known natural hazards on the subject property. The subject property is not within a regulatory special flood hazard zone.
11. **Wetlands:** The National Wetlands Inventory (NWI) does not indicate any wetlands on the subject parcel.

II. INTRODUCTION

1. **Nature of Application:** Knife River Corporation – Northwest (the “Applicant”) currently operates a sand and gravel mine and construction aggregates processing facility on an abutting tract of land (to the west of the subject parcel, T14 R15 Section 14 tax lots 702 & 703 - the “Woodward” property). As the aggregate reserve on the Woodward property is depleted, Applicant intends to continue mining to the east onto the subject parcel (T14 R15 Section 14 tax lot 103 – the “Vanier” property). The subject parcel is zoned Exclusive Farm Use (EFU-2) and is not currently on the Crook County Comprehensive Plan (the “Comp

Plan”) Inventory of Significant Mineral and Aggregate Resources (the “Inventory”). Therefore, pursuant to state law¹, prior to issuing a permit for mining, the County must first amend its Comp Plan to add the subject parcel to the Inventory; and, then approve a conditional use permit (“CUP”) for aggregate mining. Applicant does not intend to process aggregates on the Vanier property. Aggregates extracted from the Vanier property will be processed and exported to market from existing permitted facilities on the Woodward property. No significant change to the nature of operations or impacts resulting from activities occurring at the Woodward processing facility is expected.

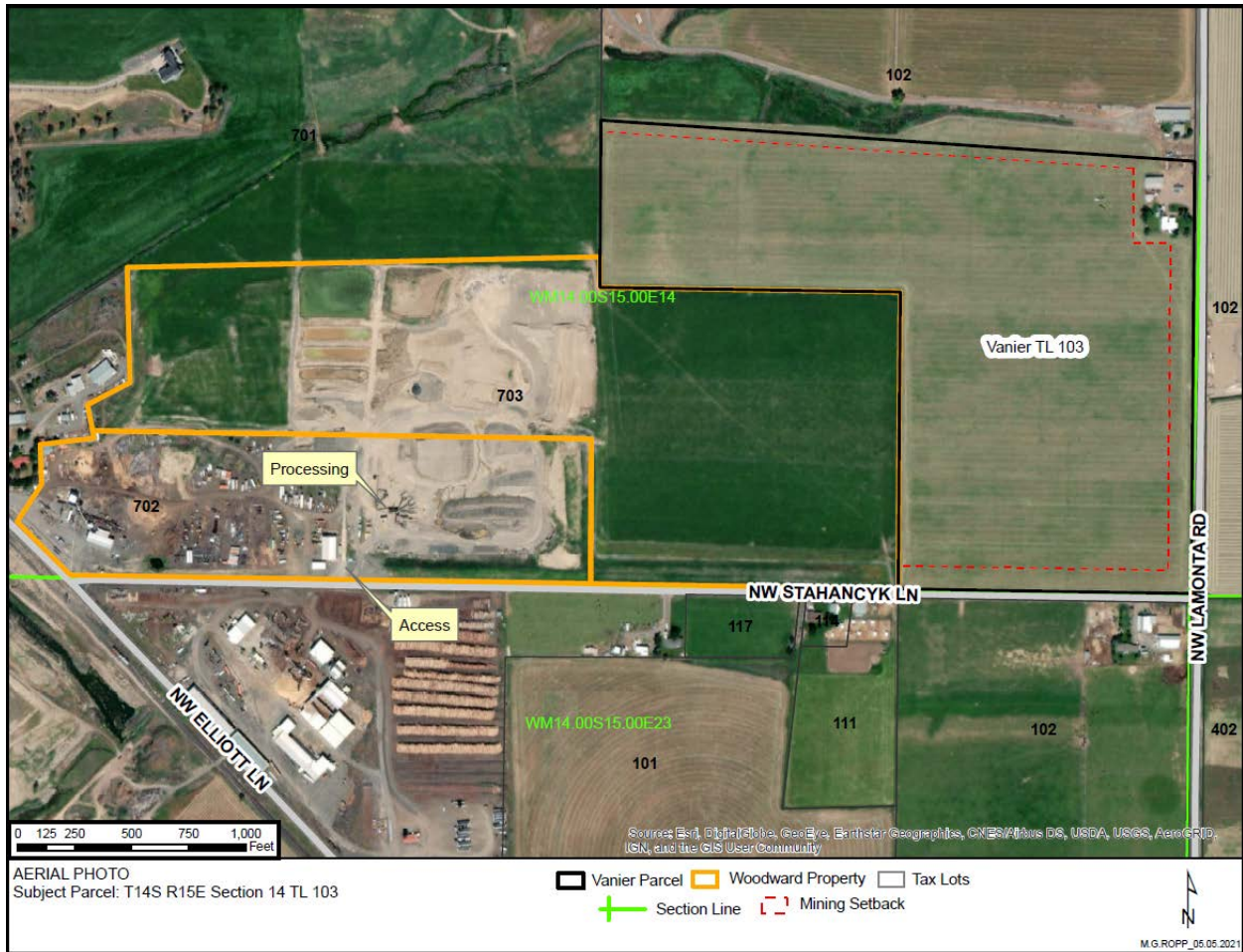


Figure 2. Woodward Processing Site.

