

# Site Design Review

Bates Roth Property Expansion - Bible College Property  
Scappoose, Columbia County, Oregon

**Submitted To:** Columbia County  
Land Development Services  
230 Strand St.  
St. Helens, Oregon 97051

**Submitted For:** Northwest Aggregates Co.  
Santosh Aggregate Mine  
34885 N Honeyman Road  
Scappoose, Oregon 97056

**Submitted By:** Breakwater Geoscience, LLC  
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Portland, Oregon 97206

**Date:** October 2024



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## List of Exhibits

Exhibit A	Bible College Operating and Reclamation Plan (Figures 1 through 8)
Exhibit B	Columbia County Tax Assessors Maps
Exhibit C	PAPA Application and Technical Documentation ( <b>see attached USB</b> )
Exhibit D	Columbia County Zoning Ordinance 2016-9
Exhibit E	DOGAMI Operating Permit 05-0084
Exhibit F	USACE Section 408 No Alteration Determination
Exhibit G	DEQ Section 401 Water Quality Certification
Exhibit H	DSL Removal/Fill Permit 61355-RP
Exhibit I	USACE Nationwide Wetlands Permit 2013-378-2
Exhibit J	Equipment List
Exhibit K	Compensatory Wetland Mitigation Plan
Exhibit L	Transportation Impacts Analysis Update (September 2024)
Exhibit M	Bible College Trio Packet

*The attached USB contains Exhibit C and a full electronic copy of the Site Design Review package.*

## I. PROJECT SUMMARY

**Applicant/Owner:** Northwest Aggregates Co.  
Attn: Josh Nelson  
34885 N Honeyman Road  
Scappoose, OR 97056  
(503) 535-7740

**Site Name:** Bates Roth Property Expansion - Bible College Property

**Site Location:** Township 4 North, Range 1 West, Sections 32 and 33; and  
Township 3 North, Range 1 West, Sections 4 and 5

**Columbia County Tax Lots:** 4132-00-01000 (88.73-acres)  
4133-00-00500 (5.09-acres)  
3105-00-00100 (a portion of 60.05-acres)

**Total Tax Lot Acreage:** 153.87-acres

**Site Acreage:** ±130-acres (expansion area)

**Present Zoning:** SM

**Present Designation:** Mineral & Aggregate Resources

**Proposed Use:** Mineral Aggregate Extraction

**Contiguous Property  
Owned by Applicant:** 4132-00-01100 (exclusive of expansion area)

## II. SITE DESCRIPTION AND PROJECT NARRATIVE

### Site Description

Northwest Aggregates Co. (Applicant, NWAC) requests Site Design Review approval to expand the existing Bates Roth aggregate mine onto the adjacent Bible College property ("Site"). The Site is located in Columbia County approximately 3 miles northeast of the city of Scappoose, Oregon. A Site Location and Vicinity Map is provided in **Exhibit A, Figure 1** of the Bible College Operation and Reclamation Plan. The Site is comprised of approximately 153.87-acres, of which approximately 130-acres are proposed for mining operations. The Site is comprised of the following tax lots and the Columbia County tax assessor maps for each tax lot are provided in **Exhibit B**:

- 4132-00-01000 (88.73-acres)
- 4133-00-00500 (5.09-acres)
- 3105-00-00100 (a portion of 60.05-acres)

Access to the Site is from Highway 30 and east on West Lane Road to North Honeyman Road, which borders a portion of the Site's eastern boundary (existing Bates Roth mining operation access point). The Site is approximately one-half mile west of the northerly flowing Multnomah Channel and 2 miles west of the main channel of northerly flowing Columbia River. The Site is located within the boundaries of the Scappoose Drainage District which is protected by the United States Army Corps of Engineers (USACE) levee system. Groundwater and surface water levels in the area are maintained by the Scappoose Drainage Improvement Company (SDIC), which manages the levee infrastructure within the SDD. The Site is wholly located outside of the Special Flood Hazard Area (1% or 100-year) flood zone based on the FEMA Flood Insurance Rate Map 41009C0465D.

The Site is bounded by agriculture and farmland (PA-80) except for the northern property boundary, which abuts the existing Bates Roth mining operation and is zoned for surface mining (SM). To the south, east and west are agricultural and rural residential areas. The general vicinity is relatively flat and low-lying with man-made ridges and other landforms from historical agricultural operations. Approximate elevations range between 5 feet National Geodetic Vertical Datum of 1929 (NGVD29) in the lowest lying areas to around 29 feet NGVD29 along the ridge west of the Site. The Scappoose Industrial Airpark is located greater than 5,000 feet southwest of the Site.

The Applicant seeks to expand the existing Bates Roth mining operation onto approximately 130-acres of the proposed Site. Activities at the Site will be limited to aggregate extraction activities and will be mined over an approximately 12-year period, with the exact life of the operation determined by market demand. **Exhibit A, Figures 2 and 3** provide an overview of the Site's existing conditions.

### Land Use and Permitting Overview

Initiation of land use approval and permitting activities for the Bates Roth property expansion began in 2013, and the Applicant has obtained the necessary land use approvals and regulatory permits required for surface mining at the Site. The Columbia County Board of Commissioners adopted Ordinance 2016-9 and approved a Post-Acknowledgment Plan Amendment ("PAPA") to change the comprehensive plan designation and zoning for the Site in December 2016. Ordinance 2016-9 amended the Columbia County Comprehensive Plan Map from "Agricultural Resources" to "Mineral and Aggregate Resources" and amended the Zoning Ordinance Map from "Primary Agriculture (PA-80)" to "Surface Mining (SM)". The Bible College PAPA application documents, including all technical documentation included in the

application are enclosed as **Exhibit C**. Columbia County Zoning Ordinance 2016-9 (CCZO 2016-9) is enclosed as **Exhibit D**.

Further, the Applicant has obtained the following regulatory approvals permits required for surface mining at the Site:

- DOGAMI Operating Permit 05-0084 and Permit Boundary Survey Map (**Exhibit E**)
- USACE Section 408 No Alteration Determination (**Exhibit F**)
- DEQ Section 401 Water Quality Certification (**Exhibit G**)
- DSL Removal/Fill Permit 61355-RP (**Exhibit H**)
- USACE Nationwide Wetlands Permit 2013-378-2 (**Exhibit I**)

### Proposed Site Operations

The proposed aggregate mining operation at the Site is consistent with the existing operations at the Bates Roth mine and will expand the current mining operations to utilize existing extraction and aggregate conveyance infrastructure.

The Site will be operational from 7 a.m. to 6 p.m., Monday through Sunday. Typical operations at the Site will include use of an electric cutter/suction dredge or electric dragline crane, a water truck, front-end loaders, a grader, an excavator, haul trucks and a bulldozer. A service truck and a boat will be used for general maintenance purposes and personnel transport to the dredge. The anticipated equipment to be used for mining operations is provided as **Exhibit J**.

The Applicant initiated compensatory wetland mitigation in the Phase II Mitigation Area in July 2024 in compliance with USACE permit NWP-2013-378-2 and DSL permit 61355RP. The compensatory wetland mitigation plan approved by USACE and DSL is provided in **Exhibit K**. The Applicant will also implement other conditions of approval as described in CCZO 2016-9 prior to initiation of mining.

Prior to mining, visual berms will be constructed along the perimeter of the excavation (except the northern boundary where the Site adjoins the Bates Roth mine where mining will progress through the property boundary as shown in **Exhibit A, Figures 4 and 5**). The berms will be planted to protect against erosion. Chain link and silt fencing will be installed near the base of the visual berms to limit access to the Site and prevent erosion from leaving the Site as shown in **Exhibit A, Figures 4 and 5**.

Extraction setbacks will be a minimum of 50 feet from property boundaries and public rights-of-way. A larger setback of 200 feet will be maintained from existing residences or zoning districts which allow a residence as a permitted or conditional use unless written consent is obtained from the affected property owners. Due to the presence of riparian areas along the fringes of the Evans Slough and drainage ditches along the perimeter of the Site, slightly larger setbacks will be required consistent with DOGAMI permit requirements. The excavation setbacks will maintain a minimum of 50-feet from the ordinary high water (OHW) mark of the Evans Slough and the drainage ditches adjacent to the eastern and western property boundaries as shown in the DOGAMI Permit Area Map provided in **Exhibit E**.

It is anticipated that overburden removal and excavation will begin in the northeastern portion of the Site (Phase 5) adjacent to and south of the existing Bates Roth operation (**Exhibit A, Figures 4 and 5**). Overburden (typically fine grain silt) will be removed by mobile equipment and/or the dredge to access the aggregate. Overburden may be used for a variety of purposes, including use in upland areas, wetland mitigation areas, an approved disposal site, construction of visual or safety berms, or, if

deemed suitable, incorporation into planting areas. Excess overburden may also be cast or pumped back into the mining pond or used for other reclamation purposes.

