



Oregon

Theodore R. Klumboski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

07/07/2014

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: Morrow County Plan Amendment
DLCD File Number 002-14

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Thursday, July 24, 2014

This amendment was submitted to DLCD for review prior to adoption with less than the required 35-day notice. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE:** The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Carla McLane, Morrow County
Jon Jinings, DLCD Community Services Specialist
Grant Young, DLCD Regional Representative
Amanda Punton, DLCD Natural Resources Specialist

<paa> YA



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE 002-14
File No.: (20280)
[17930]
Received: 7/3/2014

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See OAR 660-018-0040). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use Form 4 for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use Form 5 for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use Form 6 with submittal of an adopted periodic review task.

Jurisdiction: Morrow County

Local file no.: **AC-069-14; AC(M)-070-14; AZ(M)-071-14**

Date of adoption: July 2, 2014 Date sent: 7/3/2014

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): March 26, 2014

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

Local contact (name and title): Carla McLane, Planning Director

Phone: 541-922-4624

E-mail: cmclane@co.morrow.or.us

Street address: P.O. Box 40

City: Irrigon, Oregon

Zip: 97844-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

Added information concerning the Hellberg (ODOT) Aggregate site to the Goal 5 Analysis chapter. Goal 5 is the statewide planning goal implemented.

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

Change from _____ to Goal 5 Aggregate 11.98 acres. A goal exception was required for this change.

~~Change from _____ to _____ acres. A goal exception was required for this change.~~

~~Change from _____ to _____ acres. A goal exception was required for this change.~~

~~Change from _____ to _____ acres. A goal exception was required for this change.~~

Location of affected property (T, R, Sec., TL and address): Tax lots 205 and 207 if Assessor's Map 5N 26 26

The subject property is entirely within an urban growth boundary No

The subject property is partially within an urban growth boundary ^{N0}

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

N/A

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from	to Significant Resources Overlay	Acres: 11.98
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation: SRO Acres added: 11.98 Acres removed:

Location of affected property (T, R, Sec., TL and address): Same as above

List affected state or federal agencies, local governments and special districts: DOGAMI; ODOT

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.



PLANNING DEPARTMENT

P. O. Box 40 • Irrigon, Oregon 97844
(541) 922-4624 or (541) 676-9061 x 5503
FAX: (541) 922-3472

NOTICE OF DECISION

July 3, 2014

AC-069-14
AC(M)-070-14
AZ(M)-071-14
Morrow County Comprehensive Plan and Map
Morrow County Zoning Map

This notice is to inform you that on July 2, 2014, the Morrow County Court adopted Ordinance Number ORD-2014-3 amending the Morrow County Comprehensive Plan and Map and the Morrow County Zoning Map. Specifically the ordinance amends the Morrow County Comprehensive Plan to protect an aggregate site under Goal 5 rules and include the site in the Comprehensive Plan's Inventory of Natural Resources - Aggregate and Mineral Resources. Amends the Comprehensive Plan Map of Inventory of Natural Resources - Aggregate and Mineral Resources, and amends the Zoning Map to add the site to the Significant Resources Overlay Zone Map. Enclosed is the adopted ordinance.

The requirements for filing an appeal of the decision to the Land Use Board of Appeals (LUBA) are set forth in ORS 197.830 to 197.845. State law and associated administrative rules promulgated by LUBA describe the period within which any appeal must be filed and the manner in which such an appeal must be commenced. Presently, ORS 197.830(9) requires that a notice of intent to appeal plan or land use regulation amendments adopted pursuant to ORS 197.610 to 197.625 "shall be filed not later than 21 days after notice of the decision sought to be reviewed is mailed or otherwise submitted to parties entitled to notice under ORS 197.615." Notice of this decision was mailed on July 3, 2014. The deadline to appeal is July 24, 2014.

Cordially,

A handwritten signature in blue ink that reads "Carla McLane".

Carla McLane
Planning Director

I certify that on July 3, 2014, I mailed a copy of this Notice of Decision by first class mail to all persons entitled to notice of this decision.

A handwritten signature in blue ink that reads "Stephen W. Harris".
Signature _____ Date 7/3/14

BEFORE THE MORROW COUNTY COURT
OF MORROW COUNTY

AN ORDINANCE AMENDING THE
MORROW COUNTY COMPREHENSIVE
PLAN TO PROTECT AN AGGREGATE SITE
UNDER GOAL 5 RULES AND INCLUDE THE
SITE IN THE COMPREHENSIVE PLAN'S
INVENTORY OF NATURAL RESOURCES -
AGGREGATE AND MINERAL RESOURCES.
AMEND THE COMPREHENSIVE PLAN
MAP OF INVENTORY OF NATURAL
RESOURCES - AGGREGATE AND
MINERAL RESOURCES, AND AMEND THE
ZONING MAP TO ADD THE SITE TO THE
SIGNIFICANT RESOURCES OVERLAY
ZONE MAP

COUNTY ORDINANCE

NO. ORD-2014-3

WHEREAS, ORS 203.035 authorizes Morrow County to exercise authority within the county over matters of County concern; and

WHEREAS, Morrow County adopted a Comprehensive Land Use Plan which was acknowledged by the Land Conservation and Development Commission on January 15, 1986; and

WHEREAS, an application was filed by the Oregon Department of Transportation on land owned by the Oregon Department of Transportation to include approximately 11.98 acres of land as a Goal 5 significant resource site, to add the site to the Morrow County Comprehensive Plan Inventory of Natural Resources - Aggregate and Mineral Resources, to add the site to the Comprehensive Plan Map of Inventory of Natural Resources - Aggregate and Mineral Resources, to apply the Significant Resource Overlay Zone to the site, and to allow mining; and

WHEREAS, the Morrow County Planning Commission held a hearing to review the request on April 29, 2014 at Heppner City Hall in Heppner, Oregon; and

WHEREAS, the applicant, Oregon Department of Transportation testified in favor of the amendments; and

WHEREAS, the Morrow County Planning Commission found the aggregate site significant, that mining would be allowed, and recommended that the site and 1500 foot impact area be added to the Significant Resources Overlay Zone Map and recommended approval of the request and adopted Planning Commission Final Findings of Fact; and

AC-069-14 Comprehensive Plan Amendment
AC(M)-070-14 Comprehensive Plan Map Amendment
AZ(M)-071-14 Zoning Map Amendment

Adopting Ordinance
Page 1

WHEREAS, the Morrow County Court held a hearing to consider the recommendation of the Morrow County Planning Commission on June 18, 2014, at the Port of Morrow Riverfront Center in Boardman, Oregon; and

WHEREAS, Tim Hellberg and Trina Hellberg Miles, testified in favor of the amendments; and

WHEREAS, the Morrow County Court affirmed that the proposed aggregate site meets the requirements under Oregon Administrative Rule whereby a site is estimated to provide more than 500,000 tons of aggregate material and the soils contain less than 35 percent of soils classified as Class I or II; and

WHEREAS, a representative set of samples of aggregate material in the deposit on the proposed site of this application meets Oregon Department of Transportation specifications for base rock for air degradation, abrasion, and soundness; and

WHEREAS, the Morrow County Court deemed the site at the subject property a Goal 5 significant aggregate site.

NOW THEREFORE THE COUNTY COURT OF MORROW COUNTY ORDAINS AS FOLLOWS:

The subject site is significant, shall be listed as a Goal 5 protected aggregate site in the Morrow County Comprehensive Plan Inventory of Natural Resources - Aggregate and Mineral Resources, and added to the Comprehensive Plan Map Inventory of Natural Resources - Aggregate and Mineral Resources, shall be mapped as such applying the Significant Resources Overlay Zone, and mining shall be allowed.

Section 1 Title of Ordinance:

This Ordinance shall be known, and may be cited, as the "2014 ODOT-Hellberg Aggregate Goal 5 Significant Site Comprehensive Plan, Comprehensive Plan Map and Zoning Map Amendment."

Section 2 Affected Documents:

The Comprehensive Plan, Comprehensive Plan Map and Zoning Map are amended.

1. Text Amendment: Insert the text on page 7 of 31 of the Morrow County Comprehensive Plan- The Goal 5 Analysis as shown on Exhibit A; add the site to the Morrow County Comprehensive Plan Inventory of Natural Resources - Aggregate and Mineral Resources as shown on Exhibit B.

2. Map Amendments: The Morrow County Comprehensive Plan Map Inventory of Natural Resources - Aggregate and Mineral Resources will be amended to indicate the site as an aggregate site as shown on Exhibit C. The Zoning Map will be amended by applying the Significant Resource Overlay Zone to the site and surrounding 1500 foot impact area as shown on Exhibit D.

Section 3 Effective Date

This ordinance shall be effective on July 2, 2014.

Date of First Reading: June 25, 2014

Date of Second Reading: July 2, 2014

DONE AND ADOPTED BY THE MORROW COUNTY COURT THIS 2nd DAY OF JULY, 2014

ATTEST:

MORROW COUNTY COURT:

*Bobbi Childers by
Sheresa Crawford*
Bobbi Childers
County Clerk *Deputy
Clerk*



Terry K. Tallman
Terry K. Tallman, Judge

ABSENT
Ken Grieb, Commissioner

Leann Rea
Leann Rea, Commissioner

Exhibit A

Option 4. Mining in land use zones other than Exclusive Farm Use Zones.

Morrow County has land use zones, such as Port, General and Space Age Industrial and the Forest Use Zone, which have extensive tracts of land, much of it traditionally used for agricultural or forest purposes. This section will provide applicants for mineral and aggregate sites of 100,000 tons or more to be included in Morrow County's Inventory of Natural Resources - Aggregate and Mineral Resources and the Significant Resources Overlay Zone. It should be clear that this process as outlined is voluntary and is not required in any of these zones to allow mining. These provisions would provide additional protections not otherwise available with a Conditional Use Permit.

