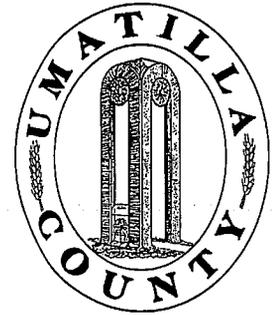


Umatilla County

Department of Land Use Planning



AGENDA

Umatilla County Planning Commission
Public Hearing
Thursday, April 24, 2014, 5:00 p.m.
Justice Center Media Room
Pendleton, OR

Members of Planning Commission

Randy Randall, Chair
Gary Rhinhart, Vice-Chair
John Standley
Tammie Williams
Don Wysocki
David Lee
Don Marlatt
Suni Danforth
Cecil Thorne

Members of Planning Staff

Tamra Mabbott, Planning Director
Carol Johnson, Senior Planner
Shane Finck, Planner

1. Call to Order

2. Approval of Minutes:

Minutes from March 27, 2014

3. Continued Hearing:

COMPREHENSIVE PLAN AMENDMENT #T-14-052 AND ZONE MAP AMENDMENT #Z-300-14.
A & B Asphalt, Applicant. The applicant requests approval to establish a Goal 5 Large Significant Site to the Rock Material Resources Inventory of the Comprehensive Plan and to apply the Aggregate Resources Overlay Zone to the Site. The Amendment will add 33.26 acres to the aggregate inventory. The subject parcel is 286 acres in size and is located east of the Walla Walla River Road, approximately ¼ mile from the City of Milton Freewater. Property is defined as tax lot 200 of Assessor's Map 5N 36 07. The property is zoned Exclusive Farm Use.

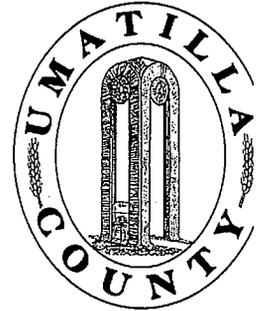
4. Adjourn.

Next Scheduled Meeting:

Thursday, May 22, 2014, 6:30 p.m., Justice Center Media Room, Pendleton, OR

Umatilla County

Department of Land Use Planning



DIRECTOR
TAMRA
MABBOTT

April 17, 2014

LAND USE
PLANNING,
ZONING AND
PERMITTING

Memo

TO: Planning Commission
FROM: Tamra Mabbott *Tamra*
RE: A & B Asphalt - Continued Hearing

CODE
ENFORCEMENT

This month your hearing will begin earlier than usual, at 5:00 pm, as you requested. We will have snacks and beverages.

SOLID WASTE
COMMITTEE

SMOKE
MANAGEMENT

We will provide an updated exhibit list and mail new materials to you if there is adequate time. Otherwise, we will present the new exhibits at the hearing.

GIS AND
MAPPING

County Counsel Doug Olsen will be at the hearing from 5:00 to 6:00 to answer any legal questions you have. If you know your questions in advance please let me know so I can forward to Doug.

RURAL
ADDRESSING

LIAISON,
NATURAL
RESOURCES &
ENVIRONMENT

Enclosed in your packet is an updated exhibit list along with new documents that have been submitted since the March 27th hearing. We expect to receive a large volume of exhibits between today, Thursday, April 17th and the hearing, as well as during the hearing.

After last month's hearing several Commission members asked if they could receive materials prior to the hearing in order to have adequate time to review. On behalf of Chair Randall I sent a request to the three attorneys involved and asked them to submit new materials early so that we could include them in your packets. One attorney met that deadline.

Since the hearing is continued and the record remains open, any party is entitled to submit new evidence until the hearing and record are closed.

If we receive items in the next few days we will forward them to you. Otherwise you will receive them at the hearing.

Thank you for your dedication and hard work!

./tamra/amendments/aggregate/A&B/Cover memo for April 2014 packet

A & B ASPHALT EXHIBIT LIST #T-14-052 and Z-300-14

Exhibit #

Description of Exhibit

Planning Commission Packet Contents:

- 1 Draft Findings**
- 2 A & B Asphalt Application**
- 3 Maps**

Exhibits submitted after the original packet was mailed to Planning Commission on March 19, 2014

4	Letter from Sharon Schultz dated 03/20/14; received 03/24/14. Concern about effect on easement.
5	Email from Wendie Kellington dated 03/25/14 - Copies of Closure Order & Rescinding of Closure Order for Birch Creek Construction Inc.
6	Letter from John Johnson received 03/26/14. Not opposed to expansion as long as comply with rules.
7	Letter from Kevin Hetterley received 03/27/14. Did not receive notice. Opposed.
8	Letter from Howard Stephens received 03/27/14. Opposed.
9	Email received 03/27/14 from Brad Humbert w/attachements. A: letter from Bill Harshfield, w/ attachments re ODOT violations. Opposed B: letter from Bob Schmaltz. Previous employee for A & B, overused water. C: letter from Carol Koch for Key Family Enterprises. Opposed. D: letter from Graham Banks. Concerns about asphalt plant w/in 2 miles of vineyard. Opposed.
10	Email received 03/27/14 from Brad Humbert with letter from Zerbas. Vineyard owner, concerned about effect of rock crusher and asphalt plant on grape crop.
11	Email received 03/27/14 from Brad Humbert with letter from Robert Humbert. Neither opposed or in support, depending upon conditions to permit.
12	03/27/14 email from Tom Hack, Oregon DEQ . Declaring A & B in compliance with air quality permit.
13	03/27/14 letter from Amanda Punton, DLCD Goal 5 Specialist,
Documents Submitted at March 27, 2014 Hearing	
14	03/07/14 letter from Rob Clark, Superintendent Milton Freewater Schools District, with recommend safety standards
15	Document from Mike Stalder,, "things to mention in opposition to rock quarry"