Following overburden removal, the Site will be wet mined using the electric cutter/suction dredge or dragline crane to remove aggregate from below the shallow water table. The dredge will extract the aggregate from below the water table and pump the aggregate through floating piping to onshore equipment which transfers the aggregate to the existing conveyors for transport to the existing processing plant. When used, the dragline will place the aggregate into a stockpile where a front-end loader will load it into the onshore equipment and conveyor system for transport to the existing processing plant. If the dredge or dragline are not operational, standard excavators may be utilized for aggregate extraction until the equipment is operational. No groundwater or surface water will be discharged off-site from the mining operation and no aggregate processing will occur on site. The mining operation will be excavated to a final depth of approximately 160 feet below ground surface (bgs), or to an elevation of about -150 feet NGVD29. During mining operations, the perimeter of the excavation pond will be contoured with slopes as set forth in **Exhibit A, Figures 4 and 5**.

The excavated material will be conveyed to the existing Santosh processing facility located west of Honeyman Road, where the material will be processed for shipment to market. Approximately 76% of the mined product will be loaded onto barges for transportation to market. Barges will be loaded at the existing processing facility, travel about one mile through the existing Barge Canal to the Multnomah Channel, then to the Columbia River and the market. The remaining 24% of the gravel is anticipated to reach its destination by commercial, over the road trucks via Highway 30.

The Site will be mined over an approximately 12-year period, with the exact life of the operation determined by market demand. The Site will be reclaimed as an open water body following completion of mining operations (**Exhibit A, Figures 6 and 7**). The post mining land use is designated as fish and wildlife habitat with ponds consistent with CCZO 2016-9. The reclaimed ponds will be shaped to have irregular shorelines and underwater slopes designed in accordance with DOGAMI guidelines. The reclaimed slopes will be hydroseeded and planted with native trees for stabilization in consultation with federal, state, and/or local agencies and as shown in **Exhibit A, Figures 6 and 7**. Consistent with existing Bates Roth mining operation, stormwater will remain within the bermed areas on Site, and stormwater discharges will not be allowed to leave the permit boundary (**Exhibit A, Figure 8**).

Surface mining is exempt from the Columbia County Stormwater and Erosion Control Ordinance and thus an Erosion and Sediment Control Plan is not provided as part of the Site Design Review. However, the Applicant has obtained a DEQ 401 Water Quality Certification (**Exhibit G**) and is required to prepare an Erosion and Sediment Control Plan for submittal to DEQ prior to initiation of construction activities at the Site. Further, the Santosh processing area currently holds a DEQ WPCF-1000 permit (WPCF-1000, File No. 14700) regulating discharges of stormwater off site, which includes aggregate conveyances from the existing Bates Roth property to the processing area. The Applicant will continue to maintain the existing WPCF-1000 permit and coordinate with DOGAMI and DEQ to identify any additional permit requirements prior to initiation of mining.

### III. CCZO SECTION 1040 – SURFACE MINING

This section addresses the criteria outlined in Columbia County Zoning Ordinance Section 1040 (Surface Mining). The zoning ordinance compliance criteria (shown as *italicized text*) and the Applicant's narrative responses (shown as standard text) are provided below.

#### Section 1040 – Surface Mining

*[Amended by Ordinance 98-01, effective 6/29/98; Amd. Ordinance 2015-4, eff. 11-25-15].*

#### Section 1041 – Purpose

1041 Purpose:

- .1 *To provide for development and utilization of deposits of aggregate and resource materials.*
- .2 *To provide for the protection and utilization of these resources in a manner which does not conflict with other land uses.*
- .3 *To assure economy in handling and transportation costs by locating removal, processing, and storage activities in as close proximity to the point of end use as feasible.*

#### APPLICANT RESPONSE:

The Applicant submitted a PAPA application (PA-17-01) to allow aggregate mining at the Site and requested rezoning of the Site to a Surface Mining designation with Goal 5 protection (ZC 17-01). Columbia County approved the PAPA and zone change request as CCZO 2016-9 in December 2016 (Exhibit C and Exhibit D).

#### Section 1042 – Permitted Uses

1042 Permitted Uses:

*The following uses shall be permitted subject to compliance with Section 1044 and all other applicable rules, standards, or statutes governing such uses, including the Columbia County Comprehensive Plan, the Surface Mining and Land Reclamation Ordinance, the Zoning Ordinance of Columbia County, and Oregon Department of Environmental Quality rules governing sewage disposal, air, and water quality:*

- .1 *Removal, excavation, and processing of aggregate materials.*
- .2 *Equipment and structures, except residences, which are necessary or accessory to the operation of an aggregate site.*
- .3 *Storage of heavy equipment necessary for operation.*
- .4 *Agricultural practices.*
- .5 *Aggregate stockpiling.*
- .6 *Sedimentation ponds when used in conjunction with aggregate removal operations.*



- .7 *The managing, growing, processing and harvesting of timber and forest products, including the operation of accessory equipment used in the manufacturing, growing, and harvesting of forest products, as permitted in ORS 215.283(2)(i).*
- .8 *Concrete and asphalt batch plant on a temporary basis not to exceed 60 days.*

#### APPLICANT RESPONSE:

The Applicant proposes to use existing mining equipment to excavate and transport aggregate via an existing conveyor system to an existing processing facility for processing. Accessory mining activities will include removal and stockpiling of overburden, construction of visual berms, reclamation of disturbed areas, dust control and general maintenance. Typical operation of the Site will normally require use of an electric cutter/suction dredge and/or dragline crane, a water truck, front-end loaders, a grader, an excavator, a haul truck and a bulldozer. A service truck and an operations and maintenance boat will be used for general maintenance purposes and personnel transport to the dredge. The anticipated equipment is consistent with the existing Bates Roth mining operation and is provided in Exhibit J. The dragline and dredge will not normally operate at the same time.

#### Section 1043 – Conditional Uses

##### 1043 Conditional Uses:

*The following uses may be permitted if found in conformance with Section 1044 and Section 1503 of this Ordinance:*

- .1 *All permitted uses within the designated 100-year floodplain identified in Section 1042 (except item .2, if such uses are portable in nature; items .4 agricultural, and .7 forest uses) shall be reviewed by the Planning Commission to ensure floodplain requirements are met.*
- .2 *Sanitary landfill, landfill, or solid waste transfer station, except that sanitary landfill and solid waste transfer stations shall not be permitted within 10,000 feet of a runway of a public use airport.*
- .3 *Public or private parks and recreation areas may be permitted only in conjunction with reclamation of the site.*
- .4 *Buildings, structures, and uses of a public works, public service, or public utility nature when not necessary to the operation of an aggregate site.*
- .5 *Processing, as defined by ORS 517.750, of aggregate into asphalt or port/and cement.*
- .6 *Dwellings in conformance with ORS 215.283.*

#### APPLICANT RESPONSE:

The Applicant is not requesting approval of a Conditional Use. The Applicant submitted a PAPA (PA-17-01) to allow aggregate mining at the Site and requested rezoning the site to a Surface Mining designation with Goal 5 protection (ZC 17-01). Columbia County adopted the PAPA and zone change request as CCZO 2016-9 in December 2016.

## Section 1044 – Operating Standards

### 1044 Operating Standards:

*All mineral resource operations, either permitted or allowed by conditional use, shall conform to the following standards:*

- .1 The landowner and operator shall be jointly responsible for signing the application.*
- .2 The operator and landowner must remain in compliance with, and be responsible for all the requirements of affected agencies.*
- .3 Lot or parcel size: The minimum parcel size for a permitted or conditional use shall be 2 acres.*
- .4 Operating Setbacks: Each aggregate site within the district shall observe the following minimum setbacks:*
  - A. No extraction or removal of aggregate is permitted within 50 feet of the right-of-way of public roads or easements of private roads. 1044.4*
  - B. No extraction or removal of aggregate is permitted within 50 feet of another property, nor within 200 feet of a residence or zoning district which allows a residence as a permitted use, without written consent of the property owner(s).*
  - C. Processing equipment and batch plants shall not be operated within 50 feet of another property without written consent of the property owner(s). Processing equipment and batch plants shall not operate within 50 feet of a public road right-of-way.*
- .5 Operating Hours: Operation shall not start before 7:00 a.m., nor continue after 6:00 p.m. daily, except as authorized by Subsection 1046. The Department may exempt isolated aggregate sites from the established operating hours. Notice of the proposed change in operating hours must be provided to all property owners within a 1,000 foot radius of the aggregate site and to owners of property adjacent to private aggregate site access road. If no request for a public hearing is made within ten calendar days of mailing said notice, the operating hours shall be changed as requested by the aggregate operator. The Commission may, at anytime, require resumption of standard operating hours. If a request is made for a public hearing, adjustment of standard operating hours shall be determined by the County. The Department may approve one period of extended operation beyond the 7:00 a.m. to 6:00 p.m. operating hours once every six months, not to exceed a two week period.*
- .6 Visual Impacts: Existing trees and other natural vegetation adjacent to any public park, residential development, public road, or residential zoning district shall be preserved for a minimum width of 25 feet. Screening shall be provided at the boundary of the property on which the surface mining operation is located. If such trees and other vegetation are insufficient to provide a screen, such screening may be accomplished by one or more of the following:*