- Mining Operation:** The Vanier property is currently used for grazing and hay production. Post-mining reclamation will return the Property to a condition suitable for agricultural use. Applicant intends to mine the Property in cells, approximately 60 feet in width. An average of 13 feet of overburden will be stripped from the surface using excavators and loaders. Topsoil will be saved for surface reclamation. Remaining overburden (silt, clay, fine sand) excavated from the initial cell(s) will be used to construct a 10-foot high berm along the east

¹ ORS 298(2)(b): *A permit for mining of aggregate shall be issued only for a site included on an inventory in an acknowledged comprehensive plan.*

and south property boundaries. Recoverable aggregates (sand & gravel)- an expected average thickness of 12 feet - will be excavated and transported to the Woodward site for processing. Groundwater may be encountered during mining but is not expected to prevent normal dry mining methods (i.e. excavators loading materials onto haul trucks). In the event groundwater infiltration complicates replacement of overburden during reclamation, Applicant intends to temporarily use pumps to transfer water from open cells to a recharge trench so that overburden may be replaced safely and efficiently without impacting nearby groundwater rights. Undisturbed areas will remain available for agricultural use until mining commences. As cells are completed, land will be returned to agricultural use as soon as possible. Reclamation will be completed in accordance with a Department of Geology and Mineral Industries' (DOGAMI) approved reclamation plan.

3. **Nearby and Adjacent Uses:** Figure 3. below depicts nearby and adjacent dwellings and properties. See Table 1. and Figure 4. on following page for details.