16	03/27/2014 letters submitted by Mike Stalder and petition in support of application.
	a. Von Der Ahe, Inc
	b. Ashlee Londo Elsay
	c. Ashlle Elsay
	d. Petition in support with 60 signatures
17	"Goal 5 Worksheet of City of Milton Freewater" submitted by Mike Robinson, attorney for Humbert
18	03/07/14 letter by Mike Robinson, attorney for Brad Humbert, in opposition due to lack of evidence, site is not "significant," impact area too narrow, conflicts not minimized, impacts to gas pipeline, etc. photos
19	March 26, 2014 letter from Shauna Partin, homeowner adjacent to quarry. Concerned about blasting
20	03/27/14 letter from Cyndi Hamby, adjacent property owner, concerned about potential damage to her home, impacts from previous blasting, impacts from gas line, livability.
21	03/27/14 letter from TJ James, adjacent landowner. Concerned about impacts from blasting, past and future and A & B compliance with permit.
22	Letter submitted 03/27/14 by Joe Bond, impacts from previous blasting, concerns about future blasting potential decrease in his property value.
23	Site Plan of Plant submitted by A & B Asphalt.
	<i>Documents Submitted after the March 27, 2014 Hearing</i>
24	04/14/12 letter from Wendie Kellington, attorney for A & B Asphalt, response to competitor's complaints, with 14 exhibits
	1. Declaration of Darren Bender in A & B Asphalt v. Humbert Asphalt, Inc.
	2. Exhibit 2, page 1. 2012 Aerial Phot, Umatilla County Oregon, 2 mile buffer from existing gravel pits
	Exhibit 2, page 2. 2012 Aerial Phot, Umatilla County Oregon, 2 mile buffer from existing gravel pits
	3. Photos of A & B Asphalt rock crusher plant operation
	4. Email from Tom Hack, DEQ to Gina Miller, Co Code Enforcement. A & B Asphalt Air Contaminant Discharge Permit
	5. 2011 Reclamation Awards, Outstanding Operator, Small, A & B Asphalt, 30-0076
	6. Memo from Daly Standlee & Associates, Inc., responding to comments about noise impacts
	7. Materials Testing & Inspection, Addendum 1, clarifying rock samples meet 2002 ODOT Standard Specifications according to section 02630.
	8. SCS Soil survey, sheet 17
	9. Supplemental Reclamation Plan
	10. "Enforcement 3rd Quarter 2010, with Humbert Asphalt violation
	11. April 14, 2014 letter from Martha Pagel, Attorney, address wter supply issues for A & B Asphalt.
	12. letters of support and petition in support of A & B Asphalt.
	13. Email from David Judd, Barnes, Inc. with Master Blast Plan for A & B's Spence Quarry
	14. Letter to Hector Ortiz, Williams NW Pipeline Co, from Leslie Ann Hauer, clarifying conversation that A & B mining in the vicinity of the pipeline is not problematic so long as no material is

removed within the pipeline right of way.

25 April 11, 2014 memo from Shane Finck, Planner, re "2a" aggregate sites and Review of Conditional Use Permits, with table D-XXII of "2a" sites from Technical Report.

26 April 15, 2014 memo from Tamra Mabbott, Planning Director, re blasting, CUP at Spence Pit, Aggregate Resources in Umatilla County, w/ attachments

1. "Spence Pit permit history"
2. DOGAMI Inventory of Umatilla County Aggregate Resources
3. Inventory of Aggregate Resources in Umatilla County

Documents Submitted After Packets Mailed to Planning Commission for the April 24, 2014 Hearing

27
28
29
30

**Wendie L. Kellington
Attorney at Law, P.C.**

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Lake Oswego Or
97034

Phone (503) 636-0069
Mobile (503) 804-0535
Facsimile (503) 636-0102
Email: wk@wkellington.com

April 14, 2014

Via Electronic Mail and
Hand Delivery
Umatilla County Planning Commission

RE: A & B Asphalt

Dear Members of the Planning Commission:

This supplemental letter is written for A & B Asphalt regarding the above referenced matter. Please include this letter and its attachments in the record. We understand the planning commission chair to have requested supplemental material be supplied for the record by April 14, 2014 to enable the planning commission an opportunity for review. A & B wishes to respond to that reasonable request with this supplement. Please understand, however, that A & B will need to submit additional information to respond to the various issues raised at the hearing. This letter and its attachments respond to most of the issues, however.

Competitors' Complaints

Most of the opposition to the A & B Asphalt proposal came from competitors. One objector, Brad Humbert, is represented in this matter by two different law firms to oppose A & B. Mr. Humbert's company formerly had a lease at the subject pit for many years and lost that lease to A & B. Mr. Humbert persists in spreading false rumors about A & B and its products making it difficult for A & B to operate. Exhibit 1. The competitors claimed they wish for A & B to be required to comply with the same rules as everyone else. A & B wants the same. Respectfully, A & B has established compliance with the same rules as everyone else. What the competitors truly demand is A & B be held to a much higher and different standard than the standards they enjoy:

- Mr. Humbert emailed some letters from vineyards for the record claiming great concern about the A & B quarry due to dust. For starters, these vineyards are wholly irrelevant to this application. They are well outside of the 1500 foot impact area. The asphalt plant is in the existing RMRI area and is not being, and need not be, rejustified here as a matter of state law:

“Local governments shall allow a currently approved aggregate processing operation at an existing site to process material from a new or expansion site without requiring a reauthorization of the existing processing operation * * *.”
OAR 660-023-0180(5)(a).

Second, one of vineyards are on Couse Creek Road, about 1.75 miles south from A&B and the other is on Spofford Road, 1.75 miles east from A & B. See Exhibit 2 maps attached. Nothing about the A & B operation justifies expanding the 1500 foot impact analysis area to include these vineyards.¹ These vineyards apparently coexist very well with the considerable dust generated from the nearby dryland wheat farming operations. It is undeniable that both vineyards are in the heart of dryland wheat farming operations and dryland wheat farming produces huge quantities of dust. These vineyards also seem to coexist well with mining operations. Specifically, the Couse Creek Rd vineyard (Banks vineyard) is within 300 yards of objector Konan's rock quarry operation. Exhibit 2. The Exhibit 3 photographs show dust spewing from the Konan crusher right next door to this vineyard which is to the left in the photographs. Konan's trucks must also pass the vineyard to reach Highway 11. Humbert's current quarry is also located about the same distance from the Spofford Rd vineyard as A & B. See Exhibit 2. A & B's operations are well separated from these vineyards by distance and topography and it simply betrays credibility to claim there is any special reason why A & B's proposal has any significant effect on these vineyards at all. These complaints appear manufactured.

- A & B has a stellar storm water and operations record as evidenced by DOGAMI's 2012 nomination of the site for its "Outstanding Operator" award. See Exhibit 5. DOGAMI's "Outstanding Operator" nomination narrative explains how, when A & B assumed the subject pit, that the pit was in very bad, junked up shape:

"When A & B Asphalt began operations at this site the quarry floor was irregular, aggregate materials were stockpiled here and there and soil/overburden materials were scattered across the 15 acre site. * * * When the quarry was originally developed there was no consideration given to the potential for run-off down the un-named drainage. No culverts were installed to convey run-off underneath the mine access road or the county road" * * * "four decades worth of junk was cleaned up to be hauled to the landfill or salvage yard." Exhibit 5 p 1, 2.

After a major rain-on-snow event DOGAMI recorded the following events in its A & B Outstanding Operator" nomination:

"After the rain on snow event, run-off roared down this un-named drainage creating an erosional feature 4 to 6 feet wide, with a high water mark of at least three feet. This run-off hit the county road and had nowhere to go except across the road and through a private property seeking the Walla Walla River, some 600 feet to the west. A DOGAMI inspection was scheduled at the request of the county road department to

¹ To expand the 1500 foot impact area requires a determination that "factual information" establishes significant potential conflicts beyond the 1500 foot distance. The mere presence of potentially sensitive uses beyond the 1,500 foot limit does not justify expanding the analysis area, otherwise the 1,500 foot limit would have no meaning."

determine if mining operations had affected this drainage. *It was determined little if any run-off occurred from the quarry operation. Virtually all of the run-off originated from the agricultural fields.*" Exhibit 5 p 1.