- A. *A sight-obscuring fence or wall;*
  - B. *A landscaped berm or preservation of a natural slope;*
  - C. *Use of native vegetation, or plants and trees with demonstrated ability to thrive under the anticipated conditions.*
- .7 *Access: The operation shall have access to a public road with two-way capacity. The County may impose weight/load restrictions and/or require the operator to residence off the property being mined.*
- .8 *Noise: Each aggregate site shall operate with the applicable noise standards required by the Department of Environmental Quality or other state or federal agencies.*
- .9 *Water Quality: All aggregate sites in the district shall be operated in a manner which will not create turbidity, cause siltation, deposit undesirable materials, or adversely affect water temperatures in any stream, drainage, or river. In addition, the operator shall not cause contamination of groundwater or change a stream channel unless the channel change has previously been approved by all applicable state and federal agencies. Provisions for settling ponds, diversion dikes, channels, and other structures may be required to protect these water resources.*
- .10 *Archeological Sites:*
- A. *Prior to excavation -All sites proposed for excavation shall be inventoried for their archaeological significance in accordance with standards set by the State Archaeologist. If an area proposed for excavation is found to contain an archaeological site(s), the Planning Commission shall hold a public hearing, in accordance with Section 1603, to review testimony regarding the site(s) and establish measures to mitigate potential conflicts as necessary. The State Archaeologist shall be notified of such public hearings.*
  - B. *During Excavation – If an archaeological site(s) is found during excavation, all work which would impact the site shall halt immediately and the requirements outlined in Section 1044.10A shall be met.*
- .11 *Erosion: The erosion of surfaces affected by mining activities shall be controlled by plantings of ground cover and other modes which protect these surfaces.*
- .12 *Slopes and Grading: Excavations, both above and below water level, shall be maintained in an operationally and environmentally safe condition by complying with standards established by the Oregon Safe Employment Act (ORS 654.001 to 654.295 and 654.991), the Oregon Safety and Health Act of 1970 (19 U.S.C.651 et.seq.), the Department of Geology and Mineral Industries, and the regulations of other affected agencies.*
- .13 *Land Reclamation: A land owner or operator of an aggregate site shall, in advance of any excavation of aggregate materials, prepare and submit a site reclamation plan in accord with the requirements of the Surface Mining and Land Reclamation Ordinance.*

*Reclamation must return the land to natural condition or return it to a state compatible with the livability, value, and appropriate development of the affected land and adjacent property. Reclamation shall begin within 12 months after mining activities cease on any segment of the area where mining has occurred and shall be completed within 3 years after mining activities cease. This does not apply to any land being used as plant site, stockpile, or work area for ongoing extracting mining operation.*

**APPLICANT RESPONSE:**

- (.1) The Applicant is the operator and the landowner, and understands that they will be required to jointly sign the application for a mining permit.
- (.2) The Applicant understands that the operator and landowner must remain in compliance with and be responsible for the requirements of affected agencies.
- (.3) The Site is approximately 130-acres which exceeds the minimum parcel size of 2 acres.
- (.4) Operating setbacks are shown in **Exhibit A, Figures 4 and 5**. Extraction setbacks will be a minimum of 50 feet from the right-of-way of public roads, easements of private roads (unless vacated) and other properties. Excavation setbacks will be a minimum of 50 feet from the Evans Slough and drainage ditches; and additional operating setbacks will be implemented where wetlands or riparian areas have been identified; including a minimum setback of 50 feet from the OHW mark as shown in **Exhibit A, Figures 4 and 5**. A 200-foot setback will be maintained along the southeast property boundary due to the presence of an existing or approved residence, unless written authorization from the property owner is obtained. The Applicant is not proposing any processing equipment, batch plants or manufacturing and fabricating plants to be present on the Site.

There are 10 easements associated with the Site that are recorded with the Columbia County Clerk's office as shown in the Trio Packet provided in **Exhibit M**. The Applicant is coordinating with the affected stakeholders (SDIC, PGE [currently operated by Columbia River PUD] and an adjacent landowner) to request vacation and/or relocation of the easements and is in the process of formalizing the required legal documentation. The Applicant understands that Columbia County and DOGAMI will not allow mining in an area with a conflicting land use such as an easement. As such, the Applicant will continue to work with the stakeholders, Columbia County, and DOGAMI to ensure all affected stakeholders have mutually agreed to the revised access to the Site prior to initiation of mining. Stakeholders will continue to have easement access until this process is completed and recorded with Columbia County Clerk's office.

The Bible College Operating and Reclamation Plan and permit boundary survey map on file with DOGAMI (**Exhibit E**) includes a 50-foot setback along the northern extraction area adjacent to the Bates Roth property. The proposed mining progression into the Bible College property from the Bates Roth property includes mining through this boundary. DOGAMI has communicated that it will require a permit amendment and updated permit boundary survey maps to allow the proposed mining progression. The Applicant will coordinate with DOGAMI to ensure that the required permit amendments and mining boundary surveys are completed prior to initiation of mining at the Site.

- (.5) Operating hours will be 7 a.m. through 6 p.m. Monday through Sunday. Requests for extended operating hours, as necessary, will be coordinated with Columbia County.

(.6) Trees and vegetation within 25 feet of a public road that provide adequate screening of the Site will be preserved as a visual buffer. Visual berms will be constructed around the perimeter of the Site and planted as depicted on **Exhibit A, Figures 4 and 5**.

(.7) The Site will continue to use the existing Bates Roth main access point on Honeyman Road as shown on **Exhibit A, Figure 2**. The main access point will provide access for all mining equipment, personnel transport, and maintenance equipment. An existing limited use access gate (cattle gate) is located in the northeast corner of the Bible College along North Honeyman Road (**Exhibit A, Figure 2**). The access point is currently used for property maintenance access to Bible College. The Applicant proposes to continue to maintain the gate as a maintenance use access point moving forward. No mining haul truck traffic will enter or exit through these gates. The Applicant will coordinate with the Columbia County Road Department to obtain an access permit and ensure the access points meet the Columbia County Specifications for Access Approach prior to initiation of mining.

The Applicant will install and maintain appropriate signage at the main entrance to the Santosh Facility located at 34885 N. Honeyman Road, Scappoose, Oregon 97056. The proposed signage location and emergency response point for Scappoose Rural Fire District (SFRD) is presented on **Exhibit A, Figure 2**. This location also meets the turnaround requirements for SFRD response vehicles. In the event of an emergency, the Applicant proposes to meet with the SFRD at this location to accompany/direct the SFRD to the appropriate response location.

(.8) A noise impacts analysis was prepared by CSTI Acoustics to evaluate the potential noise impacts from mining operations on the Bible College property (**Exhibit C**). The analysis was submitted as part of the PAPA application process to evaluate compliance with DEQ noise criteria outlined in OAR 340-35-035. The analysis utilized noise data provided by the dredge vendor and noise measurements collected at the Site. Where uncertainties were identified, worst case scenarios were used in noise calculations. The analysis concluded that noise from mining at the Site, even when equipment was the closest to identified noise receptors (residences), would be below applicable DEQ noise criteria, and that noise berms were not required.

(.9) A Groundwater and Surface Water Impacts Assessment was prepared by Golder Associates Inc. to evaluate the potential impacts of mining on the quality and quantity of groundwater and surface water in the vicinity of the Site. (**Exhibit C**). The report indicates that the Site and surrounding areas are located within the SDD, which is operated by the SDIC. The SDIC operates pumps, tide gates and surface ditches that collect, convey and ultimately discharge surface water and groundwater from the 5,000+ acre SDD to the Multnomah Channel (outside the SDD) to prevent flooding and provide water for agricultural operations within the SDD.

The Groundwater and Surface Water Impacts Assessment utilized over 15 years of groundwater and surface water elevation data collected from the Bates Roth mine under the existing groundwater monitoring program. The assessment concluded that existing groundwater wells in the impact area are not expected to experience water quality degradation due to the proposed mining, and groundwater quantity will be unaffected, as groundwater levels are anticipated to remain consistent with pre-mining groundwater levels. Turbidity in the mine ponds is anticipated to be naturally filtered by the gravel and sand deposits close to the edge of the pond excavation and is not expected to extend off site. Groundwater levels at the proposed mine site will reflect surrounding groundwater levels and will continue to respond to changes in adjacent river levels and SDIC pumping as they do in the existing Bates Roth mining area. The analysis concluded that no natural surface streams will be affected by the mining

plan, and the primary surface water body on or near the property (the Evans Slough or drainage ditches) will not be altered by the proposed mining. In summary, mining is not expected to perceptibly alter existing groundwater conditions or behavior. Additional considerations regarding changes to stream channels and wetland areas were evaluated as part of the Compensatory Wetland Mitigation Plan provided in **Exhibit K**.