In response to an application for a Post Acknowledgment Plan Amendment (PAPA) to include a mineral or aggregate site on Morrow County's Inventory of Natural Resources - Aggregate and Mineral Resources, the County may process the application as follows:

- A. Mines producing minerals other than aggregate that will produce more than 5,000 cubic yards of material - follow OAR 660-023-0040 and OAR 660-023-0050 for approval. Amend the Comprehensive Plan Map and Inventory of Natural Resources - Aggregate and Mineral Resources to include the site.
- B. Aggregate sites that will produce more than 100,000 tons of material will follow the procedures in Option 3 the exception being the amount of material mined is over 100,000 tons with no upper limits. (MC OR-1-2013)

Aggregate Mines with Goal 5 Protection. A list of aggregate sites, attached as Appendix, includes both those with protections under Goal 5 and those located on farmland required to be listed in the Comprehensive Plan. Some were declared significant when the Comprehensive Plan was adopted in 1980 and acknowledged in 1986, and others were on Morrow County's inventory of significant aggregate sites as of September 1, 1996, thus meeting the requirements of OAR 660-023-0180(3)(c). The remainder, approved since that date, were protected under the rules prescribed in OAR 660 Division 023, some being protected under Goal 5 with the majority being on farmland and meeting the requirement of listing in the Comprehensive Plan. (MC OR-1-2013)

The Hellberg Pit (ODOT) aggregate operation is located on tax lots 205 and 207 within the SE1/4 of the NW1/4 of Section 26 of Township 5 North Range 26 East of the Willamette Meridian, Morrow County. The impact area is a 1500 foot buffer outside of the ODOT parcel. The site has been deemed significant, based on the quality (stamped by ODOT Engineer), the quantity is over 500,000 tons of material, and location is such that there are no Class I, Class II or unique soils present at the site. The conflicting uses at the site and within the impact area are farming operations and residential uses. No ESEE analysis was done, as all conflicts could be mitigated. Mining will be allowed, and will fully allow new uses within the impact area with criteria set forth in the Significant Resources Overlay zone. The post mining use will be Range/Open Space based on the DOGAMI Operating and Reclamation Plan. (MC OR-xx-2014)

Coal/Methane

References: Mineral Resource Map; Water Resources Map; Wildlife Resources Map; Plan Text

**Inventory of Natural Resources
Aggregate and Mineral Resources**

Goal 5 Significant	Farmland Significant	Site Name	Owner	Map and Tax Lot	DOGAMI #	Other Number
Yes		Cecil Quarry, Cecil Rock Production	ODOT	2N 23 6, 7 TL 1100	25-0003	ODOT #25-007
Yes		Lexington Quarry MP 39 Heppner	ODOT	1S 25 35 TL 600	25-0017	ODOT #25-009
Yes		Walpole Gravel Pit	MC/ODOT	5N 27 20 TL 1504,2200	25-0018	ODOT #25-005
Yes		Britt Quarry	Marty Britt/Sid and Randy Britt	1N 27 TL 1400	25-0069	
Yes		Willow Creek Ranch	Willow Farms, LLC/Mark Zoller	2N 23 17 TL 1401	25-0071	
Yes		Hellberg Goal 5	Max Hellberg	5N 26 26 TL 203		DLCD# 001-04
Yes		Hellberg Pit (ODOT)	ODOT	5N 26 26 TL 205, 207	25-0048	ODOT #25-032-5
	Yes	Six-Mile Pit	Three Mile Canyon Farms	4N 23 23, 24 TL102	25-0006	
	Yes	Kinzua Resources	Port of Morrow	2S 26 21 TL 2701	25-0004	
	Yes	Boardman	Eucon Corporation	4N 24 23 TL 402	25-0015	
	Yes	So Bombing Range Pit	MC/ Ivan Rauch	1N 26 18 TL 3200	25-0020	PW #210
	Yes	J. J. Aylett	Aylett, Jeddie & Juanita	4N 27 28 TL 300, 1101	25-0023	
	Yes	East Fork Dry Ck Quarry MP 59.6 Wasco-Heppner Hwy	ODOT	3S 23 27 TL 3001	25-0024	ODOT #25-056
	Yes	Cutsforth Quarry	Cutsforth	1S 25 20 TL 2000	25-0027	CUP-N-5(1983)
	Yes	Rhea Creek Quarry	MC/Melvin Harnett	3S 26 32 TL 3200	25-0029	PW #247/220
	Yes	Zinter Quarry	MC/Zinter Dev.	3S 23 27 TL 3400	25-0030	ODOT #30-018, PW #221, Check against 25-0043!!
	Yes	Clark Canyon Quarry	MC	2S 25 15 TL 1702	25-0031	PW #201
	Yes	Skidders Fork Quarry	MC	3S 27 12 TL 400	25-0032	PW #228
	Yes	Butter Creek Quarry/Currin Pit	MC/Currin Ranch	1N 28 25 TL 700	25-0033	PW #239/224
	Yes	Dougherty Pit/Sandhollow	MC/Jerry Dougherty	1S 27 7 TL 505	25-0034	PW# 226
	Yes	Chick Quarry/Reitmann Pit North	MC/Bridston	1N 23 12 TL 3600, 2200	25-0035	PW #227
	Yes	Rugg Quarry/Road Canyon Pit	MC/James Martin	4S 26 22 TL 1502	25-0038	PW #230
	Yes	2011 Ruhl Quarry	Rich Ruhl	2S 24 10 TL 600	25-0039	PW #229
	Yes		Finley Buttes Landfill Company	2N, 3N 26 5, 32 TL 301	25-0040	
	Yes		Easy Way Contracting, Inc.	2N 26 7 TL 501	25-0041	CUP-N-34
	Yes	Hellberg Pit	MC	5N 26 26 TL 206	25-0042	PW #231/241

EXHIBIT B

**Inventory of Natural Resources
Aggregate and Mineral Resources**

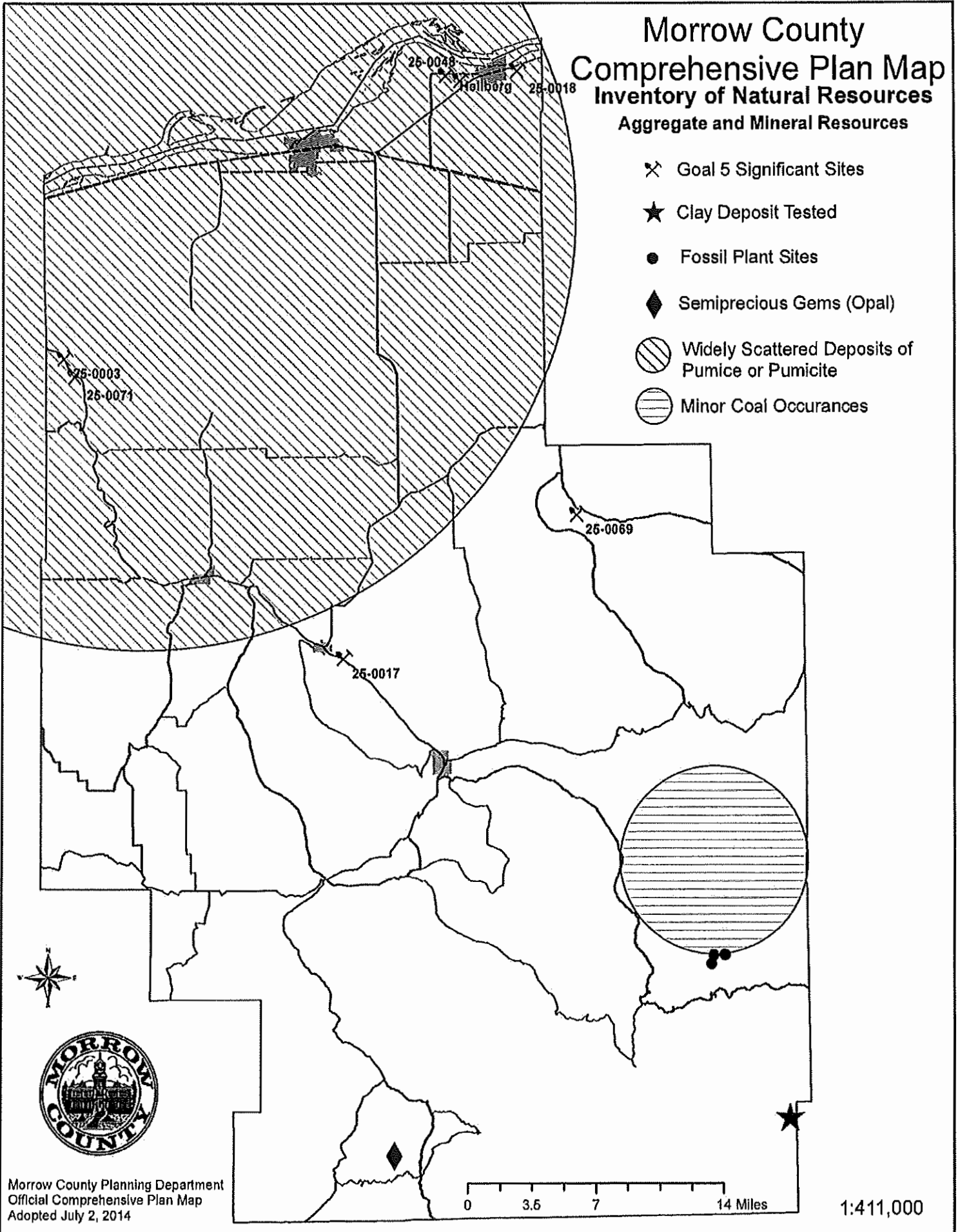
Goal 5 Significant	Farmland Significant	Site Name	Owner	Map and Tax Lot	DOGAMI #	Other Number
	Yes	Zinter Quarry MP 60.45 Wasco-Hep Hwy	ODOT	3S 23 26 TL 3400	25-0043	ODOT #25-018
	Yes	Halverson Site	MC/Halverson	1S 23 27 TL 2300	25-0044	PW #217
	Yes	Rivercrest	Rivercrest Farms/Baker Produce South	2N 26 7 TL 500 or 501?	25-0046	Check against 25-0041!!!
	Yes	Albert Wright Pit	MC/Wright Century Farm	4S 25 28, 33 TL 3800	25-0050	PW #236
	Yes	Carlson	MCPW/4C Ranches	3S 24 7 TL 1401	25-0051	PW #237
	Yes	Little Butter Creek	MCPW/Currin Ranches	1S 28 TL 1600	25-0052	PW #209
	Yes	Hellberg-Wise Pit	Wesley Wise/Max Hellberg	5N 26 26 TL 203	25-0053	
	Yes	Turner	MCPW/Turner Ranch	2S 27 17 TL 1300	25-0054	PW #219
	Yes	Madison Section 16	Madison, Kent	3N 27 16 TL 1100	25-0056	
	Yes	Sand Lake	Boardman Tree Farm	3N 26 26 TL 1401	25-0059	
	Yes	Doherty-Juniper Pit	MCPW/Doherty	1N 25 3 TL 700	25-0061	PW #238
	Yes	L & M Pit	Miller & Sons/L&M Ranch	2S 26 23, 26, TL 3402, 3301	25-0062	
	Yes	Padberg Pit	Miller & Sons/Padberg	1S 24 27 TL 3501	25-0067	
	Yes	Heideman Quarry	Heideman/4DG Land Co.	1N 23 19 TL 3102	25-0068	
	Yes	Ely Canyon Quarry, Heideman II	WI Construction /Heideman	1N 23 28 TL 6001	25-0070	
	Yes		Wade Aylett	4N 27 28 TL 800	30-0129	
	Yes	Thompson Pit	MC/Brian Thompson	4S 27 TL 900		PW #240, CUP-S-105, MC-C-5-97
	Yes		Kevin Haguewood	1N 23 28 TL 5900		CUP-N-284 AC-040-10 AC(M)-041-10
	Yes		John Kilkenny	2S 28 28 TL 1300		CUP-S-297 AC-057-12 AC(M)-058-12
	Yes		Madison Farms	3N 27 30 TL 1700		CUP-N 271 AC-018-09 AC(M)-017-09

