



Crook County

Community Development Department - Planning Division

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Crook County Planning Commission-Staff Report

Comprehensive Plan Amendment to Add Property to Inventory of Significant Aggregate Sites

July 20, 2021

APPLICATION: 217-21-000436-PLNG

OWNERS: Robert J. and Lani Vanier
P.O. Box 326
Dayville, Oregon 97825

AGENT/APPLICANT: Matt Ropp, Manager of Land Planning
Knife River Corporation – Northwest
32260 Old Highway 34
Tangent, Oregon 97389

REQUEST: The Applicant is requesting approval to add the subject property to the Crook County Comprehensive Plan's Inventory of Significant Mineral and Aggregate Resources. If the site is added to the Inventory, the Applicant is also requesting a conditional use approval for aggregate mining on the property. (217-21-000573-PLNG).

LOCATION: The subject property is located at the intersection of Stahancyk Lane and NW Lamonta Road on the north side of Stahancyk and the west side of Lamonta, approximately 3 miles northwest of the City of Prineville. The property is identified on the County Assessor's maps as Township 14S, Range 15E WM, Section 14, tax lot 103.

BACKGROUND

A. Project Summary: The Applicant currently operates a sand and gravel mine and aggregate processing facility on property adjacent to and just west of the subject property. The "Woodward site" was added to the inventory of significant mineral and aggregate sites and received conditional use approval in 2015 (217-15-000114 and 000115-PLNG). AS the aggregate on the Woodward property is depleted, the Applicant is requesting approval to continue mining to the east on the subject property. The Vanier's property is zoned Exclusive Farm Use (EFU-2) and is not currently on the Crook County Comprehensive Plans' inventory of significant mineral and aggregate sites. The Applicant does not intend to process aggregate on the Vanier property. Aggregate extracted from the Vanier property will be processed at existing permitted facilities on the Woodward property. (No changes in operations at the existing, permitted operations on the Woodward property are expected).

The Applicant states that aggregates (sand and gravel) will be excavated and transported to the Woodward site for processing. Resources are expected at an average thickness of 12 feet. While ground water may be encountered during mining, it is not expected to prevent normal, dry mining methods (i.e., excavators loading materials into haul trucks). If groundwater infiltration complicates replacement of overburden during reclamation, the Applicant intends to temporarily use pumps to transfer water from open cells to a recharge trench so overburden may be replaced safely and efficiently without impacting nearby groundwater rights. Undisturbed areas will continue to be available for agricultural use until mining commences on that part of the site. As mining cells are completed, land will be returned to agricultural use. Reclamation will be completed in accordance with a Department of Geology and Mineral Industries' (DOGAMI) approved reclamation plan.

B. Zoning: The subject property is zoned for exclusive farm use (EFU-2; Prineville Valley – Lone Pine Areas).

C. Project Size: The subject property is 77.98 acres.

D. Site Description: The subject property is currently used for grazing and hay production. There is an existing dwelling on the northeast corner of the subject property that is accessed from Lamonta Road. The site slopes gently towards the northwest. There is an unnamed drainage just north of the property flowing towards the west and southwest. This is part of the irrigation system maintained by the Ochoco Irrigation District. Water flows from the northeast toward the southwest and into the Rye Grass Canal system.