Concerns for degradation of groundwater quality and increased water levels as a result of mining were raised as part of the Bates Roth permitting and land use process as well. The Applicant has conducted permit-required groundwater and surface water monitoring at the Bates Roth mining operation since at least 2001, which continues to indicate that water levels in the area have remained consistent since prior to the onset of mining. Hydrogeologic monitoring reports are submitted to the SDIC and USACE annually under USACE Permit 20030067. The Applicant will be required to implement additional groundwater and surface water monitoring requirements prior to mining at the Site, consistent with CCZO 2016-9 Condition 24.

Further, the Applicant was required to prepare a groundwater flow model as part of a USACE Section 408 evaluation completed in 2020. The Section 408 evaluation was required by USACE to assess whether mining operations had the potential to impact federally authorized levee infrastructure. Specifically, whether increased seepage due to mining operations would result in increased water levels in the vicinity of the mine, subsequently impacting flood fighting operations by the SDIC during flood events. The groundwater flow model compared the existing hydrologic conditions in the Bates Roth mine area during a design flood event on the Columbia River (comparable to the extreme 1876 flood event, which the levee was designed to withstand) to the proposed hydrologic conditions following the Bates Roth mine expansion to the Bible College property. Results of the groundwater flow model indicate that mining expansion and deepening of mine pit lakes is anticipated to provide increased storage capacity during periods of naturally occurring groundwater seepage to the SDD during high river stages and flood events. Decreased groundwater levels, overall decreased seepage to SDIC drainage ditches, and a slight reduction in flooding extents in the vicinity of the mine are also anticipated as a result of mine expansion. The report notes that groundwater seepage to the interior leveed area of the SDD, SDIC drainage ditches, and interior flooding of low-lying areas are anticipated in the SDD during flood events on the Columbia River (whether the mine ponds are present or not), especially those comparable to the magnitude of a design flood event.

Following review and revisions to the model made by USACE, SDIC, and SDIC consultants, USACE concluded that expansion of the Bates Roth mining operations was not anticipated to impact levee infrastructure and provided a No Alteration Determination as enclosed in **Exhibit F**.

(.10) Heritage Research Associates, Inc. (Heritage) prepared a Cultural Resource Survey to provide an assessment of the potential impacts to cultural resources at the Site (**Exhibit C**). The survey concluded that cultural resources are not known to be present at the Site, and that no cultural artifacts were identified during discovery probing excavations conducted on the Site. The survey concluded that no cultural resources will be affected by use of the property as an aggregate mining site. However, if archaeological resources, cultural artifacts, or historic sites are encountered through inadvertent discovery during excavation, excavation must cease and federal and state laws and regulations protecting cultural resources will apply to the Site. Further, the USACE Section 404 permit requires that an independent archaeological consultant be on site during initial overburden removal activities to evaluate the presence of cultural resources or artifacts in surficial soils.

(.11) A stormwater control plan is provided as **Exhibit A, Figure 8**. Consistent with operations on the Bates Roth site, the Applicant proposes to manage all stormwater on-site by directing stormwater into the excavation ponds via berms and pit sloping. Stormwater will not be allowed to discharge from the Site. Berms will be constructed and vegetated to enhance soil stability and prevent erosion as shown in **Exhibit A, Figures 4 through 7**. Further, the Applicant will install silt fencing around the perimeter visual berms to prevent erosion into undisturbed setback areas.

(.12) Pit slopes and grading during mining and reclamation will be maintained as shown in **Exhibit A**. Pit slope gradients will be constructed to provide slope stability, and the slopes of the pond excavation will be contoured during the excavation process rather than by deposition of fill material. Slopes will be 2:1 to 3:1 (horizontal to vertical) above the typical low surface water level, slopes of 3:1 (horizontal to vertical) from 6 feet below the typical low surface water level (~2-4 feet NGVD29), 1.5:1 from 6 feet below the water table to -75 feet NGVD29, and 1:1 (horizontal to vertical) from -75 feet NGVD29 to approximately -150 feet NGVD29 in accordance with details provided in the Grading and Mining Plan provided as **Exhibit A, Figures 4 and 5**. No changes to the pit sloping and grading of the mine ponds and berms have been made since approval of the DOGAMI Operating Permit 05-0084 provided in **Exhibit E**.

(.13) A Reclamation and Landscaping Plan is provided in **Exhibit A, Figures 6 and 7**. Applicant will initiate reclamation activities within the excavated areas within 12 months after mining activities cease.

## Section 1045 – Modification of Standards

### 1045 Modification of Standards:

*The above standards may be modified by the Planning Commission after public hearing and notification to property owners within 1,000 feet of the subject property and to owners adjacent to private aggregate site access roads. A Site Design Review for a Conditional Use in this zone may be processed concurrently with the Conditional Use Permit with a single hearing and a single fee which will be the higher of the 2 permit fees.*

### APPLICANT RESPONSE:

The Applicant has not requested any modification of standards in Section 1044.

## Section 1046 – Emergency Exceptions

### 1046 Emergency Exceptions:

*The Department may permit the immediate initiation of a temporary aggregate operation which ordinarily would require an approved Conditional Use Permit, if necessary in the event of a natural disaster and to prevent potentially serious damage to property or threat to human life. The Department may permit the initiation of such an aggregate operation only when affected state agencies have issued necessary permits and have attested to the urgency of the situation. The Department may adjust operation standards as contained in Section 1044 to ensure the protection of human life and property. An aggregate operation approved under this section shall cease once the threat to human life and property is no longer serious or imminent.*

**APPLICANT RESPONSE:**

The Applicant has not requested any emergency exceptions.



#### IV. CCZO SECTION 1450 – TRANSPORTATION IMPACTS ANALYSIS

This section addresses the criteria in Columbia County Zoning Ordinance Section 1450 (Transportation Impacts Analysis), The zoning ordinance compliance criteria (shown as *italicized text*) and the Applicant's narrative responses (shown as standard text) are provided below.

##### Section 1450 – Transportation Impacts Analysis

###### 1450 Transportation Impacts Analysis:

*Transportation Impact Analysis: A Transportation Impact Analysis (TIA) must be submitted with a land use application if the proposal is expected to involve one or more of the conditions in 1450.1 (below) in order to minimize impacts on and protect transportation facilities, consistent with Section 660-012-0045(2)(b) and (e) of the State Transportation Planning Rule.*

- .1 *Applicability – A TIA shall be required to be submitted to the County with a land use application if the proposal is expected to involve one (1) or more of the following:*
- A. *Changes in land use designation, or zoning designation that will generate more vehicle trip ends.*
  - B. *Projected increase in trip generation of 25 or more trips during either the AM or PM peak hour, or more than 400 daily trips.*
  - C. *Potential impacts to intersection operations.*
  - D. *Potential impacts to residential areas or local roadways, including any non-residential development that will generate traffic through a residential zone.*
  - E. *Potential impacts to pedestrian and bicycle routes, including, but not limited to school routes and multimodal roadway improvements identified in the TSP.*
  - F. *The location of an existing or proposed access driveway does not meet minimum spacing or sight distance requirements, or is located where vehicles entering or leaving the property are restricted, or such vehicles are likely to queue or hesitate at an approach or access connection, thereby creating a safety hazard.*
  - G. *A change in internal traffic patterns may cause safety concerns.*
  - H. *A TIA is required by ODOT pursuant with OAR 734-051.*
  - I. *Projected increase of five trips by vehicles exceeding 26,000-pound gross vehicle weight (13 tons) per day, or an increase in use of adjacent roadways by vehicles exceeding 26,000-pound gross vehicle weight (13 tons) by 10 percent.*

##### APPLICANT RESPONSE:

Kittelson and Associates, Inc. prepared a Transportation Impacts Analysis for the proposed expansion as part of the PAPA application in 2016 (Exhibit C). The requirements of Section 1450.1 were

addressed in the original Transportation Impacts Analysis and the Columbia County Board of Commissioners adopted Ordinance 2016-9 and approved the PAPA to change the comprehensive plan designation and zoning for the Site in December 2016.

During the Site Design Review pre-application meeting on May 22, 2024, engineers from the Columbia County Public Works Department requested that the Applicant review and update the existing Transportation Impacts Analysis. Kittelson Associates, Inc. and the Applicant coordinated with the engineers from the Columbia County Public Works Department and the City of Scappoose to identify the requirements for an updated Transportation Impacts Analysis.

The updated Transportation Impacts Analysis was completed in September 2024 and included the following updates as presented in **Exhibit L**:

- Incorporates current traffic volumes, crash history and operating conditions at the five intersections initially investigated in 2016 and two additional intersections requested by the County (Crown Zellerbach/West Land Road and Honeyman Road/Moore Road).
- Confirmation of the adequacy of the intersection sight distance calculations along Honeyman Road by determining the 85<sup>th</sup> percentile speed on Honeyman Road.
- Considers additional traffic volumes expected to be generated by the Scappoose Industrial Airpark.