Exhibit C

Morrow County Comprehensive Plan Map Inventory of Natural Resources

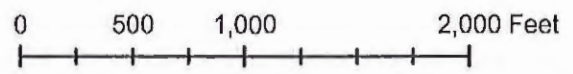
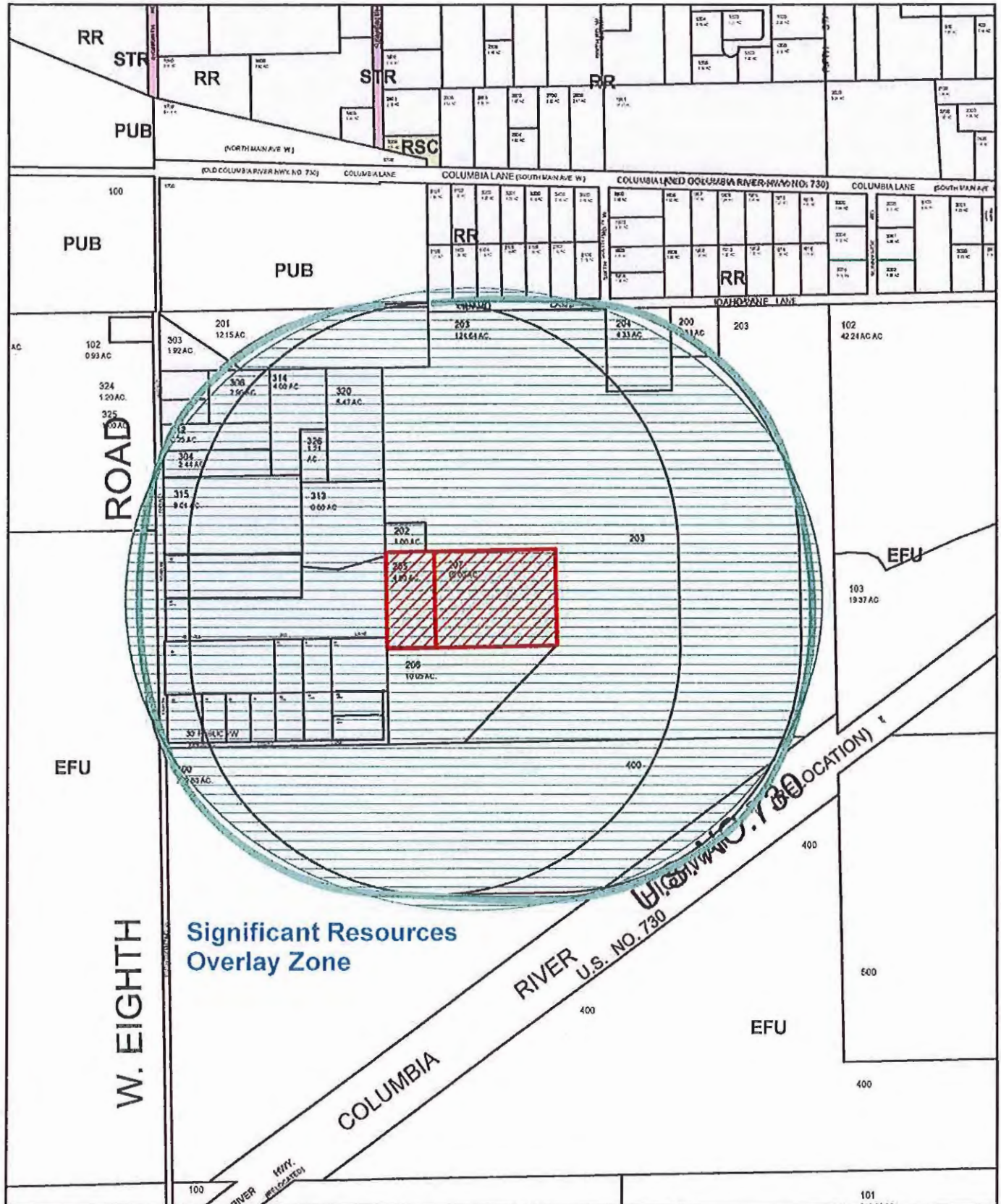
Aggregate and Mineral Resources

- ✕ Goal 5 Significant Sites
- ★ Clay Deposit Tested
- Fossil Plant Sites
- ◆ Semiprecious Gems (Opal)
- ⊘ Widely Scattered Deposits of Pumice or Pumicite
- ⊘ Minor Coal Occurances



Significant Resources Overlay Zone
1500 Foot Boundary
ODOT Hellberg Goal 5

Morrow County
Zoning Map



**Morrow County Planning Commission
Final Findings of Fact
AC-069-14, AC(M)-070-14, AZ(M)-071-14
Goal 5 Aggregate Site
Amended April 29, 2014**

REQUEST: Amend the Morrow County Comprehensive Plan to protect an aggregate site under Goal 5 rules and include the site in the Comprehensive Plan's Inventory of Natural Resources - Aggregate and Mineral Resources. Amend the Comprehensive Plan Map of Inventory of Natural Resources - Aggregate and Mineral Resources, and amend the Zoning Map to add the site to the Significant Resources Overlay Zone Map.

APPLICANT: Patrick Knight, Senior Planner
Oregon Department of Transportation
3012 Island Avenue
La Grande, OR 97850

OWNER: Same

PROPERTY DESCRIPTION: Tax Lots 205 and 207 of Assessors Map 5N 26 26

PROPERTY LOCATION: Approximately 2 miles west of Irrigon off of Gravel Pit Lane between Fourth Road and Eighth Road.

FINDINGS OF FACT:

I BACKGROUND INFORMATION:

This application is for the further protection of an existing 11.98 acre aggregate site situated at the end of Gravel Pit Lane, 2 miles west of Irrigon. The property is zoned Exclusive Farm Use (EFU), the purpose of which is to preserve and maintain agricultural lands for farm use. The subject gravel pit location was purchased by Oregon Department of Transportation (ODOT) ODOT #25-0032-5 in 1990 as an aggregate source for nearby ODOT projects such as Highway 730. The current pit has been operating under a County issued Conditional Use Permit CUP-N-36 and a Oregon Department of Geology and Mineral Industries (DOGAMI) Operating Permit #25-0048 since 1990. This action will replace CUP-N-36, but ODOT will continue to operate under their current DOGAMI permit.

The ODOT pit is in an area where two other established aggregate pits operate. Morrow County owns an aggregate pit to the south of the ODOT pit, and a privately owned aggregate pit is located to the immediate east of the ODOT pit. The ODOT pit is often shared with the County for local projects in the area. There is also an approved Goal 5 aggregate pit location to the south and east of the ODOT pit, but during the approval process, mining was not allowed.

Aggregate Site Operation and Reclamation. The applicant has provided information that indicates the area of extraction is approximately 11.98 acres in size. The hours of operation would vary and would be dependent upon project time frames. The applicant will be required to have a valid DOGAMI operating permit and reclamation will be

required according to the DOGAMI permit. ODOT has provided their Operating and Reclamation Plan as part of the application and is on file at the county. The application does not contain a request for processing beyond standard crushing, screening, sorting and stockpiling.

The subject property is within the Ordinance Basalt Classified Groundwater Area, a designation indicating concerns with declining groundwater levels in certain aquifer layers. The Oregon Water Resources Department (OWRD) is responsible for management of this area. This designation precludes issuance of new water rights development from wells in affected aquifer layers. The OWRD has regulatory authority over Oregon water use including exempt groundwater uses from wells as identified in ORS 537.545. The subject property is also within the Lower Umatilla Basin Ground Water Management Area (LUBGWMA). The LUBGWMA was designated in 1990 due to elevated nitrate concentrations in groundwater. It is recommended that wells used for drinking water be tested at least annually to determine nitrate concentrations. The goal of the LUBGWMA Action Plan (which was developed by state agencies and local stakeholders) is to reduce nitrate concentrations throughout the region. The Umatilla and Morrow County Soil and Water Conservation District's are the lead agencies implementing the Action Plan. Oregon Department of Environmental Quality (DEQ) and the Oregon Department of Agriculture have oversight responsibility.

II SUMMARY OF APPLICABLE CRITERIA To approve the request the Planning Commission will need to make findings to show that the request meets the necessary criteria. Those criteria are presented below in **bold print** with responses in regular print.

Morrow County Zoning Ordinance Section 3.200 Significant Resource Overlay Zone.

C. CATEGORIES.

1. Aggregate and Mineral Sites. The Zoning Map will be amended to apply the Overlay Zone to an approved mining site including an impact area. Mineral and aggregate sites approved in Morrow County may have an impact area of up to 1500 feet when permitted under certain Comprehensive Plan approval processes. Based on the Comprehensive Plan analysis development in an Overlay Zone impact area is subject to the following standards:

- a. Uses permitted Outright.** Uses permitted outright in the underlying zone, except conflicting uses described in the Comprehensive Plan Analysis may be permitted subject to the standards and criteria of the underlying zone.
- b. Uses Allowed Conditionally.** Uses permitted conditionally in the underlying zone and conflicting uses shall be reviewed as conditional uses subject to the standards and criteria of the underlying zone and the criteria listed in paragraph 4 below.
- c. Prohibited Uses.** Uses identified through the Comprehensive Plan analysis as incompatible with mining in all instances shall not be permitted within the impact area.
- d. Approval Criteria for proposed uses allowed conditionally in the impact area.** The applicant must demonstrate compliance with the following criteria:

- i. The proposed use will not interfere with or cause an adverse impact on lawfully established and lawfully operating mining operations;
- ii. The proposed use will not cause or threaten to cause the mining operation to violate any applicable standards of this Section or County approval in the Comprehensive Plan;
- iii. An application for a new noise or dust sensitive use shall demonstrate that the mining operation in the adjacent extraction area will maintain compliance with DEQ noise control standards and ambient air quality and emission standards as measured at the new noise or dust sensitive use. If deemed necessary by the Planning Director, the applicant for a new noise sensitive use shall submit an analysis prepared by an acoustical engineer, demonstrating that the applicable DEQ noise control standards are met or can be met by a specified date. If noise mitigation measures are necessary to ensure continued compliance on the part of the mining operation such measures shall be a condition of approval. If noise mitigation measures are inadequate to ensure compliance with DEQ noise control standards, the noise sensitive use shall not be approved within the impact area. (MC OR-1-2013)

Based on the decision the full 1500 foot impact area will be mapped and designated as a Significant Resource Overlay (SRO). In that area the above criteria will be considered when future land use applications are reviewed and processed.