E. Ownership: The subject property is owned by Robert and Lani Vanier since 2007.

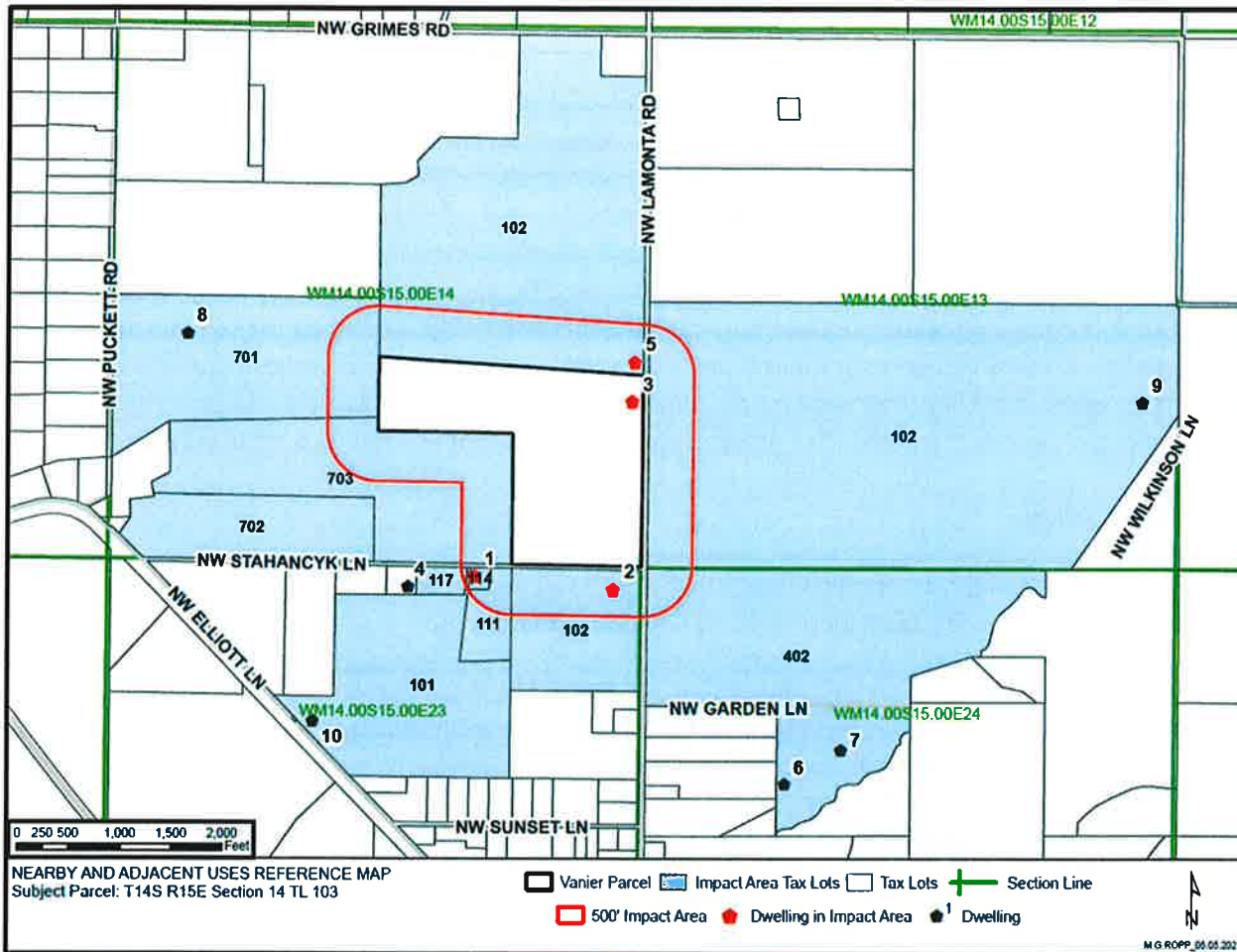
F. Water Rights: The subject property has irrigation water rights through the Central Oregon Irrigation District.

G. Surrounding Land Uses: The Applicant provided a map showing nearby and adjacent properties and dwellings (see below). Properties range in size from less than an acre to 286 acres. Most are used for farming (hay production) but the Woodward property to the west is zoned for heavy industrial use. There are several smaller residential parcels in the area on the south side of Stahancyk. The Applicant's map also identifies a 500' impact area around the proposed mine site. Stahancyk Lane is a designated truck route that serves area industrial users and provides access to Highway 26 via Elliott Lane.

