

Jack Niedermeyer

From: jeremy jones <jjones@breakwatergeoscience.com>
Sent: Wednesday, March 5, 2025 1:34 PM
To: Jack Niedermeyer
Cc: Debbie Murphey; wroseman@calportland.com; Thomas Lowry; Robert Hostettler
Subject: Bates Roth Expansion - Substation
Attachments: Bates Roth_Substation.jpg

Follow Up Flag: Follow up
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Hi Jack - thanks for taking my call last week regarding the substation. As discussed, the proposed substation for the expansion area is the same portable substation already in use on the existing Bates Roth site (photo attached for your records). The portable substation provides power to the electric dredge and moving it may not be required for several years dependent on mining progression. As mining progresses into the expansion area, NWAC will hire an electrical subcontractor and work with the County to obtain the necessary permits for moving the portable substation. The location of the new portable substation location will be provided on an updated Operating and Reclamation plan for submittal to the County.

Please let us know if you have any additional questions or would like to discuss.

Thanks,

Jeremy Jones, RG
Principal Geologist
Breakwater Geoscience, LLC
Portland, Oregon | 503.799.1927

breakwater

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From: [Debbie Murphey](#)
To: [Jack Niedermeyer](#); [Suzie Dahl](#)
Cc: [Amy Herzog](#); [jeremy jones](#)
Subject: RE: DR 25-03: Bates Roth Expansion
Date: Tuesday, January 28, 2025 2:47:05 PM
Attachments: [image001.png](#)

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Jack,

Thank you very much for the email and phone call. As discussed, NWA is requesting an extension of the time frame, to accommodate the County's workload, of 60 days.

We do hope a special setting is possible for the 17th of March as discussed. I have cleared the date with NWA personnel and hope you are able to establish that date with the County as well.

Best regards,

Debbie Murphey

Associate General Northwest Aggregates Co.

626-852-6293 (office)

dmurphey@calportland.com

From: Jack Niedermeyer <Jack.Niedermeyer@columbiacountyor.gov>

Sent: Friday, January 24, 2025 9:02 AM

To: Debbie Murphey <dmurphey@calportland.com>; Suzie Dahl <Suzie.Dahl@columbiacountyor.gov>

Cc: Amy Herzog <Amy.Herzog@columbiacountyor.gov>; jeremy jones <jjones@breakwatergeoscience.com>

Subject: RE: DR 25-03: Bates Roth Expansion

Hi Debbie,

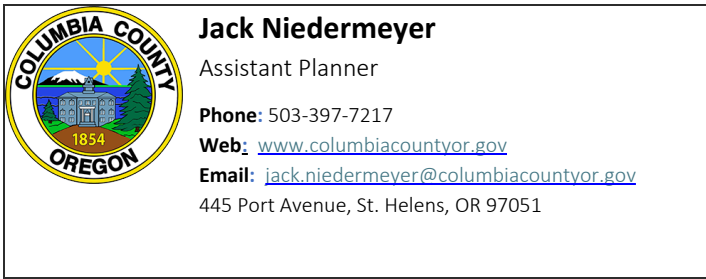
Thank you for your response and expressing NWA's willingness to accommodate our current workload constraints. While we appreciate your response, ORS 215.427(5) states that the period in which the County is required to take final action, as established by ORS 215.427(1), can be extended for a **specified period of time upon the written request of the applicant**. With that being said, we kindly ask that you outline **the specific number of days** NWA is requesting to extend the period by, as the statute requires that extensions be for a specific period. Additionally, while a 60-day extension would be ideal, a 30-day extension would be sufficient for the immediate hearing on March 3rd, with the understanding that we can process

additional extensions if needed. A clarifying email identifying the requested extension period is sufficient.

Please let us know how you would like to proceed, and don't hesitate to reach out if you have any questions!