Termination of the Overlay Zone. When a significant aggregate site has been depleted or can be proven to be uneconomical to mine, and either the reclamation completed or a proposed zone change and development approved by the County that would eliminate the need for the reclamation, the Overlay Zone can be removed. Rezoning or other actions to terminate mining or the protection of the resource will not relieve requirements on the part of the owner or operator of obligations regarding the site in accordance with County approvals and Oregon State Law. (MC OR-1-2013)

Once the Significant Resource Overlay zoning has been removed the full 1500 foot impact area as mapped, the above criteria will no longer be considered when future land use applications are reviewed and processed.

Morrow County Zoning Ordinance Article 8 Amendments Section 8.040

Criteria: The proponent of the application or permit has the burden of proving justification for its approval. The more drastic the request or the greater the impact of the application or permit on the neighborhood, area, or county, the greater is the burden on the applicant. The following criteria shall be considered by the Planning Commission in preparing a recommendation and by the County Court in reaching their decision.

- A. The local conditions have changed and would warrant a change in the zoning of the subject property(ies).

This amendment is required by the Oregon Revised Statutes and Oregon Administrative Rules. No local conditions have changed or mistake was made in the original designation of the Comprehensive Plan or Zoning Ordinance.

B. The public services and facilities are sufficient to support a change in designation including, but not limited to, water availability relevant to both quantity and quality, waste and storm water management, other public services, and streets and roads.

1. Amendments to the zoning ordinance or zone changes which significantly affect a transportation facility shall assure that land uses are consistent with the function, capacity, and level of service of the facility identified in the Transportation System Plan. This shall be accomplished by one of the following:

- a. Limiting allowed land uses to be consistent with the planned function of the transportation facility or roadway;**
- b. Amending the Transportation System Plan to ensure that existing, improved, or new transportation facilities are adequate to support the proposed land uses consistent with the requirement of the Transportation Planning Rule; or,**
- c. Altering land use designations, densities, or design requirements to reduce demand for automobile travel to meet needs through other modes.**

2. A plan or land use regulation amendment significantly affects a transportation facility if it:

- a. Changes the functional classification of an existing or planned transportation facility;**
- b. Changes standards implementing a functional classification;**
- c. Allows types or levels of land use that would result in levels of travel or access that are inconsistent with the functional classification of a transportation facility; or**
- d. Would reduce the level of service of the facility below the minimal acceptable level identified in the Transportation System Plan. (MC-C-8-98)**

There is no change to the Zoning Ordinance text or Zoning designation. If approved, there will be an application of the Significant Resource Overlay zone to the property and 1500 foot impact area. The underlying zoning will not be affected by this amendment. The aggregate pit is an existing aggregate pit, and no increases to activity have been proposed. Therefore the public services and facilities in the area have already been impacted.

C. That the proposed amendment is consistent with unamended portions of the Comprehensive Plan and supports goals and policies of the Comprehensive Plan, that there is a public need for the proposal, and that the need will be best served by allowing the request. If other areas in the county are designated for a use as requested in the application, then a showing of the necessity for introducing that use into an area not now so zoned and why the owners there should bear the burden, if any, of introducing that zone into their area.

The proposed amendment is consistent with unamended portions of the Comprehensive Plan and does support its goals and policies. There has always been a need for aggregate in Morrow County, and this action will help to meet that need. This existing aggregate pit has been operating at this location since 1990 and has been meeting the needs of State and County projects. Listing the site in the Comprehensive Plan's list of significant Goal 5 protected resources is appropriate to preserve the long-term use of this resource.

D. The request addresses issues concerned with public health and welfare, if any.

The required DOGAMI and DEQ permits will address requirements for safety at the quarry site.

Morrow County Comprehensive Plan Review and Revision

CRITERIA. The following criteria must be considered before approval of an amendment to the Comprehensive Plan is given:

- 1. Address the Criteria found in the Morrow County Zoning Ordinance Article 8 Amendments; and**
- 2. Show how the request complies with the relevant statewide land use planning Goals. Include evidence of coordination and compliance with State agencies regarding the statewide planning Goals. (MC OR-1-2013)**
See Morrow County Zoning Ordinance Article 8 Amendments section above. The Morrow County Comprehensive Plan shows compliance and follows the statewide land use planning Goals.

Morrow County Comprehensive Plan Goal 5 Analysis

In 2013 the mineral and aggregate Goal 5 analysis and policies were updated. This update included a change from OAR Division 16 to OAR Division 23 protection procedures and thereby eliminated the old Division 16 Goal 5 categories with numbers and letters such as 1B, etc. This change is reflected only in the Mineral and Aggregate references. When the County updates the remaining sections of this part of the Comprehensive Plan, the references to the old Division 16 categories will be gradually eliminated and replaced with Division 23 protections. (MC OR-1-2013)

Mineral and Aggregate Resources

When an application has been received to protect an aggregate or mineral resource, or the County decides to inventory mineral and aggregate resources in its jurisdiction, the County will use the definitions in OAR 660 Division 23. The protection process will meet the requirements as outlined below dependent upon the zoning of the subject property and the size of the mining operation. (MC OR-1-2013)

Option 1. Large sites on land zoned for Farm Use (EFU, RRI and SF40) with more than 500,000 tons of material to be mined:

I. Significance. Quality, quantity, and location of the resource must meet the following criteria:

A. A representative sample of aggregate material on the site must meet ODOT specifications for base rock for air degradation, abrasion, and soundness.

The samples tested for this site meet the ODOT specification for base rock. See attached April 25, 2014 ODOT letter.

B. The estimated amount of material is more than 500,000 tons over the duration of the mining operation.

The estimated amount of aggregate material is more than 500,000 tons over the duration of the mining operation.

C. Location criteria involves whether or not more than 35 percent of the proposed mining area consists of soil classified as Class II or a combination of Class II and Class I or Unique soil. Generally, Morrow County soils are not of these prohibitive classifications where aggregate sites are concerned. A Soils Map must be included in the analysis, however.

There are no soils classified as Class II, Class I, or unique soils located within the aggregate site. Soils present are 8B (Burbank loamy fine sand, 2 – 5 percent slopes) and 76C (Winchester sand, 0 – 12 percent slopes). See attached soils map named Hellberg Quarry Soils.

II. Impact Analysis: The possible conflicts to be analyzed are specifically limited to dwellings, noise, dust and other discharges, transportation issues, safety, conflicts with agricultural practices and other Goal 5 protected resources. Once conflicts have been identified, reasonable and practicable measures that can be taken to reduce the conflicts are analyzed. If no conflicts exist or if they can be minimized, mining must be allowed. If conflicts do exist and they cannot be minimized, an economic, social, environmental, and energy (ESEE) analysis must be fully done. The analysis may address each of the identified conflicts, or it may address a group of similar conflicts. The County may develop one ESEE analysis for mining sites within similar zoning designations that will contain a matrix of commonly occurring conflicts and apply the matrix to future mining analyses.

A. Determine an impact area for the purpose of identifying conflicts with the proposed mining and processing activities. The impact area shall be large enough to include existing uses allowed in the Zone, but shall be limited to 1,500 feet from the boundaries of the mining area, except where factual information indicates significant potential conflicts beyond this distance.

The 1,500 foot impact area is shown on the map labeled Hellberg Quarry Soils.

B. Determine existing or approved land uses within the impact area that are conflicting uses and the potential conflicts created by the proposed mining operation. Conflicts shall be limited to those as follows:

Existing or approved land uses within the impact area are other aggregate operations, no conflicts have been found with another mining operation. Another existing or approved land use is farming operations. The conflicts to farming operations would be dust and other discharges. Residential uses is the last existing or approved land use. The conflicts to residential uses are noise, dust, other discharges, and safety.

C. Determine reasonable and practicable measures that would minimize the conflicts identified.

Mitigation of these conflicts are accomplished by building berms around the operation to limit the noise, using a water truck to keep the dust down, and limiting operation hours to lessen the noise conflict. Dust and other discharges must also meet DEQ standards. The whole aggregate site is fenced for public safety.

The measures shall meet the following standards:

1. They shall not force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use.

These measures will not force a significant change in accepted farm practices on surrounding lands devoted to farm use. Farming will proceed as it has.

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

The aggregate operation will not increase the costs of accepted farm or forest practices on surrounding lands. The Department of Transportation will bear the costs associated with mitigation efforts.

D. Dwellings allowed by a residential zone on existing platted lots and other uses for which conditional or final approvals have been granted;

1. Conflicts due to noise, dust, or other discharges with regard to those existing and approved uses and associated activities that are sensitive to such discharges.

Noise is mitigated through the use of berming and limiting hours of operation. Dust is mitigated through the use of water trucks. All discharges must meet DEQ standards, and if not, the operation will be shut down until the operation can meet the required standards.

2. Potential conflicts to local roads used for access and egress to the mining site within one mile of the entrance to the mining site unless a greater distance is necessary in order to include the intersection with the nearest arterial identified in the Transportation System Plan. Conflicts shall be determined based on clear and objective standards.

There have been no conflicts on Gravel Pit Lane which serves the ODOT pit and also the County pit, as well as a limited number of residences. Gravel Pit Lane is a County Road, with a paved surface. The nearest intersection is where Gravel Pit Lane intersects with West Eighth Road. The nearest arterial would be to the immediate south where West Eighth Road intersects with State Highway 730, identified as a Minor Arterial in the Morrow County Transportation System Plan (TSP). No conflicts have been determined.

3. Safety conflicts with existing public airports due to bird attractants.

There are no airports located near the aggregate operation. The closest airport is located west of the City of Boardman approximately 15 miles away.

4. Conflicts with other Goal 5 resource sites within the impact area included in the Comprehensive Plan's Inventory of Significant Resources.

There is one protected Goal 5 resource (aggregate) site within the 1500 foot impact area known as DLCD #001-04. The Goal 5 resource area was approved by the Morrow County Court by County Ordinance #MC02-04, but mining was denied at the site by County Order #0-9-04 on October 27, 2004. Therefore no mining activities have ever taken place at the protected Goal 5 site, and will not until such time mining is re-applied for or the Goal 5 designation removed. No conflicts have been determined.

5. Conflicts with agricultural practices.

There are some conflicts associated with agricultural practices, dust and other discharges. Both of these conflicts can be mitigated through DEQ dust, water and air standards.

6. Other conflicts for which consideration is necessary in order to carry out the goals and policies of the Comprehensive Plan and Oregon State regulations.

There are no other identified conflicts in the impact area pertaining to the goals and policies of the Comprehensive Plan or State regulations.

E. An analysis of the ESEE consequences is not necessary if reasonable and practicable measures are identified to minimize the identified conflicts and mining shall be allowed at the site.