Even though A & B was not at fault, DOGAMI explained that A & B did not hesitate to step up in a way most operators do not:

"A & B Asphalt assisted in the cleanup of the sediment deposited on the county road and adjacent property. A culvert was installed beneath the mine access road to convey any future drainage down the east borrow ditch of the county road. So long as the flow down the un-named drainage remains segregated from storm water on the quarry, the drainage is not considered a discharge from the quarry operation. A & B Asphalt has done an outstanding job in developing the quarry in a safe and efficient manner. A new stockpile area was created for soil/overburden and a separate area for aggregate. A new equipment parking area was constructed. A new office and scales were installed. A new access road to cell towers above the quarry was constructed, and four decades worth of junk was cleaned up to be hauled to the landfill or salvage yard."² Exhibit 5, p 2.

- Mr. Humbert's lawyer claims A & B's proposal ought to be denied because of asserted impacts to city inventoried view of the Blue Mountains. This is also incorrect. First, there is no way to tell if the pages he submitted were a part of the city's acknowledged Goal 5 inventory. These pages have not been located on the city website or as published in any other publically available location. Second, even assuming they are a part of an acknowledged Goal 5 inventory, they are *a city* inventory and not a *county* inventory and do not govern what the *county* may or may not approve. Third, and perhaps as a practical matter most important, the pages Mr. Humbert's lawyer submitted say the city has decided that the means to protect the noted scenic views is by imposing limitations on the building height of certain structures: "Economic development should be allowed but limited by height restrictions which generally protect views of the mountains from the City." A & B proposed no structures that are subject to any building height standards. So there is nothing for A & B to do for the views that are mentioned in the alleged city Goal 5 inventory. Moreover, quarry operations are largely at or below grade, and so will not block any views to the east in any case.

² Mr. Humbert's lawyer suggests that some Goal 5 "impact analysis" should be performed regarding the Walla Walla River. However, the Walla Walla River is more than 1500 feet away, separated from the quarry site by the Walla Walla River Road and rural residential development, and there is nothing to indicate that there is any justification to expand the 1500 foot impact area to include the river. Moreover, there is no Inventory Sheet for the Walla Walla River in the County's Goal 5 Technical Report, except for a County Goal 5 protected "natural area" along the river is far upstream, in the vicinity of Linton Mountain. The applicant does not understand how this is relevant to the A & B application.

- Mr. Humbert's lawyer claims A & B must consider impacts on a city inventoried Goal 5 "open space" at Grove School, which is outside the 1500 foot impact analysis area. We do not understand why that would be so. The state rule that governs this application only requires an evaluation of impacts outside the 1500 foot impact analysis area, if there is factual evidence that there are significant adverse impacts to be concerned with. This is not the case. As explained above, in the first place, the papers Mr. Humbert's lawyer submitted cannot be verified as being the city's officially adopted acknowledged Goal 5 inventory. However, to the extent they are "official" pronouncements of the city's Goal 5 inventory, they select a "program to protect" the open space resource that is limited to requiring the city to designate this open space as a "Public Lands Zone." This has nothing to do with prohibiting mining in Umatilla County at the subject site. A&B's activities do not have any impact on the City of Milton-Freewater's zoning designation of the Grove School at a "Public Lands Zone."³ Further, there are no special noise, dust or traffic concerns posed by the A & B proposal at the school. Even though not strictly required, A & B's initial noise analysis (already in the record) considered A & B noise at the school and determined that no significant adverse impacts are predicted. In fact, background noise at the school is greater than A & B's. A & B asked its noise experts to provide a supplemental analysis. That supplement is Exhibit 6.

Contrary to opponent allegations, A & B takes dust control very seriously. Dust is controlled at the A & B site and there is no history that it significantly transcends A & B's boundaries.⁴ As DEQ explained in the correspondence with the county that is in the record: "From time to time we [DEQ] have received complaints of excess dust from the crusher and/or [A & B's] asphalt plant. * * * However, upon investigating the complaints, no compliance problems were observed." If neighbors have or had dust concerns, they have not been brought to A & B's attention. A & B would appreciate those being brought to A & B's attention when the concerns arise because that is the best time to be able to do something about them. The site's area has significant dryland wheat operations which produce great quantities of dust and there are also other mining operations. Given DEQ investigations on complaints found no significant dust problems associated with A & B, the record does not support a finding that A & B has a significant dust problem. In fact, it seems telling that according to the only third party evidence in the record – from DEQ – there is no significant dust problem at A & B. It is also important to remember that the neighbor most greatly affected by A & B – the one right across from A & B's driveway -- wrote a letter of support for the record (Exhibit 12).

³ As with both the school and views alleged to be city Goal 5 resources, no acknowledged city Goal 5 plan or plan inventory has been located or was provided by Mr. Humbert at least as far as A & B knows. Regardless as to both the school and views, nothing about the A & B proposal is contrary to the city's Goal 5 program for these resources. Specifically, A & B has no structures subject to the building height limits and is doing nothing to the city's Public zone.

⁴ The much telephoto magnified photographs supplied by Mr. Humbert are not to the contrary. Some of them simply show steam from the asphalt plant – which is expected and has no impact on or off the site. Those that do show dust, show dust limited to the internal A & B boundaries. These photos are not evidence that dust transcends A & B's boundaries.

No new traffic is added under the proposal. Please understand that Konan's pit is nearby to A & B's and takes the same Walla Walla River Road to 14th Street (by the school) to get product and employees in and out. 14th Street is also access for logging trucks and agricultural vehicles to the resource areas off of Walla Walla River Rd. A & B supplies only a fraction of the traffic in this area, including only a part of the truck traffic that goes by Grove School.