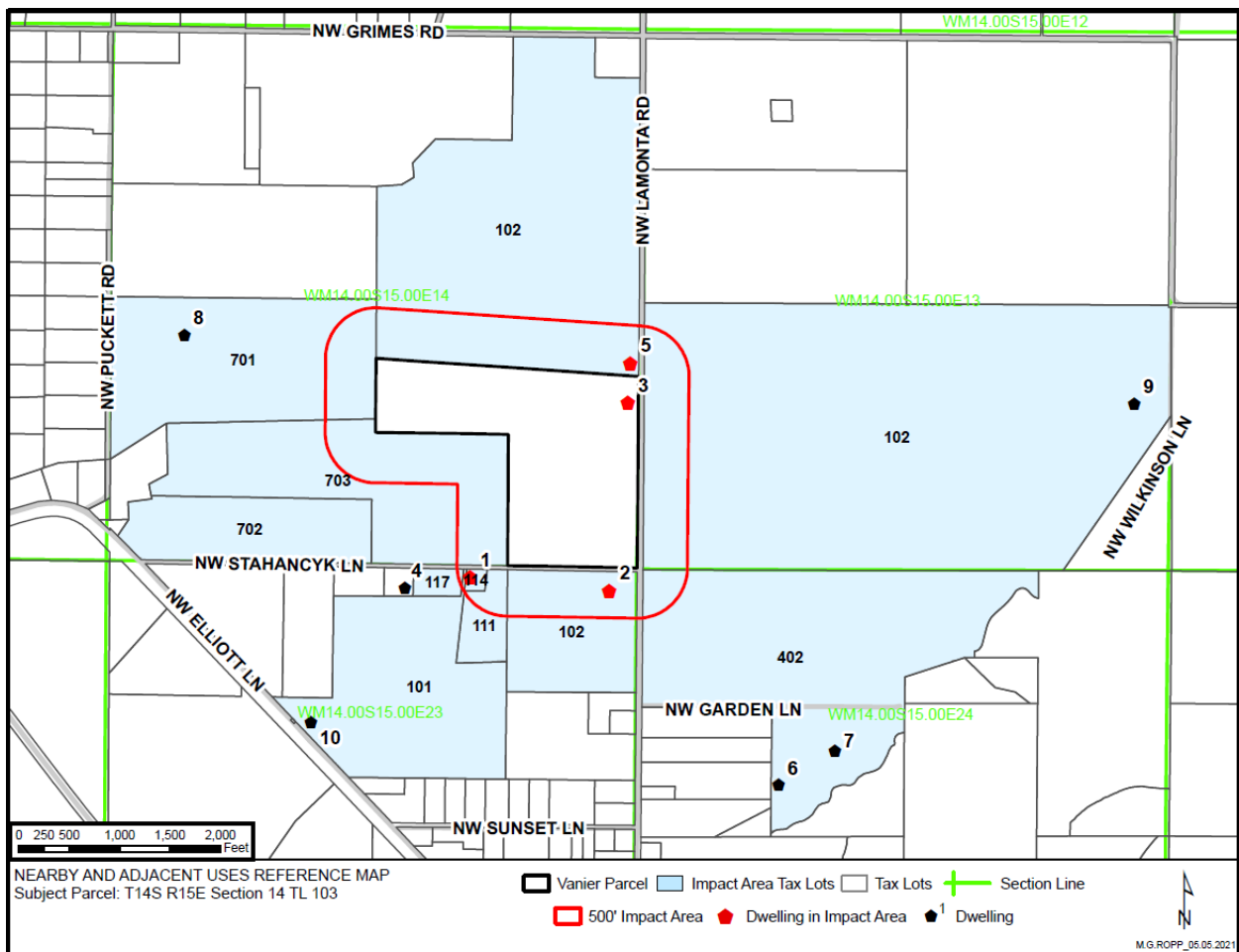


Figure 3. Nearby and Adjacent Uses Reference Map

T-R-S Tax Lot	Direction from Subject	Distance from Mining to Tax Lot	Site Address	Existing Dwelling	ID # on Map	Distance from Mining to Dwelling	Acres	Zoning	Primary Use	Land Owner
14-15-13 TL 102	East	160'	5777 NW Wilkinson Rd	Yes	9	5,010'	286.5	EFU-2	Farm Use - Hay	Mark & Casey McKinnon
14-15-14 TL 102	North	50'	6525 NW Lamonta Rd	Yes	5	245'	156.0	EFU-2	Farm Use - Hay	Dean & Teresa Davis
14-15-14 TL 701	West	0'	5950 NW Puckett Rd	Yes	8	1,845'	76.1	EFU-2	Farm Use - Hay	Scott & Crista Porfily
14-15-14 TL 702	West	1,350'	4755 NW Stahancyk Ln	No	-	-	35.4	HM	Industrial - Aggregate	Woodward Land & Timber LLC
14-15-14 TL 703	West	0'	Stahancyk Ln	No	-	-	76.1	EFU-2	Farm Use & Aggregate	Woodward Land & Timber LLC
14-15-23 TL 101	Southwest	425'	4243 NW Elliot Ln	Yes	10	2,560'	66.8	EFU-2	Farm Use - Hay	Samual Stafford
14-15-23 TL 102	South	140'	3320 NW Stahancyk Ln	Yes	2	320'	33.2	EFU-2	Farm Use - Pasture	Billie Johnson
14-15-23 TL 111	Southwest	140'	Stahancyk Ln	No	-	-	8.8	EFU-2	Farm Use - Pasture	Adam & Karen Mikulski
14-15-23 TL 114	Southwest	245'	3992 NW Stahancyk Ln	Yes	1	390'	0.9	EFU-2	Residential	Adam & Karen Mikulski
14-15-23 TL 117	Southwest	455'	Stahancyk Ln	*No	*4	-	3.0	EFU-2	Residential & Farm Use	Rick Kriege
14-15-24 TL 402	Southeast	205'	2720 NW Garden Ln	Yes (X2)	6 7	2,685' 2,780'	123.3	EFU-2	Farm Use - Hay & Pasture	Simmons Farm, LLC; Elsie & Henry Simmons

* Kriege owns 14-15-23 TL 116, west of TL 117. TL 116 is outside of the 500' impact area and includes a dwelling that is 1,000 feet from the mining area.

Table 1. Nearby and Adjacent Tax Lot Details.