Best,

Jack Niedermeyer



From: Debbie Murphey <dmurphey@calportland.com>

Sent: Thursday, January 23, 2025 2:13 PM

To: Jack Niedermeyer <Jack.Niedermeyer@columbiacountyor.gov>; Suzie Dahl <Suzie.Dahl@columbiacountyor.gov>

Cc: Amy Herzog <Amy.Herzog@columbiacountyor.gov>; jeremy jones <jjones@breakwatergeoscience.com>

Subject: FW: DR 25-03: Bates Roth Expansion

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Jack and Suzie,

Thank you for the outreach. I received the email below on behalf of Northwest Aggregates Co (NWA). We sincerely appreciate the confirmation that the County is proceeding as quickly as it can on the review of our application. As I have indicated in voice messages to each of you, NWA has no intention of forcing an action within the

regulatory timeframe and has no objection to extending the time to act or having the matter on the March Planning Commission agenda. I am concerned, however, with my reading of the regulations as requiring an agreed upon time frame or there being a dispute requiring mediation. I am certainly not aware of any dispute (needing mediation or otherwise) and the proposed waiver does not have a time frame. We are perfectly amenable to a 30 to 60 day extension/waiver of the 120 and 150 day time frames and you may accept this email as confirmation of that waiver/extension. Please advise if you need anything else at this time or if this does not address the issues.

Best regards,

Debbie Murphey

Associate General Northwest Aggregates Co.

626-852-6293 (office)

dmurphey@calportland.com

From: Jack Niedermeyer <Jack.Niedermeyer@columbiacountyor.gov>

Sent: Thursday, January 23, 2025 12:52 PM

To: jeremy jones <jjones@breakwatergeoscience.com>

Cc: Suzie Dahl <Suzie.Dahl@columbiacountyor.gov>; Amy Herzog <Amy.Herzog@columbiacountyor.gov>

Subject: RE: DR 25-03: Bates Roth Expansion

Hi Jeremy,

As we have discussed over the phone, under the current timeline, we cannot schedule or send notice of your application for the March 3rd Planning Commission meeting until the applicant signs and submits the attached waiver of 120-day rule, which allows us to continue to process the application beyond the required decision/appeal period. More specifically, the 120-day period ends on 3/14/2025, with a 12-day required appeal period that begins the date the decision is noticed. Even if the application was noticed for approval on the date of the hearing (and if it is approved), the appeal period would conclude on 3/15/2025 – one day after the (3/14/2025) decision/appeal window concludes.

I understand that there was some confusion regarding what exactly the 120-day waiver entails and whether or not this would allow the County to push review of the application to an unspecified date.

I can assure you that we are looking to process, conduct review, schedule your application before the Planning Commission as soon as possible. Unfortunately, as we are short staffed this month – the earliest PC date has been pushed to the meeting on March 3rd.

Please let me know if you or the applicant have any questions.

Best,

Jack Niedermeyer



Jack Niedermeyer

Assistant Planner

Phone: 503-397-7217

Web: www.columbiacountyor.gov

Email: jack.niedermeyer@columbiacountyor.gov

445 Port Avenue, St. Helens, OR 97051

From: Jack Niedermeyer

Sent: Monday, January 6, 2025 3:25 PM

To: jeremy jones <jjones@breakwatergeoscience.com>

Cc: Suzie Dahl <Suzie.Dahl@columbiacountyor.gov>; Amy Herzog <Amy.Herzog@columbiacountyor.gov>

Subject: DR 25-03: Bates Roth Expansion

Hi Jeremy,

I am reaching out to inform you that, due to unforeseen circumstances, we will need to reschedule your application from the Planning Commission meeting on 2/3/2025 to the meeting on 3/3/2025. Our planning manager and senior planner are out until the end of the month, which has left me as the sole planner managing our current workload. Additionally, we are recommending that the two applications originally scheduled for the 1/6/2025 be continued to future meeting dates, which is causing a necessary adjustment to the overall schedule.

While we regret any inconvenience this change may cause, we believe this adjustment will allow staff to provide a more thorough and thoughtful analysis of your application before being presented to the Planning Commission.

That being said, there is a required 120-day review period that begins on the date an application is deemed complete. Within this timeframe, the application must be reviewed, a decision issued, and the appeal period concluded. As the expiration date for your application is 3/14/2025, and the required appeal period is 12 days, we kindly ask that you complete and return the attached "Waiver of 120-Day Rule." This will allow us to continue processing your application beyond the deadline and ensure a thorough and complete review. Please let me know if you have any questions.

Best,

Jack Niedermeyer



Jack Niedermeyer

Assistant Planner

Phone: 503-397-7217

Web: www.columbiacountyor.gov

Email: jack.niedermeyer@columbiacountyor.gov

445 Port Avenue, St. Helens, OR 97051