- Mr. Humbert's lawyer claims (without support) that A & B does not meet air emissions standards. This claim is wrong. Please refer to County Planning Commission March 27, 2014 hearing Exhibit List #12 (Exhibit 4 to this letter), memorandum from Tom Hack, ODEQ, confirming that A&B has the requisite Air Contaminant Discharge Permit and is in good standing with ODEQ. Relatedly, Mr. Humbert's lawyer asserts Goal 6 (Air, Water and Land Resources Quality) is not met quite well enough by the A & B proposal. Goal 6 requires compliance with applicable state and federal environmental statutes. A & B's proposal complies with all applicable state and federal environmental rules. The Exhibit 4 email from Tom Hack, ODEQ, indicates that A&B is in compliance with all DEQ standards. Moreover, A & B has all required permits from DOGAMI and is compliance with all DOGAMI standards. Other than requiring such compliance which is evident here, Goal 6 has no direct applicability to this application. Goal 6 directs the County plan to require certain things. There are special requirements for counties in "air quality maintenance areas". The subject site is not in any such area. The County plan is acknowledged to be in compliance with Goal 6 and so as a matter of law meets Goal 6. In turn, the County's Comprehensive Plan Chapter 9 implements Goal 6, and relies upon standards of the ODEQ and DOGAMI.
- Mr. Humbert's lawyer complains that the representative sample of the rock quantity and quality is not representative enough. A & B does not understand what more he seeks. A&B submitted a report prepared by Karl Languirand, P.G. and reviewed by Monica Saculles, P.E. (Geotechnical Engineer), which concluded that there was 700,000 tons of mineable rock in the 11 acre portion of the expansion area. Test results for samples submitted with the report confirm that rock exceeds ODOT standards. In addition, a letter dated *** that was submitted by Michael Stalder, with test reports from samples in the current mining area, confirms that ODOT standards are exceeded and the quantity of rock remaining in the current pit area is in the 400,000 to 500,000 ton range. Moreover, Mr. Languirand sample methodology enabled him to confirm that the layer of high quality rock extended from the face of the existing quarry – where its presence is obvious – to and through the 11-acres to the north. Rock layers, like the massive basalt layer of quality rock, do not begin and end at property lines. If a thick layer of rock is evident at the current quarry face and a similar thickness is found 400 to 1,000 feet to the north where test holes were located, it is appropriate for an expert to assume that a continuous lens of rock underlies and extends far beyond the proposed RMRI expansion area boundary. In any case, A & B's expert in this regard submitted a supplemental letter for the record responding to Mr. Humbert's lawyer's issues. Exhibit 7.

- Mr. Humbert's lawyer complains that the applicant has not established there is no "significant effect" on a transportation facility under Goal 12. A&B's application includes a traffic analysis report prepared by Group MacKenzie (now "MacKenzie") that explains and concludes the application poses no "significant effect on any transportation facility." It explains that the transportation system operates safely and efficiently with A & B's proposal, and no mitigation measures are necessary. Nothing submitted to date undermines this conclusion.
- Mr. Humbert's lawyer complains he can't tell from the record the A & B soils qualify for purposes of the 35% rule (prohibition on expanding more than 35% on Class I or II soils). Exhibit 8 is a copy of the NRCS soils survey for the area. Stratton Surveying & Mapping placed the soils on the site map with reference to NRCS mapping and, for better refinement, with reference to aerials showing the mined area and soils distinctions to get the mapping as correct as possible. There is no reason to question that the application meets the 35% rule.
- Mr. Humbert's lawyer complains that A & B's DOGAMI approved reclamation plan is not good enough. If the idea is parity with other operators then our understanding is that usually the county conditions applicants for RMRI amendment to provide a reclamation plan following approval and satisfaction of DOGAMI requirements. However, A & B, in deference to Mr. Humbert's lawyer's request, submits the DOGAMI approved reclamation plan for the existing mining area, together with the supplement herein attached to Exhibit 9.
- The opponent competitors complain that A& B was cited for some overweight loads and some reporting violations. This was true; A & B learned from those experiences. It is also irrelevant to any approval standard. As a credibility matter, however, A & B wishes to point out that these isolated events for A & B as a new operator in Oregon are not unknown to the complaining competitors. As explained at the hearing both Pioneer and Humbert have had similar violations. Exhibit 10. There may be others, A & B has not hired an expert to pour through records. The point is A & B has operated exceptionally well per DOGAMI's award nomination and any past overweight and reporting problems are not unique to A & B.
- The opponent competitors complained about A & B's water use. As explained in the letter from Martha Pagel, which is Exhibit 11, A & B is authorized by ORS 537.545 to withdraw up to 5,000 gpd from its existing water well for industrial purposes. This is an exempt use that does not require a state water right. The existing exempt well primarily serves the office for which there are three full time staff. These full time staff come nowhere near to using 5000 gpd of water. Excess water may be placed into a 10,000 gallon tank located on the property. Or it may not be used at all on any given day. A & B is willing to accept a condition of approval (even though this issue is irrelevant to its application) that a flow meter be installed on its well so the state water master can check

it and know that A & B at all times is within its allowable exempt use levels.. A & B also obtains water from the City of Walla Walla. This is because A & B deploys water trucks to job sites in Washington and when those trucks return home, they are loaded with water that is then used for dust control at the site. Excess water is placed into the 10,000 gallon tank at the site. A & B also is reestablishing its relationship with the City of Milton Freewater for the same purposes.

Concerns of Neighbors

To begin with A & B wishes to point out that a petition with scores of signatures supporting the A & B proposal was submitted for the record and are submitted here again at Exhibit 12. Also, the owners of the property most affected by A & B now and in the future are the two dwellings almost directly across from A & B's driveway. It is important that the owner of these properties (at 53664 Walla Walla River Rd and 53836 Walla Walla River Rd), Ashlee Elsay wrote letters supporting A & B's application. Those letters are also reproduced here for your consideration. Exhibit 12. Also at Exhibit 12 is another supporting letter of a property owner (Von Der Ahe Inc.) adjoining the subject site.

The main neighbor concerns had to do with blasting.

- A & B acknowledges it had a bad blast in July 2013. None of the neighbors contacted A & B about the alleged damage they suffered to make a claim. A & B's contractor has insurance and, if a claim is made, A & B will pass it onto the contractor and expect valid claims to be paid. Of course, claimants will not be reimbursed for existing damage that has nothing to do with A & B. Humbert was blasting in the subject pit for decades before A & B took over the site lease in 2010. Konan blasts its site which is about 1.9 miles from the A & B quarry as the crow flies. In any case, A & B was not happy that it had this blast either and it has since hired a new blast contractor. That contractor has established a blast plan. Exhibit 13. As the Exhibit 13 transmittal by the expert author of the blast plan notes, compliance with the blast plan would not be expected to result in significant adverse impacts on neighbors. Many quarries have conditions of approval that blasts occur under a blast plan with advance notice to neighbors. A & B proposes a blast plan with such advance 24 hour notice to: (a) people within 1500 feet of the site, (b) and others who request such notice in writing from A & B and A & B will supply such advance notice via email, and (c) 24 hour advance notice to Williams Northwest Pipeline per its request. Exhibit 14.
- Dust is an important issue for A & B and takes dust control seriously, as noted previously. As addressed earlier in this letter, A & B has no significant dust impacts. DEQ has received complaints about dust from time, but on investigation there was no A & B compliance problem that DEQ could ascertain. See Exhibit 4.

With all due respect, A & B's application should be approved. Thank you for your

April 14, 2014
Page 8

consideration.