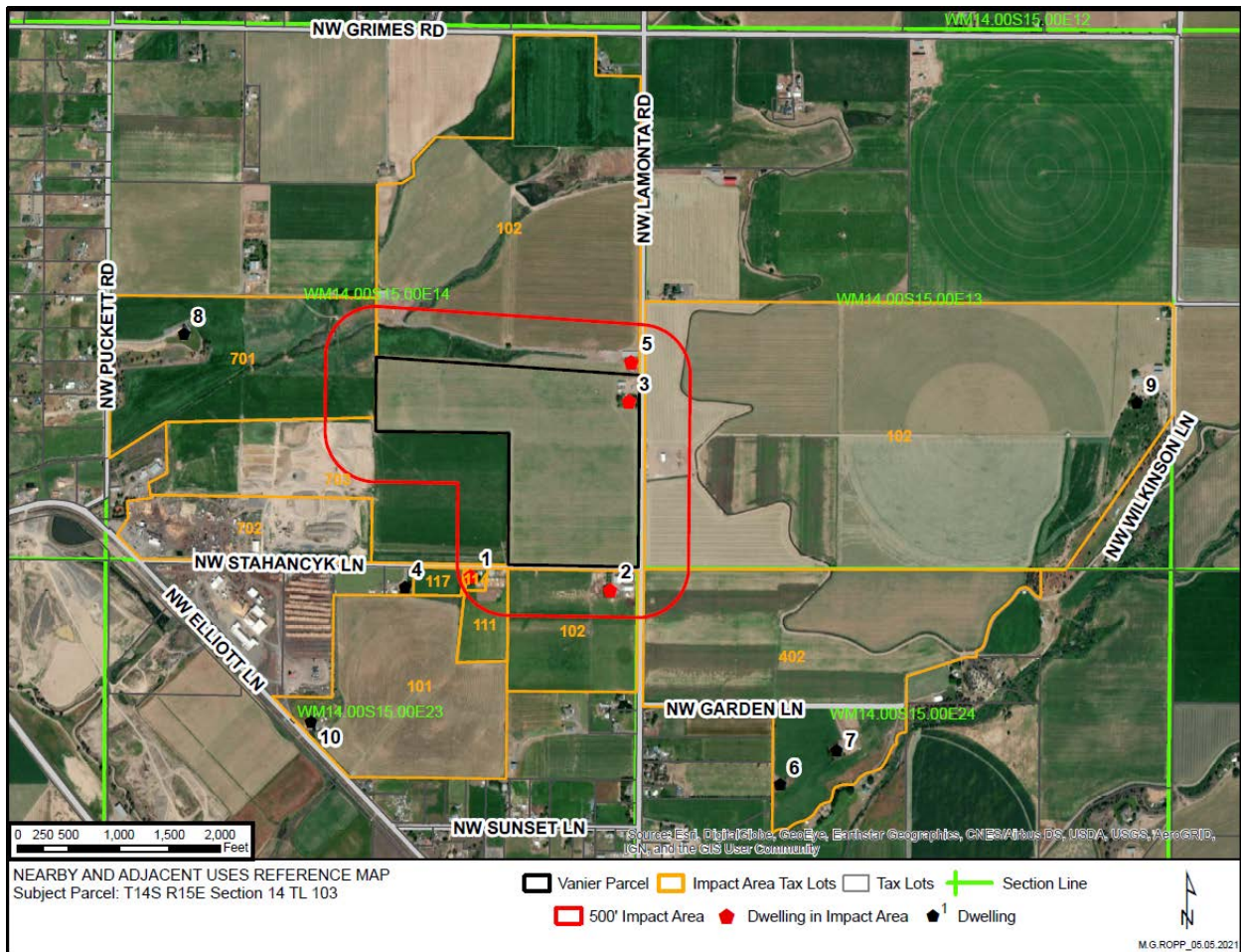


Figure 4. Nearby and Adjacent Uses Reference Map Aerial Photo

The above descriptions, figures and table provide an introduction and general orientation to the subject property, its surroundings and Applicant's intended use. The primary objective of this application is to demonstrate that the subject property includes a construction aggregate

resource that warrants protection under Statewide Planning Goal 5. Protection will be accomplished when the county amends its Comprehensive Plan to include the subject property in its Goal 5 Inventory of Significant Mineral and Aggregate Resources.

III. EVIDENCE IN SUPPORT OF APPLICATION

The following exhibits, forms and supporting documentation are attached:

1. Crook County Comprehensive Plan Amendment application form – 3 pages.
2. County Assessment Map T14S R15E Section 14 – 1 page
3. Partition Plat No. 2006-22, recorded as County Survey 2577- 2 pages.
4. Site Orientation Map Aerial Photo, by Applicant – 1 page
5. ESEE Impact Area Map Aerial Photo, by Applicant – 1 page
6. Impact Area Tax Lot Details table, by Applicant – 1 page
7. Nearby and Adjacent Uses Reference Map, by Applicant – 1 page
8. Nearby and Adjacent Uses Reference Map Aerial Photo, by Applicant – 1 page
9. National Wetlands Inventory map – 1 page
10. NRCS Soil map – 5 pages, with table and legend.
11. FEMA FIRMette (floodplain map) – 1 page
12. Aggregate Resource Investigation, by Tim Marshall, Oregon Registered Professional Geologist - 11 pages, with exhibits.
13. Traffic Analysis, by Michael Weishar, PE (Access Engineering) – 11 pages with exhibits.
14. Mine Area Sections: Sheet 1- recoverable aggregate volumes; Sheet 2 – cross sections (aggregate/overburden); Sheet 3 – cross sections (reclamation slopes); Sheet 4 – mine area slopes; Sheet 5 – property lines/setback slopes; Sheet 6 – operation details. By Applicant – 6 sheets.
15. Knife River – Woodward Land and Timber Haul/Processing Agreement – 1 page.
16. DOGAMI Inspection Report, Woodward Property, dated July 3, 2019 – 10 pages with photos.
17. Mine Hydrogeologic Characterization, includes post-reclamation agricultural soil suitability analysis, by WENCK (now part of Stantec Consulting Services) – 73 pages, with exhibits.