F. Soils:

Map Unit	Soil Type	Classification	Acres	Percent of acres
020	Boyce silt loam -0-2% slopes	3	0.2	0.2%
123	Ochoco Prineville complex 0-3% slopes	3	75.9	97.2%
133	Ochoco Prineville complex 3-8% slopes	3	2.0	2.5%

Surrounding Properties – 500’ Impact Area



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.

This staff report addresses the proposal to add the property to the County's inventory of significant aggregate sites. The findings related to the conditional use request for mining operations is in the staff report for file 217-21-000573-PLNG.

APPLICABLE CRITERIA

Oregon Administrative Rules (OAR) Chapter 660, Division 16¹
Crook County Comprehensive Plan. Ordinance No. 51, Comprehensive Plan Mineral and Aggregate Policies
Ordinance No. 43, Crook County Goal 5 Resources (Mineral and Aggregate Elements)
Crook County Code Chapter 18.144 Aggregate Resource Sites

Crook County Code 18.144.040(1)(a) – Approval and review criteria for aggregate resources sites requires that an application for mining of aggregate must be designated as a mineral or aggregate resource site on an inventory of significant Goal 5 resources in the comprehensive plan. In addition, the proposed use must be consistent with the applicable ESEE (economic, social, environmental and energy) analysis. Criteria regarding the comprehensive plan amendment and ESEE analysis are in standard font and findings are in ***bold/italics***.

OAR 660-016 Applicability

Many jurisdictions currently apply Division 23 (the “new” Goal 5 rule) 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

¹ 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,

is not subject to the OAR 660, Division 23 and the provisions of OAR 660, Division 16 continue to apply.

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.

The Applicant has submitted a report verifying the location, quantity, and quality of the aggregate resource

The inventory requires identification of the resource location (legal description, map of the site boundaries) including an impact area. Ordinance 43 defines "impact area" as that area surrounding and near a Goal 5 mineral and aggregate resource site wherein the presence or application of a conflicting use that is allowed outright or conditionally in the surrounding broad zoning district would adversely impact the resource site by limiting the mining or processing of the resource. The Ordinance goes on to state "Unless otherwise indicated in the text of this Plan or on the respective resource site and impact area map, the impact area is that property extending outward from the resource site boundary to a distance of five hundred (500 feet).

The original Goal 5 inventory required information that was available or "obtainable" to determine the quantity of the aggregate resources.

Based on an evaluation of the location, quality and quantity information, the County makes a determination of "significance." There are three options under OAR 660-16-0005: (a) Not significant, (b) Significance not determined; or (c) Significant sites". Sites are then evaluated to determine if there are conflicting uses.

- (b) The site is determined to be a significant 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

The 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.

(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;

Location: *The Applicant has provided information regarding the specific location of the resource site and has identified a 500' impact area around the site.*

Quality: *OAR Chapter 660 Division 16 does not include standards specifying the minimum quality and quantity of an aggregate resource that constitutes a significant resource. It describes quality in terms of the site's relative value compared to other examples of the same resources found in the jurisdiction. Crook County required that the quality of the site be determined based on (1) all available information concerning test results and (2) the resource site's relative value, as compared to other examples of the same resource existing in Crook County. The highest value resources are those meeting at least the following Oregon Department of Transportation (ODOT) specifications:*

- *Resistance to abrasion;*
- *Sodium sulphate soundness;*
- *Air degradation.*

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. The Division 23 rule includes the ODOT specifications described above.

The Applicant provided information on the sand and gravel resource on the subject property. Materials were 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. (EXHIBIT XX). Mr. Marshall provided the Applicant with 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. Detailed results are included in the tables provide in the Geologist's Report.

Sodium Sulfate Soundness – Coarse and fine aggregates used for PCC Concrete are tested for "soundness" using sodium sulfate salt. The samples from the proposed site for coarse aggregates (5% by weight) and fine aggregates (7%) are less than the specified thresholds of 12% (coarse aggregates) and 10% (fine aggregates).