There are no conflicts identified that cannot be mitigated. An analysis of the ESEE consequences will not be necessary. See Section B, C and D above.

F. ESEE Consequences Analysis for conflicts that cannot be minimized: The analysis may address each of the identified conflicting uses, or it may address a group of similar conflicting uses. An ESEE analysis will:

1. define the impact area;
2. identify dwellings within the impact area, either existing or for which conditional or final approvals have been granted, that will be adversely affected by the proposed mining operations;
3. identify other conflicts due to noise, dust, other discharges, transportation, safety to public airports, other Goal 5 resources sites within the impact area, conflicts with agricultural practices, and other conflicts for which consideration is necessary in order to carry out the requirements of DOGAMI;
4. analyze the economic, social, environmental, and energy (ESEE) consequences of the conflicts. This analysis will include information regarding future conflicts to a proposed mining site in order to contribute to the resource's protection plan if the mining would be allowed.

G. Present the County's decision whether or not to allow mining based on the ESEE analysis by either allowing, limiting, or not allowing mining at the site with consideration to the following:

1. The degree of adverse effect on existing land uses within the impact area;

- 2. Reasonable and practicable measures that could be taken to reduce the identified adverse effects; and**
- 3. The probable duration of the mining operation and the proposed post-mining use of the site.**

The County has decided to allow mining based on the analysis above and the determination that identified conflicts can be mitigated and any adverse effects would be minimal. ODOT will employ reasonable and practical measures to ensure that all conflicts and adverse effects are reduced. The probable duration of the aggregate site is at least 20 years and the proposed post-mining use of the site as identified in the DOGAMI Operating and Reclamation Plan is Range/Open Space.

III. Resource Protection Program. When mining is allowed at a site, the County must then consider whether to limit new uses that might occur in the impact area in order to protect the significant mining resource. One of the following determinations will be reached with regard to new, conflicting uses in the impact area:

- A. Prohibit the conflicting use. This would be because the mining operation as a resource is more important compared to the conflicting use, and the ESEE consequences of allowing the conflicting use would be detrimental to the resource.**
- B. Allow the conflicting use in a limited way. The County may decide that both the resource site and the conflicting uses are important compared to each other, and, based on the ESEE analysis, the conflicting uses should be allowed in a limited way that protects the resource site to a desired extent.**
- C. Fully allow the conflicting use. The county may decide that the conflicting use should be allowed fully, notwithstanding the possible impacts on the mine. The ESEE analysis must demonstrate that the conflicting use is of sufficient importance relative to the resource site, and must indicate why measures to protect the resource to some extent should not be provided.**

It has been determined that mining will be allowed and based on the previous analysis, to fully allow any new allowable uses.

IV. Comprehensive Plan Amendments. Whenever the County Court has deemed a mining operation to be significant by the standards set forth in this Plan, the site will be included in the County's Comprehensive Plan Inventory of Natural Resources - Aggregate and Mineral Resources, the Comprehensive Plan Map of Significant Aggregate and Mineral Resources, and the Significant Resource Overlay Zone Map to include the site, including the impact area. The amendment to the Comprehensive Plan Inventory of Natural Resources will have the following information:

- A. Description, including a map, of the resource area including the impact area;**
- B. Information on quality and quantity of the resource and the significance of the site;**
- C. The analysis language regarding the resource conflicting uses at the site and impact area and ESEE analysis, if any;**
- D. The analysis language regarding whether or not mining is allowed, including levels of allowed conflicting uses;**

E. Provisions for post mining use, which shall be determined in coordination with DOGAMI. (MC OR-1-2013).

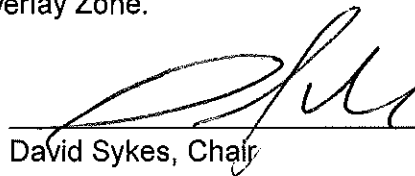
The Hellberg Pit (ODOT) aggregate operation is located on tax lots 205 and 207 within the SE1/4 of the NW1/4 of Section 26 of Township 5 North Range 26 East of the Willamette Meridian, Morrow County. The impact area is a 1500 foot buffer outside of the ODOT parcel. The site has been deemed significant, based on the quality (stamped by ODOT Engineer), the quantity is over 500,000 tons of material, and location is such that there are no Class I, Class II or unique soils present at the site. The conflicting uses at the site and within the impact area are farming operations and residential uses. No ESEE analysis was done, as all conflicts could be mitigated. Mining will be allowed, and will fully allow new uses within the impact area with criteria set forth in the Significant Resources Overlay zone. The post mining use will be Range/Open Space based on the DOGAMI Operating and Reclamation Plan.

- III **DLCD 45 DAY NOTICE:** March 26, 2014
- IV **PROPERTY OWNER NOTICE:** April 9, 2014
- V **LEGAL NOTICE:** Heppner Gazette Times and East-Oregonian
April 9, 2014
- VI **AGENCIES NOTIFIED:** Amanda Puntin, Grant Young, Angela Houck, Department of Land Conservation and Development; Marilyn Holt, Teresa Penninger, Patrick Knight, Oregon Department of Transportation; Ben Mundie, DOGAMI; Linda Hayes-Gorman, Phil Richerson, Department of Environmental Quality; Mike Gorman, Morrow County Assessor; Burke O'Brien, Morrow County Public Works; Larry Burns, Irrigon Rural Fire Protection District; Tony Justus, Watermaster; Janet Greenup, Morrow County Soil and Water Conservation; Aaron Palmquist, City of Irrigon.
- VII **HEARING DATES:** Planning Commission
Heppner City Hall
Heppner, Oregon
April 29, 2014

County Court (tentative)
June 11, 2014
- IX **RECOMMENDATION OF THE MORROW COUNTY PLANNING COMMISSION:**
 - 1. The Planning Commission, by motion, deemed the site significant and recommends the Morrow County Court order the site be listed in the Comprehensive Plan's Inventory of Natural Resources Aggregate and Mineral Resources, and added to the Comprehensive Plan Map Inventory of Natural Resources Aggregate and Mineral Resources;
 - 2. Recommend the Morrow County Court amend the Comprehensive Plan Goal 5 Analysis text to add the following:

The Hellberg Pit (ODOT) aggregate operation is located on tax lots 205 and 207 within the SE1/4 of the NW1/4 of Section 26 of Township 5 North Range 26 East of the Willamette Meridian, Morrow County. The impact area is a 1500 foot buffer outside of the ODOT parcel. The site has been deemed significant, based on the quality (stamped by ODOT Engineer), the quantity is over 500,000 tons of material, and location is such that there are no Class I, Class II or unique soils present at the site. The conflicting uses at the site and within the impact area are farming operations and residential uses. No ESEE analysis was done, as all conflicts could be mitigated. Mining will be allowed, and will fully allow new uses within the impact area with criteria set forth in the Significant Resources Overlay zone. The post mining use will be Range/Open Space based on the DOGAMI Operating and Reclamation Plan.

3. Recommend the Morrow County Court order the aggregate site and 1500 foot impact area be mapped on the Morrow County Zoning Map with the Significant Resources Overlay Zone.

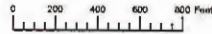

David Sykes, Chair

4-29-2014
Date

Attachments:

Vicinity Map
Quarry Site Plan
April 25, 2014 ODOT letter
Hellberg Quarry Soils
Comprehensive Plan Map Inventory of Natural Resources-Aggregate and Mineral Resources
Comprehensive Plan Inventory of Natural Resources-Aggregate and Mineral Resources
Map of Significant Resources Overlay Zone
Comprehensive Plan Goal 5 Analysis text

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY




SECTION 26 T.5N. R.26E. W.M.
MORROW COUNTY
1" = 400'

05N26E26

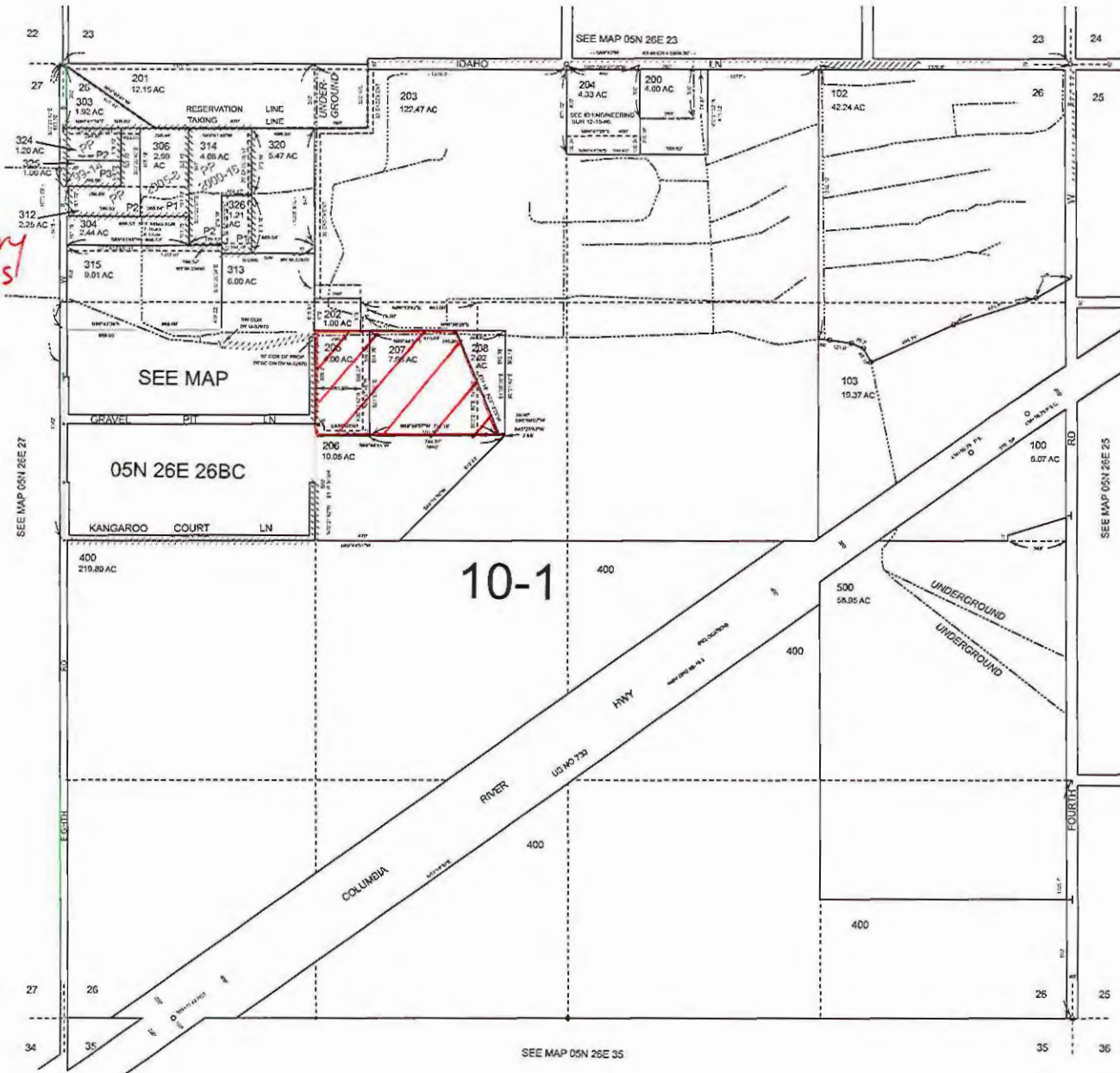
Cancelled
101
301
302
305
307 THRU 311
316 THRU 319
321 THRU 323

Vicinity Map

 Proposed
Goal 5
Aggregate Boundary
Significant Resources
Overlay

Morrow County File #'s
AC-069-14
AC(M)-070-14
AZ(M)-071-14

SN 26 26
tax lots 205, 207



April 2014
Morrow County Planning Dept.