18. Crook County Assessor Property Summary Reports for Impact Area tax lots, including the subject property – 43 pages.

IV. APPLICABLE STANDARDS AND CRITERIA

- Oregon Administrative Rules (OAR) Chapter 660 Division 16
- Crook County Comprehensive Plan, Ordinance No. 51, Comprehensive Plan Mineral and Aggregate Policies

V. FINDINGS OF COMPLIANCE WITH APPLICABLE STANDARDS AND CRITERIA

1. OAR 660-016 Applicability and Legislative History:

Oregon’s Statewide Planning Goal 5 protects natural resources and conserves scenic and historic areas and open spaces. It pertains to twelve types of natural resources, including aggregate and mineral deposits. Goal 5 instructs local jurisdictions (i.e. Crook County) to adopt programs to inventory and protect natural resources, including locations with significant aggregate resource (e.g. sand, gravel, basalt) suitable for construction materials. Initially, Goal 5 was implemented through OAR Chapter 660, Division 16 (“Division 16”). In 1996, Division 16 was largely superseded by OAR Chapter 660, Division 23 (the “New Goal 5 Rule.”) Although many jurisdictions currently apply Division 23 to implement their Goal 5 program, Crook County continues to apply Division 16, as permitted by OAR 660-023-0180(9):

(9) Local governments shall amend the comprehensive plan and land use regulations to include procedures and requirements consistent with this rule for consideration of PAPAs (post-acknowledgement plan amendments) concerning aggregate resources. Until such local regulations are adopted, the procedures and requirements of this rule shall be directly applied to local government consideration of a PAPA concerning mining authorization, unless the local plan contains specific criteria regarding the consideration of a PAPA proposing to add a site to the list of significant aggregate sites, provided:

- (a) Such regulations were acknowledged subsequent to 1989; and,*
- (b) Such regulations shall be amended to conform to the requirements of this rule at the next scheduled periodic review after September 1, 1996, except as provided under OAR 660-23-0250(7).*

Crook County Ordinance 51, a comprehensive plan amendment including provisions governing the county’s compliance with Goal 5, was adopted and acknowledged in 1991. Crook County has not since entered periodic review. Therefore, the county’s consideration of a PAPA to add the subject property to the county’s Inventory is not subject to the OAR 660, Division 23.

2. Applicable Standards of Crook County Ordinance 51:

Ordinance No. 51 was adopted as an emergency ordinance on September 16, 1991 in response to a modified enforcement order from the Land Conservation and Development Commission (LCDC). It appears its purpose was to supplant the Mineral and Aggregate Element of the Crook County Comprehensive Plan adopted through Ordinance No. 43 on January 23, 1991. Ordinance No. 51 includes seventeen (17) policies, most of which serve to acknowledge the county's obligation to protect mineral and aggregate resources for use, but do not appear to constitute approval criteria that an Applicant must address. However, Policy 7 and Policy 13 do include language that require evidence and argument from Applicant. Applicant also emphasizes Policy 16 to illustrate the county's responsibility to give preference to significant aggregate resource sites when considering conflicting uses on nearby properties. Applicant addresses Policy 7 and Policy 13 as follows:

Policy (7): *A mineral and aggregate resource site that is not on the Crook County Goal 5 inventory or that is listed as a 1B site shall be placed on the inventory of significant sites and shall be conserved and protected for surface mining after all the following conditions are met:*

(a) A report is provided by a certified geologist, engineer or other qualified person or firm verifying the location, type quantity and quality of the resource;

APPLICANT'S RESPONSE: A report consistent with these standards has been submitted by Applicant.

(b) The site is determined to be a significant 1C site after reviewing all available evidence regarding location, quality, and quantity of the mineral and aggregate resource and the site is added by amendment to the comprehensive plan; and

APPLICANT'S RESPONSE: Applicant has provided evidence regarding location, quality, and quantity of the aggregate resource. To be considered "significant" an aggregate resource must be of a quality and quantity that the county can find warrants protection. OAR Chapter 660 Division 16 does not include standards specifying the minimum quality and quantity of an aggregate resource that constitutes significant. It describes quality in terms of the site's relative value compared to other examples of the same resources found in the jurisdiction. A determination of quantity requires consideration of the relative abundance of the resource. Although OAR Chapter 660, Division 23 – the New Goal 5 Rule - does not apply directly to this Application, OAR 660-023-0180(3) is instructive in that it provides clear and objective standards (currently applicable in most cases, throughout the state) for the minimum quality and quantity required for an aggregate resource to be considered significant:

(3) An aggregate resource site shall be considered significant if adequate information regarding the quantity, quality, and location of the resource demonstrates that the site meets any one of the criteria in subsections (a) through (c) of this section, except as provided in subsection (d) of this section:

(a) A representative set of samples of aggregate material in the deposit on the site meets applicable Oregon Department of Transportation (ODOT) specifications for base rock for air degradation, abrasion, and soundness, and the estimated amount of material is more than 2,000,000 tons in the Willamette Valley, or more than 500,000 tons outside the Willamette Valley;

Quality: Material from the subject property was tested for quality relative to Oregon Department of Transportation (ODOT) specifications for Portland Cement Concrete (PCC) as part of the Aggregate Resource Investigation conducted by Tim Marshall, an Oregon Registered Professional Geologist. Mr. Marshall provided Applicant a report of the investigation entitled “Aggregate Resource Investigation, Vanier Site” (the “Geologist’s Report”). The Geologist’s Report describes sample collection and testing protocol and concludes that the aggregate resource on the subject property meets ODOT specifications for resistance to abrasion, sodium sulfate soundness and air degradation.

Quantity: The subject property is 77.98 acres in size. The Geologist’s Report estimates the Property contains a total of 1,509,381 cubic yards of aggregate resource. For comparison to the minimum quantity threshold at OAR 660-023-0180(3), cubic yards must be converted to tons: 1 cubic yard = 1.6 tons. The recoverable aggregate resource will be reduced by required setbacks. Applicant intends to maintain a 100-foot setback from the south and east property lines, a 50-foot setback from the north property line and no setback (zero) along the west property line. With these setbacks, there is still more than 1.5 million tons of recoverable aggregate resource. This is more than three (3) times the minimum quantity required to be considered significant under OAR 660-023-0180(3).

The resource meets ODOT specifications for Portland Cement Concrete. The resource warrants a designation of “1” under Crook County’s Resource Quality and Ranking System. One (1) is the highest quality designation. The Vanier property contains a significant aggregate resource and should be placed on the County’s Goal 5 mineral and aggregate inventory as a 1C site.

(c) There are no conflicting uses or the ESEE analysis results in a determination that the resource is important relative to conflicting resources, uses, and other applicable statewide planning goals and policies.

APPLICANT’S RESPONSE: The county will find there are three (3) dwellings² on parcels within the 500-foot impact area. These residential uses may conflict with resource use of the subject property. The Property is surrounded by active farm operations. Mining activities present potential for adverse impacts to/conflict with nearby farm operations. These potential conflicts may be mitigated through the imposition of conditions of approval. The county can find that the resource is important relative to conflicting uses and place the Property on the inventory of significant mineral and aggregate sites to ensure the resource is conserved and protected for surface mining.

Policy (13): *As part of the ESEE analysis, Goal 5 mineral and aggregate sites shall be evaluated and designated for mining only where the county finds that the mining operation will not:*

(a) Force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use; or

(b) Significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use.

² There is also a dwelling on the subject property.

The Applicant may demonstrate that standards for approval will be satisfied through the imposition of conditions. Any conditions so imposed shall be clear and objective.

APPLICANT'S RESPONSE: The mining operation on the Vanier property will be an expansion – a continuation- of the current mining operation on the Woodward property. Applicant will construct a vegetated berm to serve as a visual and noise barrier. The mining operation of the Vanier property will be extraction only: all processing will continue to occur on the Woodward property. There will be no new access onto Stahancyk Lane or Lamonta Road: all aggregate materials will continue to be exported from the current access to/from the existing Woodward property processing site. Mining operations on the Woodward property have been occurring for several years and Applicant is not aware of any of its current operational activities that have caused adverse impacts to surrounding lands devoted to farm use to the extent that said impacts have forced a significant change in, or significant increase in the costs of, accepted farm practices. Applicant asserts that these criteria can be met.

Policy (16): *Goal 5 mineral and aggregate resources have historically been challenged because of the conflicts arise from surrounding uses. The Goal 5 administrative rules require that Goal 5 resources be balanced relative to other conflicting uses and this balancing may result in a determination that the conflicting uses may be eliminated or limited. Therefore, this comprehensive plan, in order to comply with that rule, establishes the importance of the resource where it is located.*

This rule requirement elevates the mineral and aggregate resource above other conflicting uses....