The findings of the updated TIA include the following:

- The conclusions of the original TIA prepared in 2016 remain valid and indicate that the proposed expansion can be constructed while maintaining acceptable levels of service and safety on the surrounding transportation system.
- The intersections evaluated are operating within the Oregon Department of Transportation and Columbia County mobility targets. Additional safety treatments at the intersections at NE Crown Zellerbach Road / Scappoose Vernonia Highway / US-30 and W Lane Rd / N. Honeyman Rd are not a result of traffic generated at the Site.
- The intersection of N. Honeyman Road and Moore Road has a sight distance deficiency that should be addressed by the County and property owner. The sight distance deficiency is not a result of traffic generated at the Site.

.2 *Consistent with the County's Guidelines for Transportation Impact Analysis (TIA), a landowner or developer seeking to develop/redevelop property shall contact the County at the project's outset. The County will review existing transportation data to establish whether a TIA is required. It is the responsibility of the applicant to provide enough detailed information for the County to make a determination. An applicant should have the following prepared, preferably in writing:*

- A. *Type of uses within the development*
- B. *The size of the development*
- C. *The location of the development*
- D. *Proposed new accesses or roadways*

- E. *Estimated trip generation and source of data*
- F. *Proposed study area*

*If the County cannot properly evaluate a proposed development's impacts without a more detailed study, a TIA will be required. The County will provide a scoping summary detailing the study area and any special parameters or requirements, beyond the requirements set forth in the County's Guidelines for Transportation Impact Analysis, when preparing the TIA.*

#### **APPLICANT RESPONSE:**

The Applicant coordinated with the County to identify the requirements of a Transportation Impacts Analysis prior to submittal of the PAPA application in 2016 and prior to submittal of this Site Design Review application. The requirements of Section 1450.2 were addressed in the original and updated Transportation Impacts Analyses provided in **Exhibit C and Exhibit L**, and as discussed in the Applicant's response to Section 1450.1.

- .3 *Approval Criteria. When a TIA is required, a proposal is subject to the following criteria:*
  - A. *The TIA addresses the applicable elements identified by the County Public Works Director and the County's Guidelines for Transportation Impact Analysis;*
  - B. *The TIA demonstrates that adequate transportation facilities exist to serve the proposed development or, identifies mitigation measures that resolve identified traffic safety problems in a manner that is satisfactory to the County Public Works Director and, when state highway facilities are affected, to ODOT;*
  - C. *For affected non-highway facilities, the TIA establishes that mobility standards adopted by the County have been met; and*
  - D. *Proposed public improvements are designed and will be constructed consistent with County Road Standards and access spacing standards in the Transportation System Plan.*

#### **APPLICANT RESPONSE:**

- (A.) The original and updated TIAs (**Exhibit C and Exhibit L**) address the elements requested by the Columbia County Public Works Department and the County's Guidelines for Transportation Impacts Analysis.
- (B.) The original and updated TIAs suggest that adequate transportation facilities exist to serve the proposed expansion. Identified deficiencies are not a result of the proposed expansion.
- (C.) The original and updated TIAs indicate that the intersections evaluated operate acceptably per the Oregon Department of Transportation and County mobility standards.
- (D.) The original and updated TIAs do not recommend public improvements resulting from the proposed expansion.

.4 *Conditions of Approval.*

- A. *The County may deny, approve, or approve a proposal with conditions necessary to meet operational and safety standards; provide the necessary right-of-way for improvements; and to require construction of improvements to ensure consistency with the future planned transportation system.*
- B. *Construction of off-site improvements may be required to mitigate impacts resulting from development that relate to capacity deficiencies and public safety; and/or to upgrade or construct public facilities to County Standards.*

**APPLICANT RESPONSE:**

The original and updated TIAs (**Exhibit C and Exhibit L**) concluded that no additional on-site or off-site improvements were required as a result of the proposed expansion. Further, the analyses concluded that the proposed expansion would not create any potential conflicts to local roads under OAR 660-023-0180(5)(b)(B) and Columbia County Zoning Ordinance (CCZO) 1036(3)(B).

## V. CCZO SECTION 1550 – SITE DESIGN REVIEW

This section addresses the criteria outlined in Columbia County Zoning Ordinance Section 1550 (Site Design Review). The zoning ordinance compliance criteria (shown as *italicized text*) and the Applicant's narrative responses (shown as standard text) are provided below.

### Section 1550 – Site Design Review

*[Amended by Ordinance 98-9, eff. 11/25/98; amended by Ordinance No. 2003 - 5, effective December 15, 2003].*

*The Site Design Review process shall apply to all new development, redevelopment, expansion, or improvement of all community, governmental, institutional, commercial, industrial and multi-family residential (4 or more units) uses in the County.*

### Section 1551 – Types of Site Design Review

#### 1551. Types of Site Design Review:

- A. *Type 1: Projects, developments and building expansions which meet any of the following criteria:*
  - 1. *are less than 5,000 sq.ft., and are less than 10% of the square footage of an existing structure.*
  - 2. *Increase the number of dwelling units in a multi-family project.*
  - 3. *Increase the height of an existing building.*
  
- B. *Type 2: Projects, developments and building expansions which meet any of the following criteria:*
  - 1. *have an area of 5,000 sq.ft. or more, or are 10% or more of the square footage of an existing structure.*
  - 2. *Change the category of use (e.g., commercial to industrial, etc.).*
  - 3. *New off-site advertising signs or billboards.*
  - 4. *Any project meeting any of the Type 2 criteria shall be deemed a Type 2 Design Review application.*

#### APPLICANT RESPONSE:

The Applicant proposes an expansion of an existing aggregate mining facility at the Site. This project is subject to a Type 2 site design review process because it has an area of more than 5,000 square feet.

## Section 1552 – Design Review Process

*1552 Design Review Process: The Planning Director shall review and decide all Type 1 Site Design Review applications. The Planning Commission shall review all Type 2 Design Review applications. Applications shall be processed in accordance with Sections 1600 and 1700 of this ordinance.*

### APPLICANT RESPONSE:

This project is subject to a Type 2 site design review process. The Applicant requests that this application be reviewed at the next regularly scheduled Planning Commission meeting and in accordance with Sections 1600 and 1700 of the Columbia County Zoning Ordinance.

## Section 1553 – Pre-Application Conference

*1553 Pre-application Conference: A pre-application conference is required for all projects applying for a Site Design Review, unless the Director or his/her designate determines it is unnecessary. The submittal requirements for each application are as defined in this section and the standards of the applicable zone, and will be determined and explained to the applicant at the pre-application conference.*

### APPLICANT RESPONSE:

The Applicant attended a pre-application conference on May 22, 2024, and the submittal requirements were discussed during the meeting.

## Section 1554 – Pre-Application Conference Committee

*1554 Pre-application Conference Committee: The committee shall be appointed by the Planning Director and shall consist of at least the following officials, or their designated staff members. Only affected officials need to be present at each pre-application conference.*

- A. *The County Planning Director.*
- B. *The County Director of Public Works.*
- C. *The Fire Marshal of the appropriate Rural Fire District.*
- D. *The County Building Official.*
- E. *The County Sanitarian.*
- F. *A city representative, for projects inside Urban Growth Boundaries.*
- G. *Other appointees by the Planning Director, such as an Architect, Landscape Architect, real estate agent, appropriate officials, etc.*

**APPLICANT RESPONSE:**

The pre-application conference was attended by representative affected County officials. Tom Lowry, Wyatt Roseman, and Robert Hostettler were in attendance representing the Applicant. Jeremy Jones, a representative of Breakwater Geoscience, LLC, attended as a representative of the Applicant. Vaughn Balzer, a representative of DOGAMI, and Rachell Meyers, a representative of Scappoose Bay Watershed Council were also in attendance.