Very truly yours,

Wendie Kellington

Wendie L. Kellington

WLK:wlk
Encl.
CC: Clients
Leslie Hauer

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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PENDLETON DIVISION

A & B ASPHALT, INC., a Washington
corporation,

No.: 2:13cv-00104-SU

Plaintiff,

**DECLARATION OF DARREN BENDER
IN OPPOSITION TO DEFENDANTS'
MOTION TO STRIKE**

vs.

HUMBERT ASPHALT, INC., an Oregon
corporation; DAN HUMBERT, an Oregon
citizen; and BRAD HUMBERT, an Oregon
citizen,

Defendants.

I, Darren Bender, declare:

1. I am the President of A & B Asphalt, Inc. I started with the company in 1995 as a laborer and, with the exception of approximately one year, I have worked my way up in the business to the position of Superintendent of the asphalt plant in Benton City, Washington, and now as General Manager and President of the company. I am 38 years of age. The following statements are true and correct and, if called upon, I could competently testify to the facts averred herein.

2. A & B Asphalt was formed on April 8, 1977 by its then and current owner, Adam Schatz. It is a privately-owned asphalt paving company incorporated in the State of Washington.

3. In 2009, we were looking to expand our asphalt business by either purchasing an existing asphalt company or constructing a new site in the Walla Walla and Milton-Freewater area. A & B Asphalt's owner, Adam Schatz, entered into a lease for property called the Spence Pit in Milton-Freewater, where we built a new asphalt manufacturing plant, as described further below. The Memorandum of Lease for this property is attached as Exhibit 1.

4. A & B Asphalt has invested over \$5.3 million in its Milton-Freewater asphalt plant. Exhibit 2 to this declaration shows the capital investments and when they were made.

5. The Milton-Freewater facility employs approximately 44 people full time during the peak paving season. On average, this facility has 28 full time employees. Mike Stalder is a Vice President of A & B Asphalt and is the Superintendent for the Milton-Freewater plant.

6. One of the people who let us know about the availability of the Spence Pit was defendant Brad Humbert. He was employed with us for a period to time after we leased the Spence Pit. His last day of employment with A & B Asphalt was September 22, 2010. A & B Asphalt terminated his employment.

7. In August 2012, I received a telephone call from Brad Humbert. By this time his employment with A & B Asphalt had been terminated for nearly two years and, according to recent records filed in this case by Humbert Asphalt, Brad Humbert was working with his uncle, Dan Humbert, and acting as an agent or representative for Humbert Asphalt. By the date of this call, I was well aware of the troubles Humbert Asphalt was making for us in this new marketplace. I had learned about how Humbert Asphalt was disparaging us in the community and in the industry, to our private and public customers, and to contractors and public agency employees and officials. I also knew that Brad Humbert represented himself to be a politically powerful person who has a lot of influence in the region. Whether that is true or not, I do not know with the exception of him being a member of the City Council for Milton-Freewater. In any event, Brad Humbert called me on my cell phone while I was standing in my driveway at

home speaking with my wife. I took the call and put it on speaker while my wife listened with me as Brad Humbert made an incredulous demand: he required a payment of \$250,000 from A & B Asphalt to "make this all go away." Of course, we did not pay anything to Brad Humbert in response to this demand.

8. It has been reported to us repeatedly, both by private customers, contractors, drivers, public agency representatives, and others, that Humbert Asphalt is making disparaging comments about the quality of the asphalt that we produce. For example, Humbert Asphalt has criticized our asphalt as being "dirty." They have commented that the oil will not stick to aggregate because it is dirty or has clay in it. They have said roads or driveways built with our asphalt will crumble, will not last, and that Humbert Asphalt has to redo all of our jobs. They have said our bids are based on "C" quality asphalt, while they bid "A" quality asphalt. These are false statements of fact. We have a laboratory on site and a quality control manager, Steve Anderson, who runs hundreds of tests on our aggregate and on the asphalt that we produce. He runs tests before the hot mix is made and after. He also runs our laboratory, which is ODOT certified. Humbert Asphalt does not have a laboratory, and we are one of the few that does. Our aggregate and our asphalt are tested by our laboratory, and by state agencies every year, and are approved regularly and routinely by experts in the industry.

9. A & B Asphalt engaged the law firm Markowitz, Herbold, Glade & Mehlhaf, P.C. to assist us. On May 14, 2012, our lawyer sent a letter to Dan Humbert and Humbert Asphalt, Inc. asking that they and their representatives cease and desist from making false statements about A & B Asphalt. That letter is attached as Exhibit 3. They denied our assertions and refused to take any action. Our lawyer sent a second letter, this one to counsel for Dan Humbert

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and Humbert Asphalt, on July 6, 2012 (Exhibit 4). Again, they denied our assertions and refused to alter their behavior.

I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.

DATED this 10 day of April, 2013.



Darren Bender

ABAS\331485

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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PENDLETON DIVISION

A & B ASPHALT, INC., a Washington
corporation,

Plaintiff,

vs.

HUMBERT ASPHALT, INC., an Oregon
corporation; DAN HUMBERT, an Oregon
citizen; and BRAD HUMBERT, an Oregon
citizen,

Defendants.

No.: 2:13cv-00104-SU

**DECLARATION OF MIKE STALDER
IN OPPOSITION TO DEFENDANTS'
MOTION TO STRIKE**

I, Mike Stalder, declare:

1. I am 45 years of age and employed by A & B Asphalt, Inc. as Vice President and Superintendent of the asphalt plant in Milton-Freewater, Oregon. My employment with A & B Asphalt began in July 2010. The following statements are true and correct and, if called upon, I could competently testify to the facts averred herein.

2. I have worked in the paving industry, specifically in the Walla Walla / Milton-Freewater area, since graduating high school. I started as a flagger in 1985. I joined a paving

crew in 1986. In 1993, I was a paving crew foreman. I worked for Superior Asphalt for 22 years during that time. I was a Superintendent for Granite Asphalt, a very large company, before being recruited by A & B Asphalt in 2010. I started with A & B Asphalt as the foreman of the paving crew in its Milton-Freewater facility, but was soon promoted to Superintendent after proving my skills and experience with running jobs out in the field. Generally, my current position involves oversight of the Milton-Freewater asphalt plant and rock crusher, managing staff, scheduling projects, supervising the hot mix production, and managing the operations of the business. I am also in the field quite often overseeing the asphalt paving projects and meeting with current and prospective customers, their representatives, and employees of our state, county, and city customers.

3. Humbert Asphalt has engaged in a widespread, unbridled effort to attack the integrity of A & B Asphalt in an effort to gain an unfair competitive advantage and to run us out of the region which they had tied up for decades. I have had two conversations with separate Humbert Asphalt representatives, as described below, where they have affirmed these tactics and apologized on behalf of Humbert Asphalt, but, as one Humbert Asphalt representative explained to me, Dan Humbert is bull-headed and he will do and say what he wants regardless of the consequences.