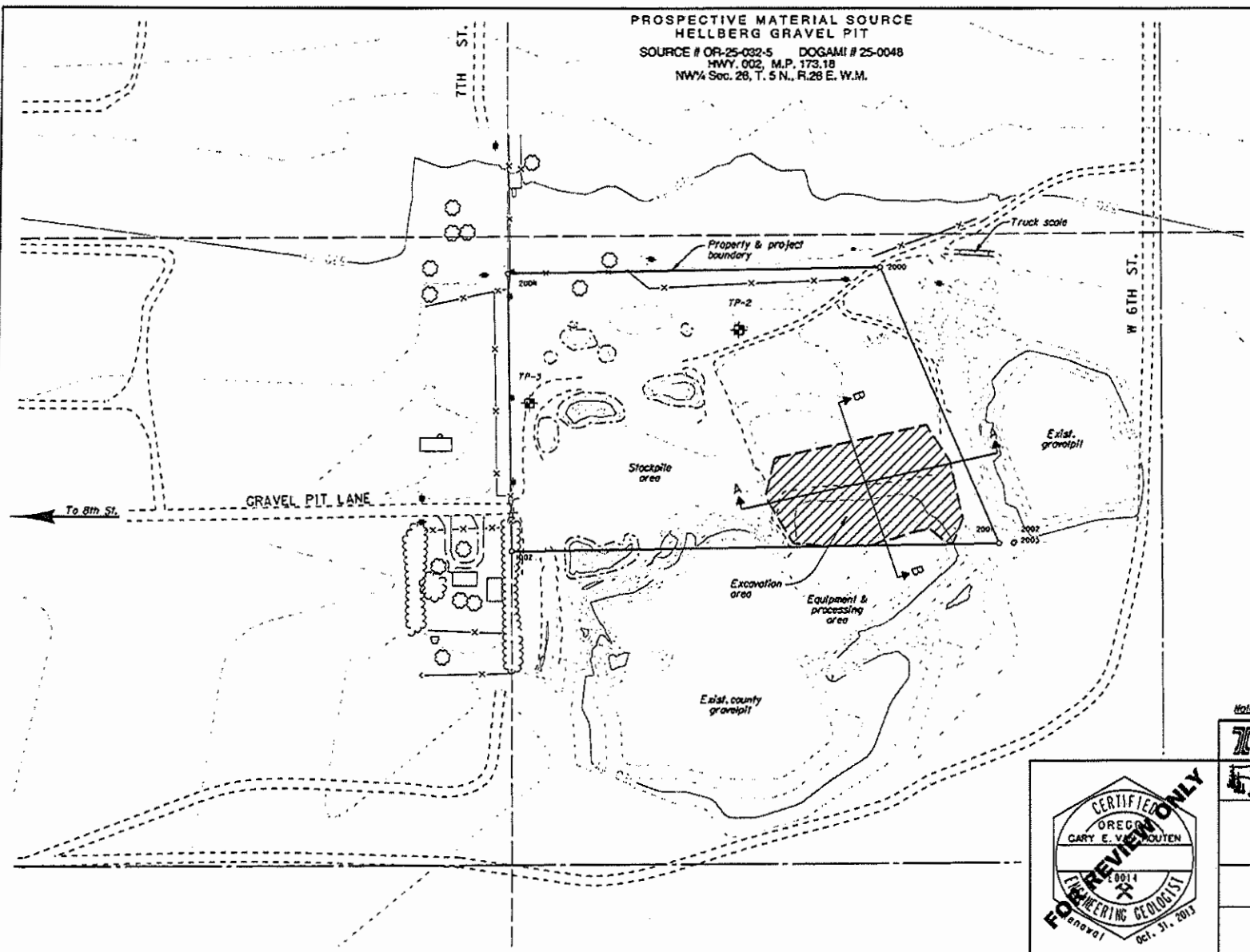
Revised: EB
07/16/2013

05N26E26

PROSPECTIVE MATERIAL SOURCE
HELLBERG GRAVEL PIT

SOURCE # OR-25-032-5 DOGAMI # 25-0048
HWY. 002, M.P. 173.18
NW¼ Sec. 28, T. 5 N., R. 28 E. W.M.

?????
ADVANCE COPY
SUBJECT TO CHANGE



LEGEND

- Test pit
- Existing stockpile
- Power pole
- Gate



QUARRY SITE PLAN

Note: See GM-3 for cross-sections AA & BB

OREGON DEPARTMENT OF TRANSPORTATION

Region 5 Truck Center
3012 Island Ave
La Grange, OR 97030
(503) 963-3117

MORROW CO. ROCK PRODUCTION
COLUMBIA RIVER HIGHWAY
MORROW COUNTY

Reviewed By - Thomas Glen Wallace
Checked By - Gary C. Van Houten
Drafted By - Robert F. Wapinger

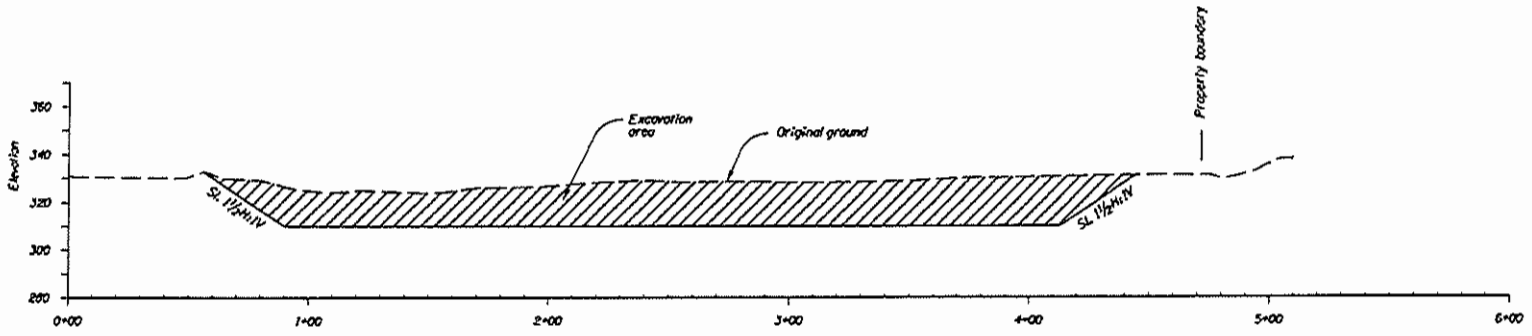


PROSPECTIVE
MATERIAL SOURCE

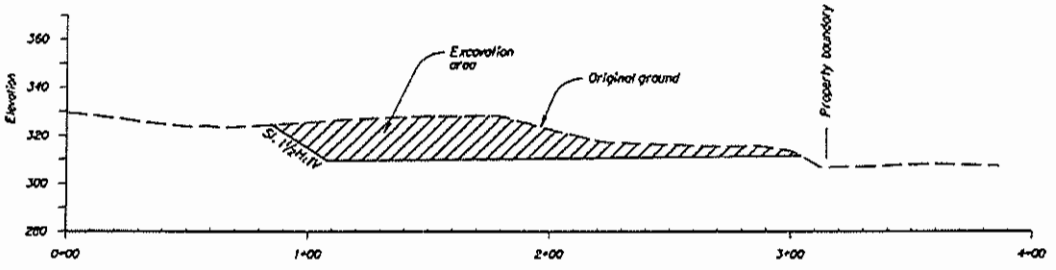
SHEET
NO. GM-2

PROSPECTIVE MATERIAL SOURCE
 HELLBERG GRAVEL PIT
 SOURCE # OR-25-032-5 DOGAMI # 25-0048
 HWY. 002, M.P. 173.18
 NW¼ Sec. 26, T. 5 N., R. 28 E. W.M.

?????
 ADVANCE COPY
 SUBJECT TO CHANGE



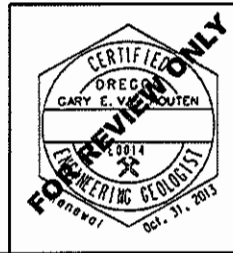
SECTION A-A



SECTION B-B

Note: See GM-2 for section locations

OREGON DEPARTMENT OF TRANSPORTATION	
<i>Region 5 Truck Center</i> 2012 Island Ave. La Grange, OR 97120 (503) 963-3111	
MORROW CO. ROCK PRODUCTION COLUMBIA RIVER HIGHWAY MORROW COUNTY	
Reviewed By - Thomas Glen Wallace Checked By - Gary E. Van Houten Drafted By - Robert P. Woolinger	
PROSPECTIVE MATERIAL SOURCE	SHEET NO. GM-3





Oregon

John A. Kitzhaber, MD, Governor

Department of Transportation

Region 5 Geology
3012 Island Avenue, La Grande, OR 97850
Voice (541) 963-1334
Fax (541) 963-9079

Morrow County Planning Department
PO Box 40
Irrigon, OR 97844

April 25, 2014

Re: Hellberg Gravel Pit, ODOT Source #OR-25-032-5
Significant Aggregate Site Information
ODOT Material Sources Goal-5 Status
Morrow County, Oregon

Ladies and Gentlemen:

This letter provides documentation of the location, quality, and quantity of aggregate resource at the Hellberg Gravel Pit within Morrow County to be considered for Goal-5 status under the County Plan.

Access to the Hellberg Gravel Pit is from US 730 (Hwy #002) at MP 173.18, turning north onto 8th Street, and east onto Gravel Pit Lane to the gated (locked) and fenced pit property. This site is property owned by ODOT for the purposes of mining rock, crushing and processing, and stockpiling the aggregate materials for use on State highways. Specifics regarding this material source have been submitted by ODOT Planning, and includes the site-specific ODOT material source number, the location legal description and Assessors Map Tax Lot (if assigned), County Zoning category, and remarks specific to the individual site.