**Section 1555 – Submittal Documents**

*1555 Submittal documents: The following documents, when applicable, are required for a Site Design Review. The scope of the drawings and documents to be included will be determined at the pre-application conference by the Pre-application Conference Committee, and a Site Design Review Submittal Checklist will be given to the applicant, documenting which items are deemed not applicable or not necessary to determine compliance with County and State standards, with a short explanation given for each item so determined.*

- A. *History.*
- B. *Project narrative.*
- C. *Existing site plan.*
- D. *Proposed site plan.*
- E. *Grading plan.*
- F. *Drainage plan.*
- G. *Wetland mitigation plan. Goal 5 Resource Protection Plans (streams, wetlands, riparian areas, natural areas, fish and wildlife habitat).*
- H. *Landscaping plan.*
- I. *Architectural plans.*
- J. *Sign drawings.*
- K. *Access, parking and circulation plan.*
- L. *Impact assessment.*
- M. *Site Design Review Submittal Checklist.*

**APPLICANT RESPONSE:**

This application follows the PAPA for the Site approved by the Columbia County Board of Commissioners on December 21, 2016 (Ordinance 2016-9), enclosed as **Exhibit D**. Responses to the

above criteria are provided below:

- (A.) A detailed Site History is provided in **Section II**.
- (B.) A detailed Project Narrative is provided in **Section II** and the Site location is presented in **Exhibit A (Figure 1)**. **Exhibit B** presents the Columbia County tax assessor maps for the Site.
- (C.) An Existing Site Plan is enclosed as **Exhibit A (Figure 2)**.
- (D.) A Proposed Site Plan (Grading and Mining Plan) is enclosed as **Exhibit A (Figures 4 and 5)**.
- (E.) Existing conditions and proposed grading and mining plans are enclosed as **Exhibit A (Figures 2 through 5)**.
- (F.) A Stormwater Control Plan, which is the drainage plan, is provided as **Exhibit A (Figure 8)**. Stormwater management is in accordance with the requirements of Ordinance 2016-9, the existing Santosh WPCF-1000 permit, and the DEQ 401 Water Quality Certification. No discharge of stormwater is permitted to leave the site.
- (G.) The Compensatory Wetland Mitigation Proposal approved by DSL and USACE is attached as **Exhibit K**. Consistent with Condition 29 of CCZO 2016-9, the Applicant will develop a detailed plan for the post mining land use at the Site. The Site is to be reclaimed as Fish and Wildlife Habitat, and the plan will be developed in consultation with the Oregon Department of Fish and Wildlife; be integrated with the post-mining uses on the Applicant's adjacent mining properties and inter-connected with these properties by a system of trails.  
  
The Applicant proposes to review and submit a plan for County approval following Site Design Review. This will ensure that any changes arising from Site Design Review are able to be incorporated into the plan in consultation with the Oregon Department of Fish and Wildlife. The plan will be submitted for approval by the County prior to initiation of mining at the Site.
- (H.) Landscaping requirements are addressed in the Reclamation and Landscaping Plan provided as **Exhibit A (Figures 6 and 7)**.
- (I.) An Architectural Plan is not necessary for this application because the Applicant does not propose any buildings that require a building permit.
- (J.) Speed limit signs are addressed in the Grading and Mining Plan on **Exhibit A (Figures 4 and 5)**. The only signage required by Ordinance 2016-9 is for 10 mph speed limit signs for vehicles on the Site. Additional signage is also required at the site entrance per Scappoose Rural Fire District (SRFD) requirements. The Applicant will coordinate with SRFD to ensure all signage and emergency access requirements are met prior to the initiation of mining.
- (K.) All access, parking, and circulation elements are shown on the enclosed plans. Access to the Site will be limited to the Applicant's personnel and contractors and will occur via the existing Bates Roth access point, as indicated on **Exhibit A (Figure 2)**.



An existing limited use access gates is located in the northeast corner of the Bible College along North Honeyman Road (**Exhibit A, Figure 2**). The access point is currently used for maintenance access to Bible College. The Applicant proposes to continue to maintain the gate as a maintenance use access point moving forward. No mining haul truck traffic will enter or exit through this gate. The Applicant will coordinate with Columbia County Road Department to obtain an access permit and ensure the access point meets the Columbia County Specifications for Access Approach prior to initiation of mining.

No parking facilities or public use roads requiring a circulation plan will be located on Site.

- (L.) Impact assessments were completed for the PAPA application approved by the County in 2016 (CCZO-2016-9). The complete PAPA application, including all impact assessments, are provided in **Exhibit C**.
- (M.) A Site Design Review Submittal Checklist was requested by the Applicant during the pre-application meeting. A Submittal Checklist was not provided; however, Columbia County did provide the expectations for which Section of the CCZO were required to be addressed in the Site Design Review (Section 1040, 1450, 1550).

### **Section 1556 – Site Plan Submittal and Analysis**

*1556 Site Plan Submittal and Analysis: The applicant shall submit an application and any necessary supplemental information as required by this ordinance to the Land Development Services Department. The Planning Director or designate shall review the application and check its completeness and conformance with this ordinance. Once a Type 2 application is deemed complete, it shall be scheduled for the earliest possible hearing before the Planning Commission. A staff report shall be prepared and sent to the applicant, the Planning Commission, and any interested party requesting a copy.*

#### **APPLICANT RESPONSE:**

The Applicant is submitting this complete application for Site Design Review approval to the Land Development Services Department. This application contains site plans and other information to address the criteria of Section 1550. The Applicant requests that this Type 2 application be reviewed at a scheduled Planning Commission meeting and that a copy of the staff report be provided when available.

### **Section 1557 – Planning Director Review**

*1557 Planning Director Review: All Type 1 design review applications will be processed by the Planning Director or designate according to Sections 1601, 1602 and 1609 of this ordinance. If the Director determines that the proposed development meets the provisions of this ordinance, the director may approve the project and may attach any reasonable conditions.*

#### **APPLICANT RESPONSE:**

This project is not subject to the Type 1 Site Design Review process.

## Section 1558 – Planning Commission Review

*1558 Planning Commission Review: The Planning Commission shall hold a public hearing for all Type 2 Design Review applications according to Sections 1603, 1604 and 1608 of this ordinance. If the Planning Commission determines that the proposed development meets the provisions of this ordinance, it may approve the project. The Planning Commission may attach any reasonable conditions to its approval of a site plan.*

### APPLICANT RESPONSE:

This project is subject to a Type 2 Site Design Review process. This application will be subject to review and a public hearing, according to Sections 1603, 1604 and 1608.

## Section 1559 - Compliance

*1559 Compliance: Conditions placed upon the development of a site are also placed upon any building permits issued for the same site. These conditions shall be met by the developer prior to an occupancy permit being issued by the Building Official, or as an alternative, a bond shall be posted equal to 125% of the estimated cost of the unfinished work, to ensure completion within 1 year of occupancy. If all improvements are not completed within the 1-year bond period, the County may use the bond to complete the work.*

### APPLICANT RESPONSE:

The only structures that are proposed for the Site are overhead power lines, a substation, a portable motor control center (MCC) trailer, portable onshore transitioning equipment, and the portable mining conveyor. Based on the existing Bates Roth mining operation requirements, the Applicant does not believe that these structures require a building permit, and consequently, the Applicant is not requesting a building or occupancy permit. The Applicant understands that development of the Site is limited by the conditions of development approved in the final site plan(s).

## Section 1560 – Existing Site Plan

*1560 Existing Site Plan: The degree of detail in the existing site plan shall be appropriate to the scale of the proposal, or to special site features requiring careful design. An existing site plan shall include the following, unless it is determined by the Planning Director that the information is not applicable or is not necessary to determine compliance with County and State standards, and a short explanation will be given for each item so determined:*

- A. *A vicinity map showing location of the property in relation to adjacent properties, roads, pedestrianways and bikeways, and utility access. Site features, manmade or natural, which cross property boundaries are to be shown.*
- B. *A site description map at a suitable scale (i.e. 1"=100'; 1"=50'; or 1"=20') showing parcel boundaries and gross area, including the following elements, when applicable:*
  1. *Contour lines at the following minimum intervals:*
    - a. *2 foot intervals for slopes 0-20%;*
    - b. *5 or 10 foot intervals for slopes exceeding 20%;*

- c. *Identification of areas exceeding 35% slope.*
2. *In special areas, a detailed slope analysis may be required. Sources for slope analysis include maps located at the U.S. Natural Resources Conservation Service office.*
3. *Potential natural hazard areas, including potential flood or high ground water, landslide, erosion, and drainage ways. An engineering geologic study may be required.*
4. *Wetland areas, springs, wildlife habitat areas, wooded areas, and surface features such as mounds and large rock outcroppings.*
5. *Streams and stream corridors.*
6. *Location, species and size of existing trees proposed to be removed.*
7. *Significant noise sources.*
8. *Existing structures, improvements, utilities, easements and other development.*
9. *Adjacent property structures and/or uses.*

**APPLICANT RESPONSE:**

(A.) The Site Location and Vicinity Map, enclosed as **Exhibit A (Figure 1)**, shows the location of the Site in relation to adjacent properties and roads, as well as other relevant physical features such as water bodies. The tax assessor's maps, provided as **Exhibit B**, show the Site and its relationship to adjoining properties.