4. Most everywhere I go on business, somebody with Humbert Asphalt has been there already, or in some cases, comes in behind me, bad-mouthing my company by spreading untrue statements about our asphalt and our work. Much of the asphalt work we bid, and are awarded in many instances, is for the private sector. These are jobs for apartment complexes, grocery stores, automobile dealerships, colleges, and many more private projects for organizations and ordinary citizens who need new or refreshed parking lots, driveways, sidewalks, and other work that A & B Asphalt is set up to provide from our Milton-Freewater asphalt plant. We bid many of these jobs as a subcontractor of, for example, Premier Excavating and Royse Excavating and Hydroseeding. Both of these contractors have explained to me that Humbert Asphalt is

disparaging our product as “dirty,” “shit,” the asphalt will crumble and won’t hold up, Humbert has to redo all of our jobs, and that our product is inferior. I have heard the same false statements directly from private customers, including the Super 1 Foods grocery store in Walla Walla; an apartment complex we bid at 720 College Avenue in College Place; the Red & White Brand building in Walla Walla; and the project we bid for Bruce Maughan Accounting at 117 E. Rose Street in Walla Walla. Humbert Asphalt’s statements to our customers and contractors are false. They do not redo our jobs. Our asphalt is not an inferior product. It is not dirty and cannot be described accurately with any sort of profane four-letter word that Humbert Asphalt would like to use.

5. The same false statements have been spread by Humbert Asphalt employees among our public customers, such as Walla Walla County, the City of Walla Walla, and the City of Milton-Freewater. By way of example only, Troy Humbert, Casey, Travis, and other Humbert Asphalt employees have made false statements, the same as those noted above, to Walla Walla County employees Tom White (South District Crew Foreman), Misty Jones (Office Engineer Technician), David Eids (Chief City Engineer), Wayne John (Chief of Road Maintenance), and Gerald Mason (Assistant Chief of Road Maintenance). Humbert Asphalt has done the same with the City of Walla Walla, including Neil Chavre (Principal Engineer), Dean Abram (Engineering Associate) and Mike Lowry (Engineering Associate). Employees with the City of Milton-Freewater, where our plant is located, have heard the same statements from representatives of Humbert Asphalt. David Bradshaw and Linda Hall are two notable employees who have seen and heard this. Frankly, our customers are weary of hearing this constant refrain from Humbert Asphalt. Whether our customers believe Humbert Asphalt’s statements is not anything I can control. But, I can say that I have observed such statements to cause doubts in our customer’s minds, to which we have been required to respond by disproving the negative statements.

6. One of Humbert Asphalt’s employees, namely Casey Humbert, acknowledged to me that his company is spreading false statements about A & B Asphalt to our customers and

contacts in this marketplace. Casey Humbert is one of Dan Humbert's sons, and he works with his brothers for that company. Both of us showed up at a bid opening. Darren Bender was there as well. Casey Humbert gave me a card and said he would like to speak with me, which we did. Casey Humbert and I ended up talking about the very subject of what is now is this lawsuit. He apologized for the fact that his father and his brothers were at that time (and still are) constantly bad-mouthing A & B Asphalt in the community and to our existing and prospective customers. I responded by saying that Humbert Asphalt does, indeed, need to stop making false statements; it is not a good business practice, it is harmful to A & B Asphalt, and it is not healthy for either of us to work in that kind of competitive environment. We at A & B Asphalt compete on price and the quality of our work, not by disparaging our competitor. Casey told me that he would try to put a stop to this practice, for which I expressed my appreciation for any efforts he could make to get his father and brothers to stop. Casey Humbert then proceeded to speak to me about how our two companies could reach an agreement on splitting the asphalt marketplace serviced by our respective plants in Milton-Freewater. Specifically, Casey Humbert proposed that A & B Asphalt would take all of the public projects for cities, counties and the like, namely those jobs that are more highly regulated and have a lower margin, and we would not bid the private projects. In contrast, Humbert Asphalt would cede to us the public projects and it would take the private marketplace. I was not comfortable with this part of the conversation, but I said that I would take it to my boss – Adam Schatz, which I did. Mr. Schatz rejected the proposal out of hand. It seemed to me that Humbert Asphalt's proposal, as delivered by Casey Humbert, had possible legal implications for price fixing or antitrust problems, and, in any event, we were not (and are not) interested in entering into any agreement with a business competitor that would manipulate the asphalt paving market, including in a way that would potentially be harmful to our customers by inflating prices and reducing competition for their business.

7. Greg Basel and I had talked at a City of Milton-Freewater bid opening in September 201 to schedule a meeting. He wanted to talk about all of the bad-mouthing that Humbert

Asphalt continued to spread around the community about A & B Asphalt. I agreed to meet him. We met at Kelly's Restaurant & Lounge. I had a soda pop and Mr. Basel and two mixed drinks. I picked up the tab. It appeared to me at the time that Mr. Basel was acting as a representative of Humbert Asphalt in this meeting, or at least he was presenting himself as a friend of that company. My belief was confirmed when I read the declaration of Troy Humbert, filed in this case, where he says Mr. Basel has been acting on behalf of Humbert Asphalt at all relevant times. (Troy Humbert Decl. ¶¶ 9-12.) Mr. Basel and I met as scheduled and talked about how Dan Humbert and his sons were continuing to tell our customers, prospects, agency personnel and industry contacts things like: Humbert Asphalt has to redo all of A & B Asphalt's jobs; our asphalt is dirty; our asphalt won't hold up; and similar false statements of fact. Mr. Basel acknowledged that this practice was rampant among Dan Humbert and his sons, and apologized for Humbert Asphalt's disparaging statements. He also told me that the disparagement needed to stop, with which I agreed, but he said Dan Humbert is bull-headed and will do what he wants to do regardless of the consequences. This explained to me why Casey Humbert had been unsuccessful in stopping these same practices, but I nevertheless asked Greg Basel to do whatever he could to please stop Humbert Asphalt from continuing with this practice of spreading false statements about A & B Asphalt.

8. My meeting with Mr. Basel did not stop at that point in the conversation. Rather, we proceeded to discuss the use of recycle, or RAP, as a component of asphalt. Mr. Basel said that, in his view, using recycled asphalt is good for the industry and for customers. RAP is full of oil that has soaked into and binds the soaks into and binds the aggregate. RAP does not need to be thrown in the dump. RAP can lead to lower prices, and more and more public agencies are requiring it on their projects. Mr. Basel said that he could not understand why Humbert Asphalt just disposes of their RAP by throwing it in the dump. He also said that Dan Humbert refuses to make the capital investment in the equipment necessary to recycle the old asphalt. I told Mr. Basel about how A & B Asphalt has spent millions of dollars on its new asphalt plant, including

expanding our capacity and flexibility to repurpose our RAP, and we talked about the long-term benefits of having the capacity to do so. Mr. Basel suggested that it was foolish for Humbert Asphalt to ignore where the market is headed with recycling asphalt. We ended the conversation with Mr. Basel stating that we need to find a way to move forward, to stop the bad-mouthing, and to co-exist. Again, he promised to do what he could to stop all of the bad-mouthing coming from Humbert Asphalt. I have not heard from Mr. Basel since our meeting in September 2012.