3. Applicable Provisions of OAR 660-016

OAR 660-016 includes the following sections:

- 660-016-0000 - Inventory Goal 5 Resources
- 660-015-0005 - Identify Conflicting Uses
- 660-016-0010 - Develop Program to Achieve Goal
- 660-016-0015 - Post-Acknowledgement Period
- 660-016-0020 - Landowner Involvement
- 660-016-0030 - Mineral and Aggregate Resources

As with Ordinance No. 51, much of the language in Division 16 serves to instruct the county on procedural requirements for complying with Goal 5 and places the responsibility for analysis and achievement of a program to protect resources on the county. Applicant directs the county to Figures 2,3 and 4 and Table 1 on pages 3 to 5 of this document; and, evidence referenced on page 6 of this document; and, the following suggestions related to impact area, ESEE analysis and goal findings in support of the county's analysis. See Section III. of this document for a complete list of supporting evidence provided by Applicant.

OAR 660-016-0005(3) directs the county to identify conflicting uses, consider impacts to conflicting uses from the mining operation and impacts to the mining operation from conflicting uses, and consider the applicability and requirements of other Statewide Planning Goals. provides

(3) Determine the Economic, Social, Environmental, and Energy Consequences: If conflicting uses are identified, the economic, social, environmental and energy consequences of the conflicting uses must be determined. Both the impacts on the resource site and on the conflicting use must be considered in analyzing the ESEE consequences. The applicability and requirements of other Statewide Planning Goals must also be considered, where appropriate, at this stage of the process. A determination of the ESEE consequences of identified conflicting uses is adequate if it enables a jurisdiction to provide reasons to explain why decisions are made for specific sites.

Impact Area: The 500-foot impact area including all parcels within 500 feet of the Property is depicted in Figures 3 and 4 and Table 1 of this document. The 500-foot impact area is consistent with language in the comprehensive plan. 8.5"x11" versions of the same are included with Applicants evidence in support of the Application. County Assessment tax account summaries for all parcel in the impact area are also included.

Conflicting Uses: All parcel in the impact area are zoned Exclusive Farm Use – 2 (Prineville Valley-Lone Pine Areas): Aggregate mining is a conditional use in an exclusive farm use zone (Crook County Code 18.20.020 and ORS 215.283(20)(b)). Farm use is not considered a conflicting use with mining activities. However, some uses that are allowed in farm zones may be impacted by mining activities. These include currently occurring activities such as agricultural uses, farm and non-farm dwellings, and commercial activities in conjunction with farm use.

There are eleven (11) tax lots at least partially within the impact area. There are four residences within the impact area. However, one is on the subject property. Applicant proposes minimizing impacts to nearby residential uses by:

1. Installing a vegetated berm that will serve as a visual and noise buffer;
2. Restricting all processing activities to the existing processing site on the Woodward property.

Economic Consequences: The proposed aggregate site will have positive economic impacts by providing a local source of high-quality aggregate material for local construction projects. This will benefit the economy of Crook County and Central Oregon. If aggregates are used on site to batch PCC concrete, there will be additional cost savings related to haul costs.

The landowner will benefit from the mining of aggregate resources without significant negative consequences because the Property will be suitable for farm use after reclamation.

Negative economic consequences could occur for residential property owners due to a drop in property values due to the location of the mining operation.

Social Consequences: Positive social impacts of the proposed mining operation will include continued opportunities in employment, tax revenue and local aggregate supply produced by the operation.

Negative social impact could include a reduction in the rural quality of life for the adjacent residents. Impacts associated with the site could include continued heavy truck traffic, noise and dust. Applicant proposes to limit impacts by mining and reclaiming the site in cells and by placing screening berms around the active mining site. Vegetated earthen berms will minimize negative impacts by providing visual screening and reducing noise from mining operations. Permit conditions will require that the operator manage fugitive dust: dust control is required as part of the operator's Department of Geology and Mineral Industries (DOGAMI) operating permit.

Area residents may be concerned about potential impacts due to truck traffic. However, no new access points are proposed: trucks will continue to enter and exit using the existing access at the Woodward property, generally traveling on Elliot Lane to Highway 26.

Environmental Consequences: Possible negative impacts include increased dust and disruption of wildlife by noise and mining activities. As evidenced by the "Mine Hydrogeologic Characterization" report submitted by Applicant, no impacts on water quality are expected.

Dust will be controlled by applying water and by seeding and/or mulching exposed soil surfaces. Water will not be discharged from the site. It will be allowed to infiltrate, on site, in accordance with a permit issued by the Department of Environmental Quality (DEQ) with oversight by the Department of Geology and Mineral Industries (DOGAMI). Oregon Department of Fish and Wildlife (ODFW) has not identified any wildlife or sensitive bird habitat near the site.