( B . )

1. The Existing Conditions Detail, enclosed as **Exhibit A (Figures 2 and 3)**, provides a scale of 1 inch = 500 feet and shows boundaries and gross area of the Site.
2. There are no special areas on the Site that would require detailed slope analysis.
3. There are no known areas of potential natural hazards on the Site. The Site is outside the Special Flood Hazard Area, in FEMA Zone X, with groundwater and surface water levels maintained by the USACE levee system and the SDIC.
4. Existing wetland areas identified on the Site are shown on **Exhibit A (Figures 2 and 3)**. Wetland mitigation is addressed in the Compensatory Wetland Mitigation Proposal attached as **Exhibit K**. No wildlife habitat areas are known to exist on the Site consistent with the Goal 5 Natural Resources Assessment provided in **Exhibit C**.
5. No streams or stream corridors exist on the Site. Remnant private irrigation/drainage ditches are present on Site. The Evans Slough and drainage ditches are located adjacent to the Site boundary. The Existing Conditions map is provided as **Exhibit A (Figures 2 and 3)**.

6. The Site has been extensively disturbed for historical agricultural purposes. Existing trees in the extraction area are small and sparsely located along the former agricultural ditches. Various mature species exist in the undisturbed setback area along the perimeter of the Site which will be left in place. Blackberries and other vegetation are persistent throughout the Site and will continue to be managed.
7. There are no significant noise sources existing on the Site.
8. Existing structures include remnant irrigation delivery ditches (no longer in use) and power lines along the perimeter of the Site. The existing power lines will remain in place except for the power lines to the Hoven Pump, which will be decommissioned. NWAC may remove the other existing power lines in coordination with Columbia County PUD if they are deemed to not be required for Site operations.
9. Off-site structures on adjacent properties and residences are shown on the Existing Site Plan in **Exhibit A (Figures 2 and 3)**.

### Section 1561 – Proposed Site Plan

*1560 Proposed Site Plan: A complete application for design review shall be submitted, including the following plans, which may be combined, as appropriate, onto one or more drawings, unless it is determined by the Planning Director that the information is not applicable or is not necessary to determine compliance with County and State standards, and a short explanation will be given for each item so determined:*

- A. *Site Plan: The site plan shall be drawn at a suitable scale (i.e. 1"=100', 1"=50', or 1"=20') and shall include the following:*
  1. *The applicant's entire property and the surrounding area to a distance sufficient to determine the relationships between the applicant's property and proposed development and adjacent properties and developments.*
  2. *Boundary lines and dimensions of the property and all proposed property lines. Future buildings in phased development shall be indicated.*
  3. *Identification information, including names and addresses of project designers.*
  4. *Natural features which will be utilized in the site plan.*
  5. *Location, dimensions and names of all existing or platted roads or other public ways, easements, and railroad rights-of-way on or adjacent to the property, city limits, section lines and corners, and monuments.*
  6. *Location and dimensions of all existing structures, improvements, or utilities to remain, and structures to be removed, all drawn to scale.*
  7. *Historic structures, as designated in the Comprehensive Plan.*
  8. *Approximate location and size of storm water retention or detention facilities and storm drains.*

9. *Location and exterior dimensions of all proposed structures and impervious surfaces.*
  10. *Location and dimension of parking and loading areas. pedestrian and bicycle circulation, and related access ways. Individual parking spaces shall be shown.*
  11. *Orientation of structures, showing entrances and exits.*
  12. *All exterior lighting, showing type, height, wattage, and hours of use.*
  13. *Drainage, Stormwater and Erosion Control, including possible adverse effects on adjacent lands.*
  14. *Service areas for waste disposal and recycling.*
  15. *Noise sources, with estimated hours of operation and decibel levels at the property boundaries.*
  16. *Goal 5 Resource Protection Plans. Indicate how project will protect streams, wetlands, riparian areas, natural areas, and fish and wildlife habitat from negative impacts.*
  17. *A landscaping plan which includes, if applicable:*
    - a. *Location and height of fences, buffers, and screening;*
    - b. *Location of terraces, decks, shelters, play areas, and common open spaces;*
    - c. *Location, type, size, and species of existing and proposed shrubs and trees; and*
    - d. *A narrative which addresses soil conditions and erosion control measures.*
- B. Grading Plans:** *A preliminary grading plan indicating where and to what extent grading will take place, including general contour lines, slope ratios, slope stabilization proposals, and natural resource protection proposals.*
- C. Architectural Drawings:**
1. *Building elevations and sections;*
  2. *Building materials (color and type);*
  3. *Floor plan.*
- D. Signs:** *(see also Zoning Ordinance Section 1300)*
1. *Freestanding sign:*
    - a. *Location of sign on site plan;*
    - b. *Elevation of sign (indicate size, total height, height between bottom of sign and ground, color, materials, and means of illumination).*
  2. *On-Building Sign:*
    - a. *Building elevation with location of sign (indicate size, color, materials and means of illumination);*
    - b. *Plot plan showing location of signs on building in relation to adjoining property.*

**APPLICANT RESPONSE:**

(A.)

1. The Grading and Mining Plan encompasses the entire property and surrounding areas as shown on **Exhibit A (Figures 4 and 5)**. The scale is 1" = 500'. Adjacent properties and developments are shown in **Exhibit A**.
2. Boundary lines and dimensions of the Site are provided in **Exhibit A (Figures 3 and 4)**. No new buildings are proposed for the project.
3. The project consultant identification is provided in the proposed site plan in **Exhibit A** and as provided in technical documentation provided throughout the application.
4. Natural features utilized in the proposed site plan include undisturbed excavation setback areas as shown in the Grading and Mining Plan in **Exhibit A (Figures 4 and 5)**.
5. Existing roads and Site features are presented in **Exhibit A (Figures 2 through 5)**. Easements are present on the Site and the Applicant has contacted the stakeholders to address vacation or relocation of the easements (**Exhibit M**). Applicant understands that easements must be vacated prior to initiation of mining at the Site.
6. No existing building structures or underground utilities are known to be present on the Site. Remnant agricultural ditches and overhead power lines to remain or be removed are presented in **Exhibit A (Figures 2 through 5)**.
7. No historic structures are known to be present on the Site.
8. No stormwater retention or detention facilities are proposed for the Site. No storm drains connecting to the City of Scappoose stormwater drainage system are present on the Site. Per Condition 13 of Ordinance 2016-9, stormwater is not allowed to be discharged off site.
9. No new structures or impervious surfaces are proposed for the project.
10. No parking areas or public access ways are proposed for the project. Routine access to the Site for maintenance vehicles and personnel will be through the existing Bates Roth access point on Honeyman Road as shown on **Exhibit A (Figures 2 and 5)**. An additional maintenance gate, to be used for occasional maintenance activities is also located on Honeyman Road as shown on **Exhibit A (Figures 3 and 4)**. All access roads will be surfaced with gravel and watered to control dust. The Applicant will work with the Columbia County Road Department to obtain an access permit and ensure access points comply with Columbia County Specifications for Access Approach prior to initiation of mining.
11. No new structures are proposed for the project.
12. Exterior lighting will be limited to mining conveyor equipment and mining equipment and will be shielded.

13. On-site drainage will be directed towards the excavation area by grading and kept on-site by site grading and berms. Silt fencing will be installed around the perimeter of the berms as shown in **Exhibit A (Figures 4 and 5)**. No stormwater is allowed to discharge off site.
  14. No services areas for waste disposal and recycling are proposed for the Site. Service areas are located at the existing Santosh office area and processing facility.
  15. Impacts from noise sources were evaluated in the PAPA (**Exhibit C**). No additional noise berms or other mitigation were identified in relation to the proposed expansion. Condition 17 of Ordinance 2016-9 requires that operations comply with the applicable noise standards of the Department of Environmental Quality. Potential noise sources include the items on the Equipment List in **Exhibit E**. Per Condition 11 of Ordinance 2016-9, hours of operation will be 7:00 am to 6:00 PM Monday through Sunday, including maintenance of and work of mining equipment which creates any off-site noise.
  16. A Goal 5 Natural Resources Assessment was prepared by Golder Associates Inc. and submitted as part of the PAPA (**Exhibit C**). The assessment did not identify any conflicts with inventoried Goal 5 Natural Resources related to the proposed expansion.
  17. Reclamation and Landscaping plans are provided in **Exhibit A (Figures 6 and 7)**, including the location of visual buffer berms and planting requirements proposed between mining activities and adjacent uses in accordance with Condition 3 of Ordinance 2016-9.
- (B.) Existing and proposed Site grading is shown on **Exhibit A (Figures 2 through 7)**. Figures 2 through 5 illustrate the existing contours, proposed contours (i.e., mine pond sloping), slope ratios, and slope stabilization measures. Proposed reclamation contouring is provided in Figures 6 and 7. Natural resource protection is addressed in detail in the December 21, 2016, PAPA approval. Overburden may be used for a variety of purposes, including use in upland areas, reclaiming Applicant's existing mine pits, approved disposal sites, construction of berms, wetland mitigation, or if suitable, incorporation into planting areas.
- (C.) No architectural drawings are necessary for this application because the Applicant does not propose any buildings on the Site.
- (D.) Condition 6 of Ordinance 2016-9 requires posting of 10 mph speed limit signs for vehicles on the Site. The location and details of these signs are shown on **Exhibit A (Figures 4 and 5)**. Proposed signage locations for the SRFD are shown on **Exhibit A (Figures 2 through 7)**.