9. In December 2012, I learned from John Royse of Royse Excavating and Hydroseeding that I should speak with David Eids and Tony Garcia Morales, both of whom work for Walla Walla County. John Royse is a contractor in the area and we some of his asphalt work, including the Luckenbill Road project that we paved on November 2, 2012. I followed his advice and spoke with the specified county employees. They sent me to the Risk Management office, where I filled out a public records request as directed by Lucy Schwallie. I did not know at the time that Humbert Asphalt had been making false statements about A & B Asphalt's use of recycled asphalt on jobs specified for virgin asphalt. I was shocked to see what came next.

10. On December 19, 2012, Walla Walla County responded to my public records request, by which I had asked for copies of any videotapes concerning A & B Asphalt and any letters that had been submitted in connection with those videos. Walla Walla County's response is attached to my statement as Exhibit 1. It is a letter dated December 20, 2012 from the County. Attached to Walla Walla County's response were the following materials: (a) three flash drives containing videotapes of A & B Asphalt's Milton-Freewater facility; (b) a letter dated November 2, 2012 from Greg Basel to Walla Walla County; and (c) a letter dated November 2, 2012 from Don Bush to Walla Walla County. The two November 2nd letters are attached to Exhibit 1 as it was presented to me by Walla Walla County. I have not attached or appended the videotapes to this declaration. I will discuss each of those items further below, including a summary of what I found when I investigated the sources those letters, and I will also discuss the

source of the videos. Before doing so, however, I feel that it is necessary to respond to the false factual statements contained in those two November 2nd letters.

11. A & B Asphalt does not, contrary to what Humbert Asphalt has stated, use recycle or RAP in its hot mix designs for jobs that require virgin asphalt. That is simply a false statement of fact and it is reckless for Humbert Asphalt to make such assertions. We did not do so on November 2, 2012, or at any other time. We did not, as Humbert Asphalt has stated to our customers, put recycled asphalt in our mix that day – or any other day – for the Walla Walla County project on Luckenbill Road. We did not load trucks and pups with final asphalt product from the “recycle bin” and send those trucks to any project for Walla Walla County. We did not sell Walla Walla County “inferior product,” or product that was out of compliance with specifications. A & B Asphalt is not involved in, as Humbert Asphalt has alleged, corruption and collusion to sell recycled asphalt for projects that have virgin asphalt specifications. I have never given the asphalt plant operator any instruction or direction to use RAP for jobs that require virgin asphalt. Steve Anderson or I tell the plant operator what to mix and the volume for each day, and we have not and would not mix our batches for virgin asphalt projects with recycled asphalt. On days with multiple jobs, some with virgin and some with recycle in the hot mix, the plant operator mixes the volume of virgin asphalt and stores it in one of the silos, depending on who will be showing up on the job first to load trucks. That is one of the purposes of having two silos. We can and do load different designs of hot mixes on any given day depending on the contract specifications for each job that day, and we can easily switch between design batches. We have that capability and flexibility because of the \$5.3 million investment we have made in our Milton-Freewater facility. Through this investment in capital equipment, processes, and testing, we have been able to bring to this marketplace a state-of-the-art asphalt plant and our long-standing reputation of providing high quality asphalt and aggregate at reasonable prices. Our commitment to our asphalt operations and to our customers has led to great success in winning both public and private paving projects in this marketplace, primarily

due to our ability to mix and produce the highest quality asphalt, our ability to mix and produce using RAP when desired by customers, the excellent work of our crews, and reasonable pricing.

12. As I said, I was shocked to see the two letters from Greg Basel and Don Bush, both dated November 2, 2012, to Walla Walla County (attached to Exhibit 1). I knew that Greg Basel was (and is) associated with Humbert Asphalt, but Mr. Basel had told me that he would try to put a stop to Humbert Asphalt's disparagement. Clearly he had not. But, at least Mr. Basel had reaffirmed his association with Humbert Asphalt in his November 2nd letter, stating that he had bid the Luckenbill Road project on behalf of Humbert Asphalt. And, I had already spent time meeting with Mr. Basel back in September 2012, as described above, so I knew that Mr. Basel's letter was emanating from Humbert Asphalt's based on its history of disparaging A & B Asphalt as described above.

13. I was not familiar with Don Bush, the signatory to the second of the November 2nd letters given to Walla Walla County, so I looked into that matter. What I discovered as a matter of public record is that Don Bush and Dan Humbert, owner of Humbert Asphalt, are partners in a real estate development company called Grand Vista Estates Development Corporation, and that they jointly have a subdivision under construction called Hilltop Acres. Some of the records that I gathered making this business connection are attached as Exhibit 2 to my declaration. Exhibits 3 to 5 to my declaration are photographs of the Humbert-Bush real estate development that they call Hilltop Estates. There are a plethora of newer luxury homes in their development. Re-reading Mr. Bush's November 2nd letter, it seemed odd to me that Mr. Bush described himself to Walla Walla County as a "concerned citizen," and said nothing about his connection with Humbert Asphalt, when in fact he and Dan Humbert are business partners. As discussed further below, I also found it suspicious that both the Basel and Bush November 2nd letters were delivered at the same time to Walla Walla County by Mr. Basel, on behalf of Humbert Asphalt, and that they were delivered at the same time as the three videotapes taken by Brad Humbert.

Yet, again, Mr. Bush describes himself only as a “concerned citizen,” when in fact he had his letter delivered to Walla Walla County by a Humbert Asphalt representative.

14. The videotapes submitted to the Walla Walla County on November 2, 2012 were not so surprising to me. I knew Brad Humbert had been videotaping our facility from across the valley. Mike Lowry with the City of Walla Walla called to tell me one day about Brad Humbert’s videotaping activities. Brad had called to tell Mr. Lowry what he was wearing, what truck he was driving, and what he had been doing that day, when in fact Mr. Lowry had been at our Milton-Freewater facility inspecting our asphalt plant. The videotaping is done from across the valley, as is depicted in the photographs attached as Exhibits 6 and 7 to my declaration.

15. The November 2nd letters under Greg Basel’s and Don Bush’s signatures are not true. They contain, as noted above, a host of factual misrepresentations, which, I learned later, caused one of our customers, Walla Walla County, to conduct an investigation that hits right at the heart of the integrity of our company. Attached as Exhibit 8 is a copy of a January 11, 2013 letter from Walla Walla County, addressed to Greg Basel. I am attaching the document in the form that I received it on January 14, 2013 from the contractor that we worked with on the Luckenbill Road project, Royse Excavating and Hydro Seeding. As noted in the cover letter, the investigation involved the Public Works Departments, where we have worked diligently to develop our business reputation and to legitimately build goodwill. The investigation also involved all of the County Commissioners and even the County’s Prosecuting Attorney’s office.