Abrasion (durability) – Coarse aggregates to be used for PCC aggregates shall have a maximum result of 30%. The sample tested for Abrasion had a result of 17.5% and meets the ODOT specification for resistance to abrasion.

Oregon Air Aggregate Degradation – Coarse aggregates used for PCC aggregates are tested for Oregon Air Aggregate Degradation. The test sets a maximum allowable amount passing the No. 20 sieve of 30% and a maximum sediment height of 3.0 inches. The representative sample had results of 19.9% passing the No. 20 sieve and a maximum sediment height of 1.1 inches. The material passed the “degradation” test.

In addition to the above, the Applicant also conducted “gradation” tests to determine the relative percentages of different sizes of aggregate. ODOT specifications require that there not be greater than 4% by weight of the fine aggregates passing through the “number 200 sieve). During the testing an average of 7.7% of material based through the sieve. The Geologist’s report suggested that because materials are washed during processing, the finer materials would be washed out and the final, processed material would meet the specification.

The gravel from the site was also tested. The average percent of gravel greater than 3/4’ from the tested samples was 14%. While that fraction is generally too coarse for use in PCC concrete, it could be crushed and incorporated into concrete aggregates as has been done currently at the Woodward site.

Quantity: A determination of quantity requires consideration of the relative abundance of the resource.

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. Based on the information provided by the Applicant, 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.

- (a) 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.

Crook County’s comprehensive plan incorporates the Goal 5 requirement that requires identification of conflicting uses within the impact area and an assessment of other applicable statewide planning goals. Specifically, the application must consider existing and potential uses in areas near the resource site that are recognized in the County’s zoning districts. All properties near the subject property are zoned for exclusive farm use except for property directly to the west (part of the Woodward site) that is zoned for heavy industrial use.

The information provided by the Applicant demonstrates that 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. There is limited potential for other permitted or conditional

² There is also a dwelling on the subject property.

uses in this area. 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.

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.

According to the Applicant, the mining operation on the Vanier property will be an expansion – a continuation- of the current mining operation on the Woodward property. The Applicant will construct a vegetated berm to serve as a visual and noise barrier to minimize impacts on adjacent farming operations. 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 be transported on a haul road internal to the mining operation to the existing Woodward property processing site. Mining operations on the Woodward property have been occurring for several years and the 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.

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.

The Applicant's ESEE analysis provides a tool to help balance potential conflicting uses with the mining operation. Policy 16 stresses the importance of the aggregate resource and the ability to limit conflicting uses.

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

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. 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. Specifically, the provision directs counties to:

(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 Applicant has provided a diagram outlining a 500-foot impact area for all parcels within 500 feet of the Property. (Figures 3 and 4 and Table 1 of the Applicant’s burden of proof statement). The 500-foot impact area is consistent with language in the comprehensive plan.

Conflicting Uses: All parcels in the impact area are zoned Exclusive Farm Use – 2 (Prineville Valley-Lone Pine Areas). The existing mining site on the Woodward property is zoned both heavy industrial (on the western most portion of the property) and exclusive farm use. Aggregate mining is a conditional use in an exclusive farm use zone (Crook County Code 18.20.020 and ORS 215.283(20)(b)). 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 including one dwelling 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.
3. Retaining only one access onto Stahancyk and not creating a new access on Lamonta.

The ESEE analysis is intended to weigh the economic, social, environmental and energy consequences (both positive and negative) of protecting the aggregate site as a significant Goal 5 resource.

Economic Consequences: The Applicant states that 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.

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 may occur for residential property owners due to a potential reduction in property values due to the location of the mining operation. Based on comments from neighboring property owners, there may be economic impacts to adjacent farming operations.

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

Negative social impacts 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. The County has received numerous comments regarding noise and dust caused by the existing mining operation.