## Section 1562 – Landscaping: Buffering, Screening and Fencing

### 1562 *Landscaping: Buffering, Screening and Fencing:*

#### A. *General Provisions*

1. *Existing plant materials on a site shall be protected to prevent erosion. Existing trees and shrubs may be used to meet landscaping requirements if no cutting or filling takes place within the dripline of the trees or shrubs.*

2. *All wooded areas, significant clumps or groves of trees, and specimen conifers, oaks or other large deciduous trees, shall be preserved or replaced by new plantings of similar size or character.*

**B. Buffering Requirements:**

1. *Buffering and/or screening are required to reduce the impacts on adjacent uses which are of a different type. When different uses are separated by a right of way, buffering, but not screening, may be required.*
2. *A buffer consists of an area within a required setback adjacent to a property line, having a width of up to 10 feet, except where the Planning Commission requires a greater width, and a length equal to the length of the property line adjacent to the abutting use or uses.*
3. *Buffer areas shall be limited to utilities, screening, pedestrian and bicycle paths, and landscaping. No buildings, roads, or parking areas shall be allowed in a buffer area.*
4. *The minimum improvements within a buffer area shall include:*
  - a. *One row of trees, or groupings of trees equivalent to one row of trees. At the time of planting, these trees shall not be less than 10 feet high for deciduous trees and 5 feet high for evergreen trees, measured from the ground to the top of the tree after planting. Spacing of trees at maturity shall be sufficient to provide a year-round buffer.*
  - b. *In addition, at least one 5-gallon shrub shall be planted for each 100 square feet of required buffer area.*
  - c. *The remaining area shall be planted in grass or ground cover, or spread with bark mulch or other appropriate ground cover (e.g. round rock). Pedestrian and bicycle paths are permitted in buffer areas.*

**C. Screening Requirements:**

1. *Where screening is required, the following standards shall apply in addition to those required for buffering.*
  - a. *A hedge of evergreen shrubs shall be planted which will form a four-foot high continuous screen within two years of planting; or,*
  - b. *An earthen berm planted with evergreen plant materials shall be provided which will form a continuous screen six feet in height within two years. The unplanted portion of the berm shall be planted in lawn, ground cover or bark mulch; or,*
  - c. *A five foot or taller fence or wall shall be constructed to provide a continuous sight obscuring screen. Fences and walls shall be constructed of any materials commonly used in the construction of fences and walls such as wood, brick, or other materials approved by the Director. Corrugated metal is not an acceptable fencing material. Chain link fences with slats may be used if combined with a continuous evergreen hedge.*
2. *When the new use is downhill from the adjoining zone or use being protected, the prescribed heights of required fences, walls, or landscape screening along the*



*common property line shall be measured from the actual grade of the adjoining property at the common property line. This requirement may be waived by the adjacent property owner.*

3. *If four or more off-street parking spaces are required, off-street parking adjacent to a public road shall provide a minimum of four square feet of landscaping for each lineal foot of street frontage. Such landscaping shall consist of landscaped berms or shrubbery at least 4 feet in total height at maturity. Additionally, one tree shall be provided for each 50 lineal feet of street frontage or fraction thereof.*
4. *Landscaped parking areas may include special design features such as landscaped berms, decorative walls, and raised planters.*
5. *Loading areas, outside storage, and service facilities must be screened from adjoining properties.*

**D. Fences and Walls:**

1. *Fences, walls or combinations of earthen berms and fences or walls up to four feet in height may be constructed within a required front yard. Rear and side yard fences, or berm/fence combinations behind the required front yard setback may be up to six feet in height.*
2. *The prescribed heights of required fences, walls, or landscaping shall be measured from the lowest of the adjoining levels of finished grade.*
3. *Fences and walls shall be constructed of any materials commonly used in the construction of fences and walls such as wood, brick, or other materials approved by the Director. Corrugated metal is not an acceptable fencing material. Chain link fences with slats may be used if combined with a continuous evergreen hedge.*
4. *Re-vegetation: Where natural vegetation or topsoil has been removed in areas not occupied by structures or landscaping, such areas shall be replanted to prevent erosion*

**APPLICANT RESPONSE:**

In lieu of the buffering requirements stated above, the Applicant will construct a six-foot high visual berm around the perimeter of the Site as shown on **Exhibit A (Figures 4 and 5)**. This approach is consistent with the existing Bates Roth mining area and Condition 3 of Ordinance 2016-9. A six-foot tall cyclone fence and silt fencing will also be installed around the perimeter of the active mining areas. The berms will be initially seeded with a tall fescue and ryegrass seed mixture. During reclamation, the berms will be graded and planted as shown in **Exhibit A (Figures 6 and 7)**.

**Section 1563 – Standards for Approval**

**1563 Standards for Approval**

*The Planning Commission or Director shall make a finding with respect to each of the following criteria when approving, approving with conditions, or denying an application:*

- A. *Flood Hazard Areas: See CCZO §1100, Flood Hazard Overlay Zone. All development in Flood Hazard Areas must comply with State and Federal Guidelines.*
- B. *Wetlands and Riparian Areas: Alteration of wetlands and riparian areas shall be in compliance with State and Federal laws.*
- C. *Natural Areas and Features: To the greatest practical extent possible, natural areas and features of the site shall be preserved.*
- D. *Historic and Cultural sites and structures: All historic and culturally significant sites and structures identified in the Comprehensive Plan, or identified for inclusion in the County Periodic Review, shall be protected if they still exist.*
- E. *Lighting: All outdoor lights shall be shielded so as to not shine directly on adjacent properties and roads.*
- F. *Energy Conservation: Buildings should be oriented to take advantage of natural energy saving elements such as the sun, landscaping and landforms.*
- G. *Transportation Facilities: Off-site auto and pedestrian facilities may be required by the Planning Commission, Planning Director or Public Works Director consistent with the Columbia County Road Standards and the Columbia County Transportation Systems Plan.*

**APPLICANT RESPONSE:**

- (A.) The Site is located outside of the Special Flood Hazard Area (1% or 100-year flood zone) in Zone X. A FEMA floodplain map is provided in Figure 3 of the Groundwater and Surface Water Impacts Analysis provided in **Exhibit C**.
- (B.) Impacts to wetlands and riparian areas will be mitigated under the DSL and USACE Section 404 permits and in accordance with the Compensatory Wetland Mitigation Proposal provided in **Exhibits H, I, and K**, respectively.
- (C.) There are no significant natural areas or features on the Site.
- (D.) A historical and cultural resources survey was conducted on the Site as part of the PAPA (**Exhibit C**). No historical or cultural resources were identified on the Site; however, consistent with Condition 16 of Ordinance 2016-9, Applicant will follow the inadvertent discovery plan and cease all excavation and contact the State Historic Preservation Office (SHPO) if cultural resources are discovered on the Site. The Cultural Resources Survey is provided in **Exhibit C**.
- (E.) The only permanent outdoor lighting will be at the mining conveyor transfer points, and this lighting will be shielded. Shielded lighting will also be on mobile equipment.
- (F.) The only proposed structures on the Site are overhead power lines, a substation, a portable MCC trailer, portable onshore transitioning equipment, and the portable mining conveyor.
- (G.) No parking areas or public access ways are proposed for the project. Routine access to the Site for maintenance vehicles and personnel will be through the existing Bates Roth access point

on Honeyman Road site as shown on **Exhibit A (Figures 2 through 7)**. An additional access gate, to be used for occasional maintenance activities (no haul trucks) is also located on Honeyman Road as shown on **Exhibit A (Figures 2 through 7)**. All access roads will be surfaced with gravel and watered to control dust. The Applicant with work with the Columbia County Road Department to obtain an access permit and ensure access points to comply with Columbia County Specifications for Access Approach prior to initiation of mining.

## Section 1564 - Final Site Plan Approval

### 1564 Final Site Plan Approval

*If the Planning Director or Planning Commission approves a preliminary site plan, the applicant shall finalize all the site drawings and submit them to the Director for review. If the Director finds the final site plan conforms with the preliminary site plan, as approved by the Director or Planning Commission, the Director shall give approval to the final site plan. Minor differences between the preliminary site plan and the final site plan may be approved by the Director. These plans shall be attached to the building permit application and shall become a part of that permit.*

#### APPLICANT RESPONSE:

The Applicant understands the final site plan(s) must include any changes to the preliminary site plan(s) that have been approved by the Planning Director or Planning Commission. A final site plan will be submitted to the Director for review and approval once the Director and/or Planning Commission conditions have been determined.

## VI. CONCLUSION

This application meets the applicable standards required for approval of Site Design Review. The project complies with the applicable standards of the Columbia County Zoning Ordinance Sections 1040, 1450, and 1550 as presented herein, and the Applicant respectfully requests Site Design Review approval by the County.