I have personally observed the site and rock materials at this material source property, and it is my professional judgment that through typical excavation and production processes, the ODOT estimates of 500,000 tons or greater reserve quantities are reasonably obtainable. Based upon ODOT's experience and laboratory testing results using aggregate produced from the geologic formation (Missoula Floods Gravel deposited during the past 1 million years) in this site and that typically occurs throughout the County¹, aggregate produced from Hellberg Gravel Pit meets or exceeds ODOT highway paving aggregate standards, including abrasion and degradation laboratory testing.

Based upon this information, it is my engineering geologic conclusion that this site meets the Goal-5 Significant Site criteria, and I recommend that this site be added to the Morrow County Significant Site Inventory.

¹Swanson, D.A., et al, 1981, Reconnaissance Geologic Map of the Columbia River Basalt Group, Northern Oregon and Western Idaho: Open-File report 81-797, U.S. Geological Survey; and, Walker, G.W., and MacLeod, N.S., 1991, Geologic Map of Oregon: U.S. Geological Survey.



Significant Aggregate Site Information
ODOT Material Sources Goal 5 Status
Morrow County, Oregon

ODOT Region 5
Geology Unit

Should you have any questions or require any additional information please contact me at the address or phone numbers on this letter.

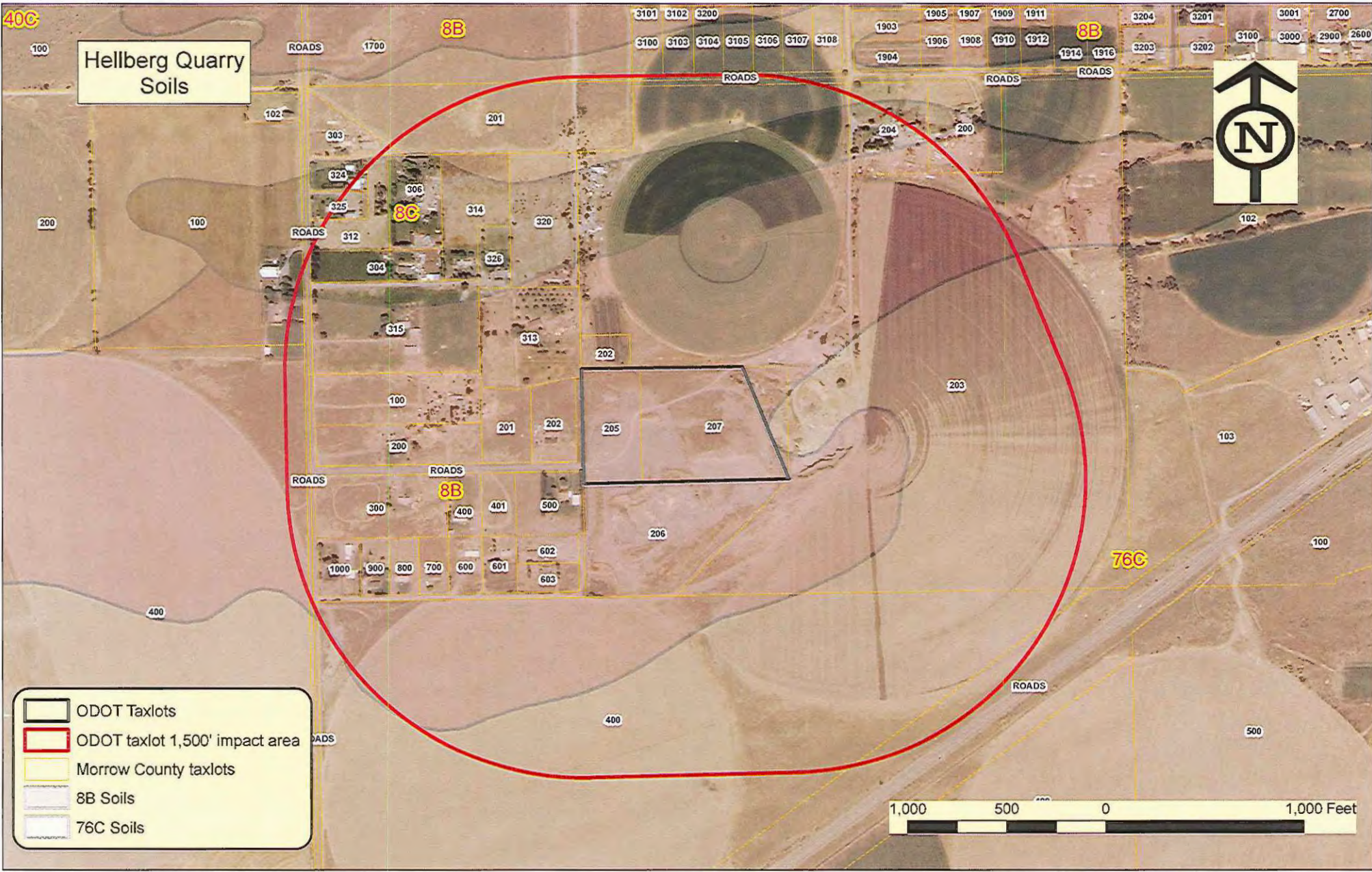
Sincerely,

A handwritten signature in blue ink that reads 'Gary Van Houten'.

Gary E. Van Houten, CEG 0014
Material Sources Manager
ODOT Region 5
3012 Island Avenue
La Grande, OR 97850
Phone: 541-963-1334
E-mail: gary.e.vanhouten@ODOT.state.or.us



cc: Patrick Knight, ODOT R-5 Planning

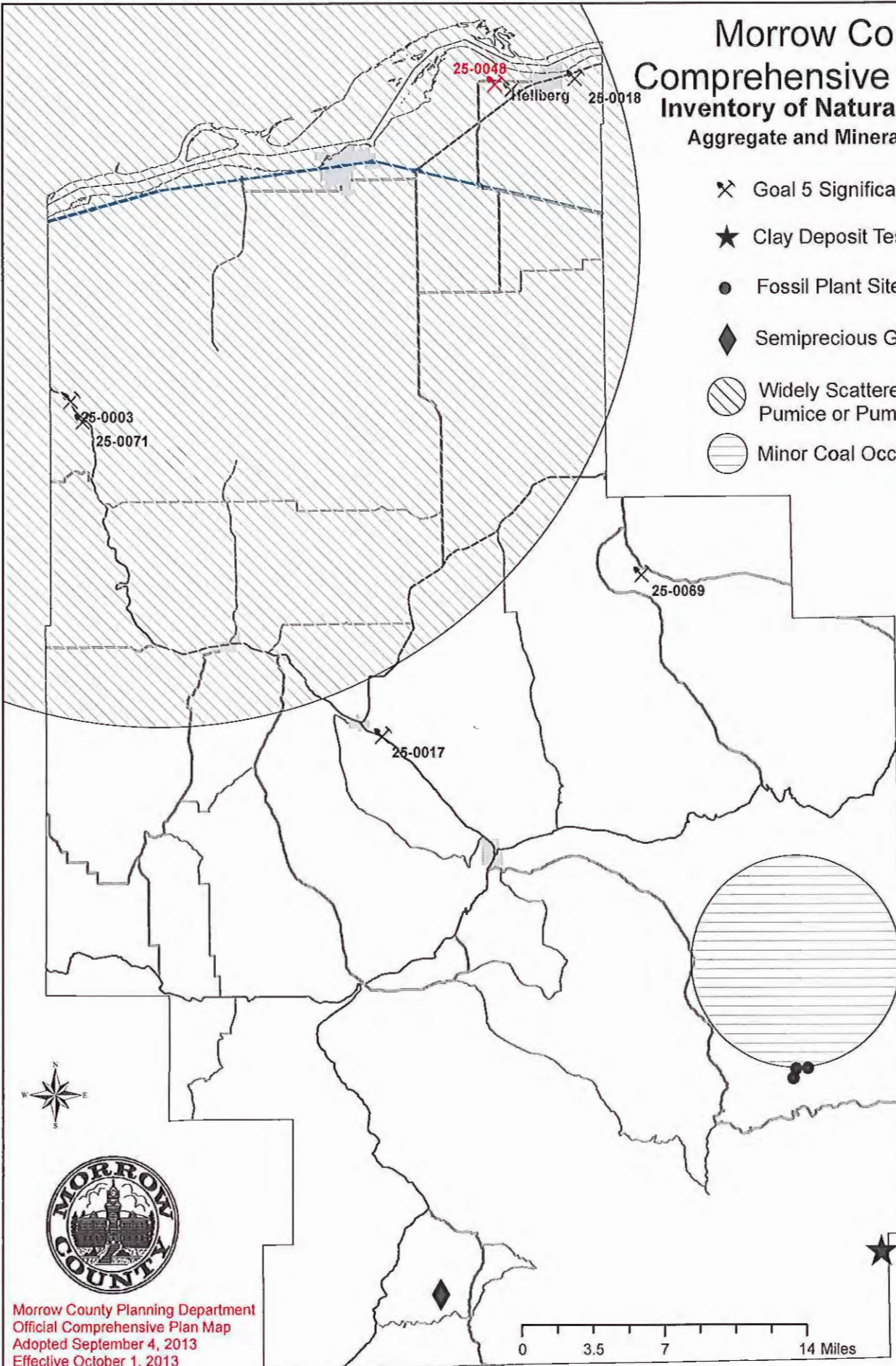


- ODOT Taxlots
- ODOT taxlot 1,500' impact area
- Morrow County taxlots
- 8B Soils
- 76C Soils

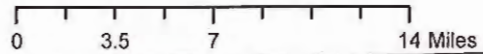


Morrow County Comprehensive Plan Map Inventory of Natural Resources Aggregate and Mineral Resources

- ✕ Goal 5 Significant Sites
- ★ Clay Deposit Tested
- Fossil Plant Sites
- ◆ Semiprecious Gems (Opal)
- ⊘ Widely Scattered Deposits of Pumice or Pumicite
- Minor Coal Occurances



Morrow County Planning Department
Official Comprehensive Plan Map
Adopted September 4, 2013
Effective October 1, 2013