The 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 on Lamonta or Stahancyk. Trucks will continue to enter and exit using the existing access at the Woodward property, generally traveling from Stahancyk to Elliot Lane to Highway 26. The conditional use application includes a traffic impact analysis outlining the expected truck traffic to and from the site.

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 prepared by Wenck (Stantec Consulting Services Inc.) submitted by Applicant, it is expected that groundwater will be encountered during mining operations on the site. The Applicant is proposing to mine smaller cells and to "dewater" each cell as necessary. Water will be pumped from an active cell into a recharge trench so it can infiltrate back into the unconfined aquifer. The Applicant will collect data on water levels and water quality from onsite monitoring wells and has offered to collect baseline data from adjacent neighboring wells.

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. Notice of the proposed plan amendment was also provided to the Department of Land Conservation and Development.

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 County’s zoning code (Chapter 18) and will meet the Goal 2 requirements regarding land use planning.

Goal 3 – Agricultural Lands: It is intended that 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 Applicant states that 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 are 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. The Applicant’s proposed berms and dust control measures are intended to mitigate the impacts of dust on adjacent properties.

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: The Applicant proposes to add this site to the Goal 5 inventory of significant aggregate resource sites. Based on information from the Oregon Department of Fish and Wildlife (ODFW) and other resource management agencies, development of this site for aggregate productions does not conflict with any other Goal 5 resources. The Applicant will be required to submit an “inadvertent discovery plan” regarding notification to the State Historic Preservation Office in the event of discovery of any natural or cultural resources. This will be addressed in review of the conditional use permit.

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. The Oregon Department of Geology and Mineral Industries (DOGAMI) has oversight responsibility for mining operations and final reclamation. Dust control is a required component of the operating plan. Oregon Department of Environmental Quality (DEQ) permits will be required for stormwater 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 Crook County and the Central Oregon area.

Goal 10 – Housing: Development of the aggregate resource site will have no impact on the supply of housing in Crook County. Properties zoned for Exclusive Farm Use are typically unlikely to be approved for residential development. Having a local supply of aggregate materials should help meet demand for residential construction.

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.

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. No new access to County roads is required.

Goal 13 – Energy Conservation: Development of an aggregate resource site in Crook County reduces the consumption of energy needed to move 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.

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

Conclusion: The 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. The 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.

Planning Commission options:

Recommend adoption of the proposed Plan Amendment to add the subject property to the Comprehensive Plan’s Inventory of Significant Mineral and Aggregate Resources to the Crook County Court for their consideration.