Energy Consequences: Positive energy impacts will result from continued operation of the established processing facilities at the Woodward property, located in an area that minimizes transportation costs related to moving aggregate materials. Negative energy impacts may occur only if aggregate is mined from the area for transport out of the county, which is unlikely because of the distances involved. Reducing emissions associated from transferring aggregate from outside Crook County area is a positive impact.

Conflicts with Statewide Planning Goals: OAR 660-16-0005(3) requires local governments, in analyzing the ESEE consequences of conflicting uses, to also consider the applicability and requirements of other Statewide Planning Goals.

Goal 1 – Citizen Involvement: Crook County requires notice to adjacent property owners and a public hearing before the planning commission and the County Court prior to adoption of any comprehensive plan amendment. In addition, public notice is provided through the local newspaper. Information relating to the hearing (e.g., the staff report and exhibits) are available on the County's website and hard copies are available to the public when requested.

Goal 2 – Land Use Planning: This decision will be subject to the policies and processes of Crook County's Comprehensive Land Use Plan and the zoning code and will meet the Goal 2 requirements regarding land use planning.

Goal 3 – Agricultural Lands: Conflicts with neighboring agricultural activities will be minimized by the operational design for mining the site. The agricultural use on the site will be temporarily interrupted as actual mining is conducted in phases. The site will be reclaimed to allow agricultural use after mining is complete. The aggregate operation will not force a significant change in accepted practices nor will it result in a significant cost increase to accepted farm practices. Adjacent property owners may be concerned about the impacts of dust on their crops causing reduced yields and reduction in quality. While there may not be a change in farm practices, there may be reductions in yields and income.

Goal 4 – Forest Lands: There are no forest lands in the vicinity of the subject property. Forest lands will not be impacted. There is no conflict with Goal 4.

Goal 5 – Natural Resources, Scenic and Historic Areas, and Open Spaces: Applicant proposes to add this site to the Goal 5 inventory of significant aggregate resource sites. Based on information from ODFW and other resource management agencies, development of this site for aggregate productions does not conflict with any other Goal 5 resources.

Goal 6 – Air, Water and Land Resources Quality: The operation of the aggregate mining site will be conducted in compliance with all other applicable state and local permits and regulations. DOGAMI has oversight responsibility for mining operations and final reclamation. Dust control is a required component of the operating plan. DEQ permits will be required for water management.

Goal 7 – Areas Subject to Natural Disasters and Hazards: The proposed mine site is not recognized as being an area subject to natural disasters or hazards. There is no conflict with Goal 7.

Goal 8 – Recreational Need: The proposed mining operation will not impact recreational needs or areas used for recreation. There is no conflict with Goal 8.

Goal 9 – Economy of the State: Development of the aggregate site is consistent with Goal 9 because aggregate is a necessary commodity for road and building projects. A local source of aggregate provides an economic benefit to the Central Oregon area.

Goal 10 – Housing: Development of the aggregate resource site will have no impact on Crook County's housing needs. Properties zoned for Exclusive Farm Use are unlikely to be approved for residential development.

Goal 11 – Public Facilities and Services: No new public services will be required to support development of the aggregate resource site. Sewer service is not required and water and power are currently available to serve the site. An existing truck route will be used for traffic associated with the site and no new connections to County roads are required. Industrial water will be supplied under an agreement with the Ochoco Irrigation District.

Goal 12 – Transportation: Development of the proposed aggregate resource site does not conflict with the Crook County Transportation Plan or Goal 12. The site is located on an existing designated truck route less than ½ mile(s) from Highway 26. No new access points are needed or requested. The County Road Master has reviewed the proposal. The proposed use does not trigger a Transportation Impact Analysis under the County's 2005 Transportation System Plan.

Goal 13 – Energy Conservation: Development of an aggregate resource site in Crook County reduces the consumption of energy moving aggregate from locations farther away to projects in Crook County. The proposed site is consistent with Goal 13.

Goal 14 – Urbanization: This proposal does not include expansion of any urban growth boundary. This area has not been considered for UGB expansion. If the area is considered for urbanization in the future, the reclaimed site could be available for development.

(Goal 15 applies to Willamette River communities and Goals 16-19 apply to coastal communities.)

VI. CONCLUSION

Applicant respectfully asserts that substantial evidence in this record proves consistency and/or feasibility of consistency with applicable provisions of the Crook County Comprehensive Plan and OAR 660-016. The aggregate resource meets ODOT specifications for Portland Cement Concrete. The resource warrants a designation of “1” under Crook County’s Resource Quality and Ranking System: one (1) is the highest quality designation. Applicant asserts that the Vanier property contains a significant aggregate resource that warrants protection under Goal 5 and requests that it be placed on the County’s Goal 5 Mineral and Aggregate Inventory as a 1C site.

Prepared and Submitted by Knife River Corporation – Northwest

By: Matt Ropp, Manager of Land Planning

Date