1:411,000

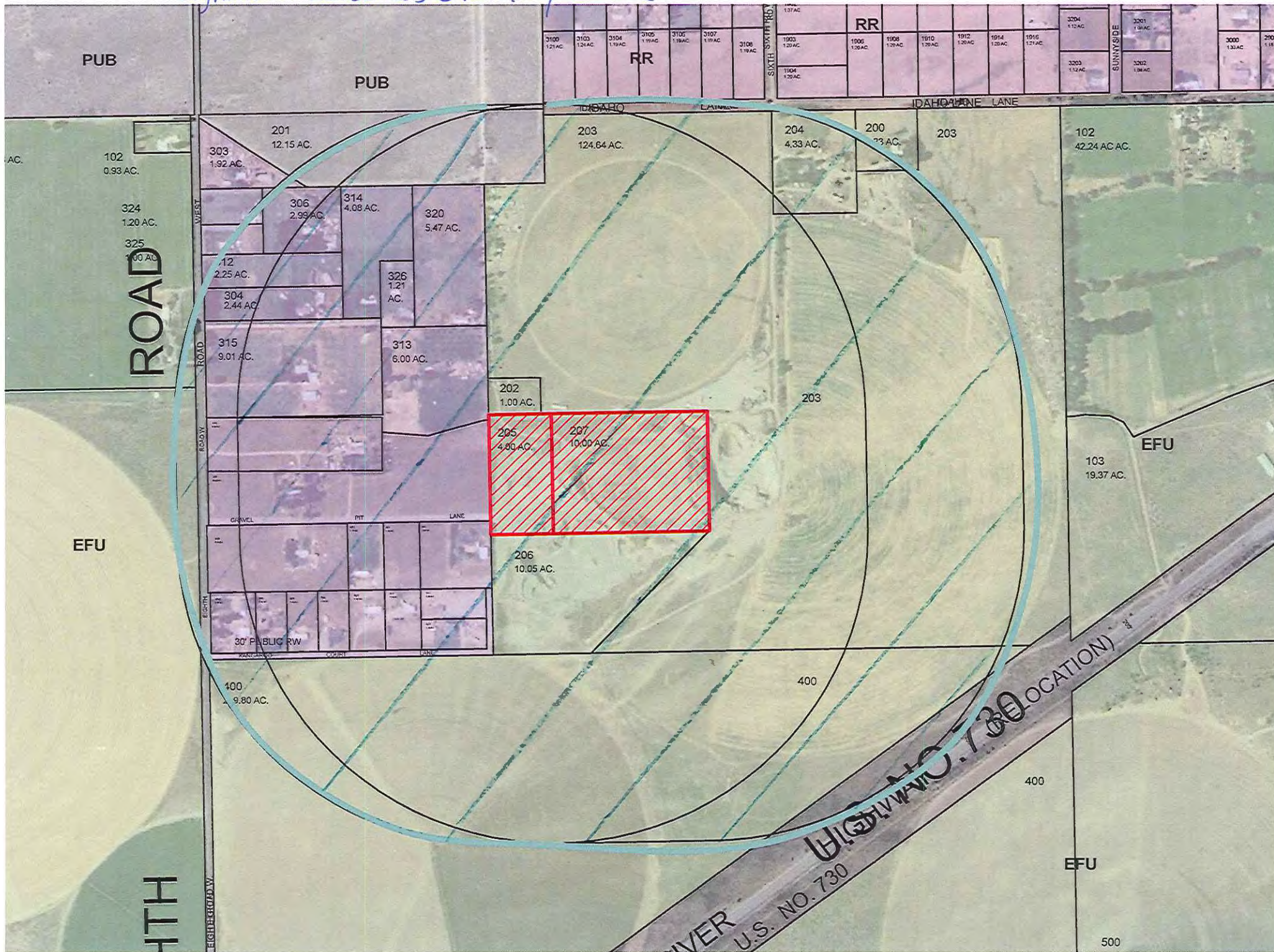
Inventory of Natural Resources
Aggregate and Mineral Resources

Goal 5 Significant	Farmland Significant	Site Name	Owner	Map and Tax Lot	DOGAMI #	Other Number
Yes		Cecil Quarry, Cecil Rock Production	ODOT	2N 23 6, 7 TL 1100	25-0003	ODOT #25-007
Yes		Lexington Quarry MP 39 Heppner	ODOT	1S 25 35 TL 600	25-0017	ODOT #25-009
Yes		Walpole Gravel Pit	MC/ODOT	5N 27 20 TL 1504,2200	25-0018	ODOT #25-005
Yes		Britt Quarry	Marty Britt/Sid and Randy Britt	1N 27 TL 1400	25-0069	
Yes		Willow Creek Ranch	Willow Farms, LLC/Mark Zoller	2N 23 17 TL 1401	25-0071	
Yes		Hellberg Goal 5	Max Hellberg	5N 26 26 TL 203		DLCD# 001-04
Yes		Hellberg Pit (ODOT)	ODOT	5N 26 26 TL 205, 207	25-0048	ODOT #25-032-5
	Yes	Six-Mile Pit	Three Mile Canyon Farms	4N 23 23, 24 TL102	25-0006	
	Yes	Kinzua Resources	Port of Morrow	2S 26 21 TL 2701	25-0004	
	Yes	Boardman	Eucon Corporation	4N 24 23 TL 402	25-0015	
	Yes	So Bombing Range Pit	MC/ Irvan Rauch	1N 26 18 TL 3200	25-0020	PW #210
	Yes	J. J. Aylett	Aylett, Jeddie & Juanita	4N 27 28 TL 300, 1101	25-0023	
	Yes	East Fork Dry Ck Quarry MP 59.6 Wasco-Heppner Hwy	ODOT	3S 23 27 TL 3001	25-0024	ODOT #25-056
	Yes	Cutsforth Quarry	Cutsforth	1S 25 20 TL 2000	25-0027	CUP-N-5(1983)
	Yes	Rhea Creek Quarry	MC/Melvin Harnett	3S 26 32 TL 3200	25-0029	PW #247/220
	Yes	Zinter Quarry	MC/Zinter Dev.	3S 23 27 TL 3400	25-0030	ODOT #30-018, PW #221, Check against 25-0043!!
	Yes	Clark Canyon Quarry	MC	2S 25 15 TL 1702	25-0031	PW #201
	Yes	Skinners Fork Quarry	MC	3S 27 12 TL 400	25-0032	PW #228
	Yes	Butter Creek Quarry/Currin Pit	MC/Currin Ranch	1N 28 25 TL 700	25-0033	PW #239/224
	Yes	Dougherty Pit/Sandhollow	MC/Jerry Dougherty	1S 27 7 TL 505	25-0034	PW# 226
	Yes	Chick Quarry/Reitmann Pit North	MC/Bridston	1N 23 12 TL 3600, 2200	25-0035	PW #227
	Yes	Rugg Quarry/Road Canyon Pit	MC/James Martin	4S 26 22 TL 1502	25-0038	PW #230
	Yes	2011 Ruhl Quarry	Rich Ruhl	2S 24 10 TL 600	25-0039	PW #229
	Yes		Finley Buttes Landfill Company	2N, 3N 26 5, 32 TL 301	25-0040	
	Yes		Easy Way Contracting, Inc.	2N 26 7 TL 501	25-0041	CUP-N-34
	Yes	Hellberg Pit	MC	5N 26 26 TL 206	25-0042	PW #231/241

**Inventory of Natural Resources
Aggregate and Mineral Resources**

Goal 5 Significant	Farmland Significant	Site Name	Owner	Map and Tax Lot	DOGAMI #	Other Number
	Yes	Zinter Quarry MP 60.45 Wasco-Hep Hwy	ODOT	3S 23 26 TL 3400	25-0043	ODOT #25-018
	Yes	Halverson Site	MC/Halverson	1S 23 27 TL 2300	25-0044	PW #217
	Yes	Rivercrest	Rivercrest Farms/Baker Produce South	2N 26 7 TL 500 or 501?	25-0046	Check against 25-0041!!!
	Yes	Albert Wright Pit	MC/Wright Century Farm	4S 25 28, 33 TL 3800	25-0050	PW #236
	Yes	Carlson	MCPW/4C Ranches	3S 24 7 TL 1401	25-0051	PW #237
	Yes	Little Butter Creek	MCPW/Currin Ranches	1S 28 TL 1600	25-0052	PW #209
	Yes	Hellberg-Wise Pit	Wesley Wise/Max Hellberg	5N 26 26 TL 203	25-0053	
	Yes	Turner	MCPW/Turner Ranch	2S 27 17 TL 1300	25-0054	PW #219
	Yes	Madison Section 16	Madison, Kent	3N 27 16 TL 1100	25-0056	
	Yes	Sand Lake	Boardman Tree Farm	3N 26 26 TL 1401	25-0059	
	Yes	Doherty-Juniper Pit	MCPW/Doherty	1N 25 3 TL 700	25-0061	PW #238
	Yes	L & M Pit	Miller & Sons/L&M Ranch	2S 26 23, 26, TL 3402, 3301	25-0062	
	Yes	Padberg Pit	Miller & Sons/Padberg	1S 24 27 TL 3501	25-0067	
	Yes	Heideman Quarry	Heideman/4DG Land Co.	1N 23 19 TL 3102	25-0068	
	Yes	Ely Canyon Quarry, Heideman II	WI Construction /Heideman	1N 23 28 TL 6001	25-0070	
	Yes		Wade Aylett	4N 27 28 TL 800	30-0129	
	Yes	Thompson Pit	MC/Brian Thompson	4S 27 TL 900		PW #240, CUP-S-105, MC-C-5-97
	Yes		Kevin Haguewood	1N 23 28 TL 5900		CUP-N-284 AC-040-10 AC(M)-041-10
	Yes		John Kilkenny	2S 28 28 TL 1300		CUP-S-297 AC-057-12 AC(M)-058-12
	Yes		Madison Farms	3N 27 30 TL 1700		CUP-N 271 AC-018-09 AC(M)-017-09

Significant Resources Overlay Zone



Morrow County Comprehensive Plan

THE GOAL 5 ANALYSIS

Mineral and Aggregate Resources

Aggregate Mines with Goal 5 Protection. A list of aggregate sites, attached as Appendix, includes both those with protections under Goal 5 and those located on farmland required to be listed in the Comprehensive Plan. Some were declared significant when the Comprehensive Plan was adopted in 1980 and acknowledged in 1986, and others were on Morrow County's inventory of significant aggregate sites as of September 1, 1996, thus meeting the requirements of OAR 660-023-0180(3)(c). The remainder, approved since that date, were protected under the rules prescribed in OAR 660 Division 023, some being protected under Goal 5 with the majority being on farmland and meeting the requirement of listing in the Comprehensive Plan. (MC OR-1-2013)

The Hellberg Pit (ODOT) aggregate operation is located on tax lots 205 and 207 within the SE1/4 of the NW1/4 of Section 26 of Township 5 North Range 26 East of the Willamette Meridian, Morrow County. The impact area is a 1500 foot buffer outside of the ODOT parcel. The site has been deemed significant, based on the quality (stamped by ODOT Engineer), the quantity is over 500,000 tons of material, and location is such that there are no Class I, Class II or unique soils present at the site. The conflicting uses at the site and within the impact area are farming operations and residential uses. No ESEE analysis was done, as all conflicts could be mitigated. Mining will be allowed, and will fully allow new uses within the impact area with criteria set forth in the Significant Resources Overlay zone. The post mining use will be Range/Open Space based on the DOGAMI Operating and Reclamation Plan.