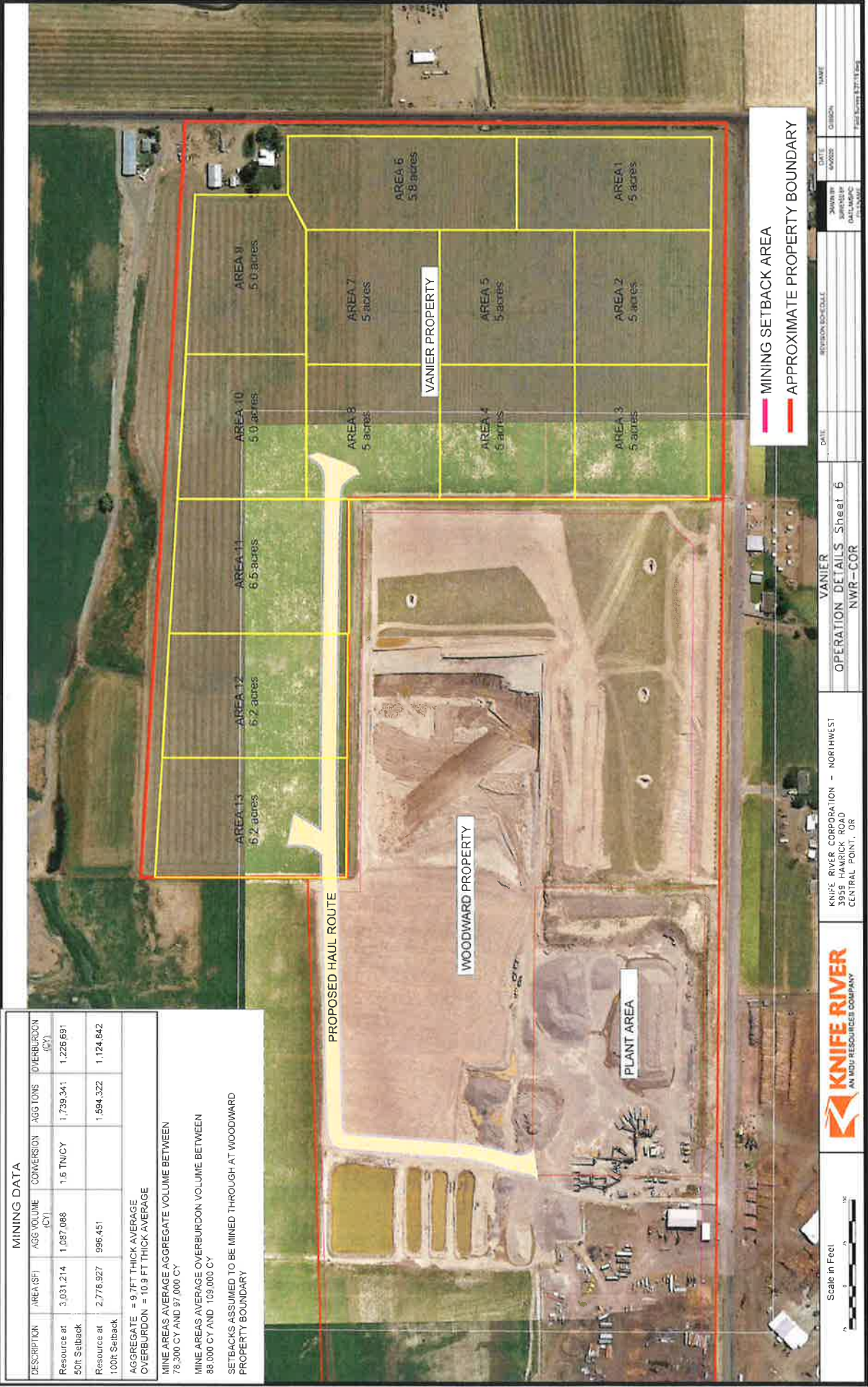
Recommend denial of the proposed Plan Amendment.

Respectfully submitted,



Ann Beier, Crook County Community Development Department

MINING DATA				
DESCRIPTION	AREA (SF)	AGG VOLUME (CY)	CONVERSION	AGG TONS OVERBURDON (CY)
Resource at 50ft Setback	3,031,214	1,087,088	1.6 TN/CY	1,739,341
Resource at 100ft Setback	2,778,927	986,451		1,584,322
AGGREGATE = 9.7 FT THICK AVERAGE OVERBURDON = 10.9 FT THICK AVERAGE				
MINE AREAS AVERAGE AGGREGATE VOLUME BETWEEN 78,300 CY AND 97,000 CY				
MINE AREAS AVERAGE OVERBURDON VOLUME BETWEEN 88,000 CY AND 109,000 CY				
SETBACKS ASSUMED TO BE MINED THROUGH AT WOODWARD PROPERTY BOUNDARY				



Scale in Feet
0 5 10



KNIFE RIVER CORPORATION - NORTHWEST
10000 WOOD POINT ROAD
CENTRAL POINT, OR

VANIER
OPERATION DETAILS Sheet 6
NWR-COR

REVISION	DATE	DESCRIPTION
1	04/02/2018	ISSUE FOR PERMIT

NAME: _____
DESIGN: _____