16. In addition to the above, I have received multiple telephone calls directly from Brad Humbert after his employment was terminated by A & B Asphalt and, as we now know, after he joined up with Humbert Asphalt. He has made it a point of calling me on the telephone and telling me that he has political influence in Umatilla County. (He is a City Councilor for Milton-Freewater, as well as being a representative of Humbert Asphalt.) Brad Humbert has told me time and again that he and Humbert Asphalt will get even with us, and that they will run

A & B Asphalt out of town. For the right price, however, Brad Humbert has stated to me that he can make all of this go away. Now, of course, I see that Brad Humbert is videotaping the plant from a distance on behalf of Humbert Asphalt. Greg Basel, a Humbert Asphalt representative, gave Brad Humbert's videos to our customer, Walla Walla County, along with the November 2nd letters under the signatures of Greg Basel and Don Burns.

17. It is irresponsible and reckless for Humbert Asphalt to write letters and make oral statements falsely disparaging our products, our production, and undermining the integrity of our business. The simple fact of the matter is that we have regularly opened up our Milton-Freewater facility to officials from Walla Walla County, the City of Walla, the City of College Place, the City of Milton-Freewater, the State of Washington, the State of Oregon, and technical experts like Anderson Perry Associates, Strata Surveyors, and others. For Humbert Asphalt to state that A & B Asphalt is corrupt, colluding with others, cheating our customers, intentionally using the wrong aggregate in our mix, and denigrating our products and our people is simply wrong, irresponsible, spiteful and reckless.

18. Humbert Asphalt's conduct has, unfortunately, been effective in damaging A&B Asphalt. We are continually having to defend ourselves to our general contractors, to existing and potential customers, to public agency personnel, and to private citizens seeking the type of product and services that we provide. Humbert Asphalt has created a whirlwind of skepticism in the marketplace about A&B Asphalt's integrity and the quality of our products. How many projects we have lost or have yet to be able to win because of Humbert Asphalt's conduct is yet to be determined with finality, but includes the 720 College Place project, Bruce Maughan Accounting, the Coca Cola building, the Red & White Brand project, and others I am sure. It has also caused a tremendous amount of upset and harmed our reputation with public agencies, such as Walla Walla County, the City of Walla Walla, the City of College Place, and the City of Milton-Freewater.

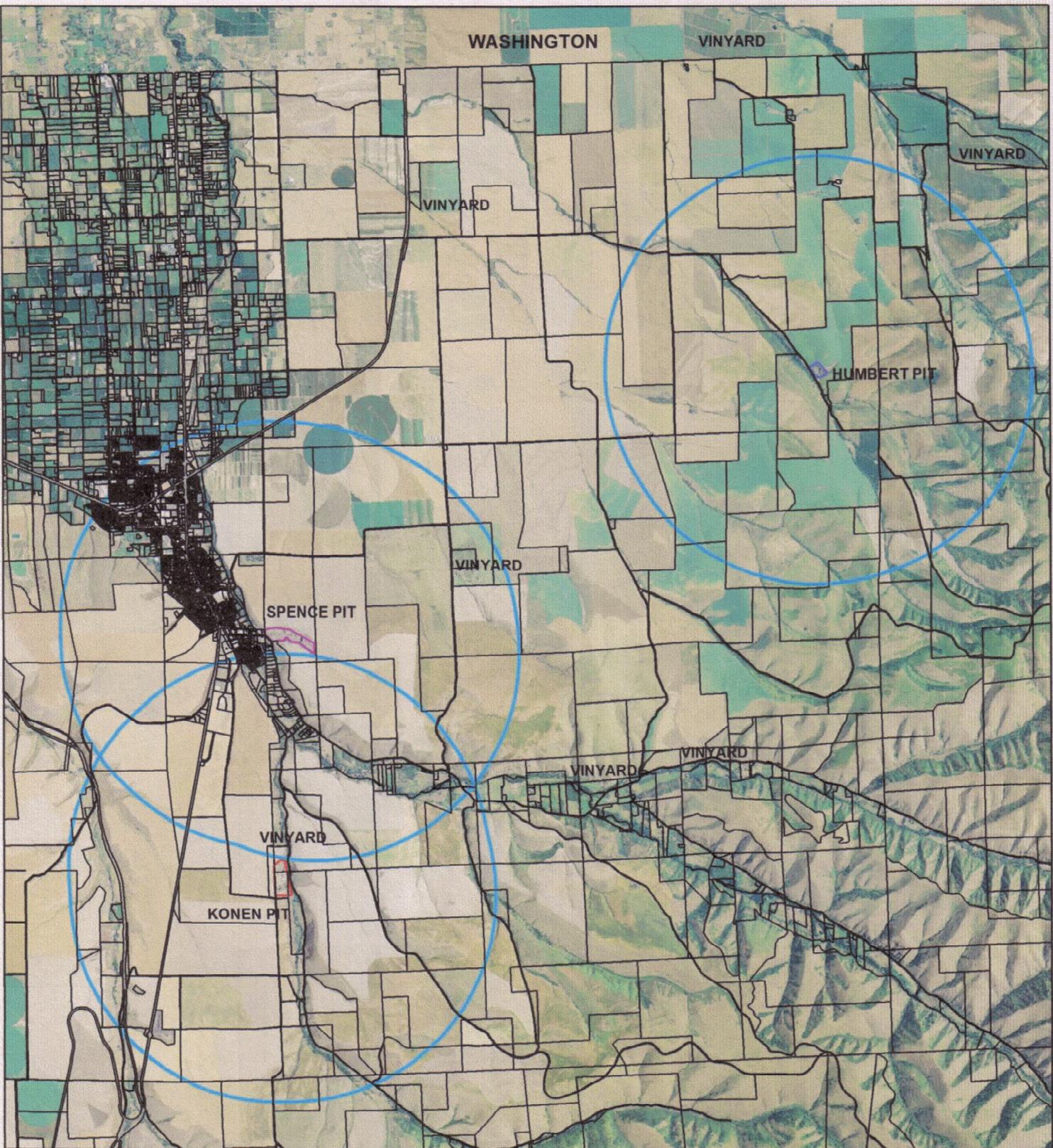
I hereby declare that the above statement is true to the best of my knowledge and belief,
and that I understand it is made for use as evidence in court and is subject to penalty for perjury.

DATED this 10th day of April, 2013.

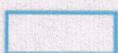


Mike Stalder

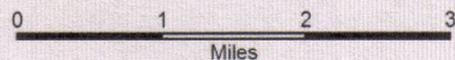
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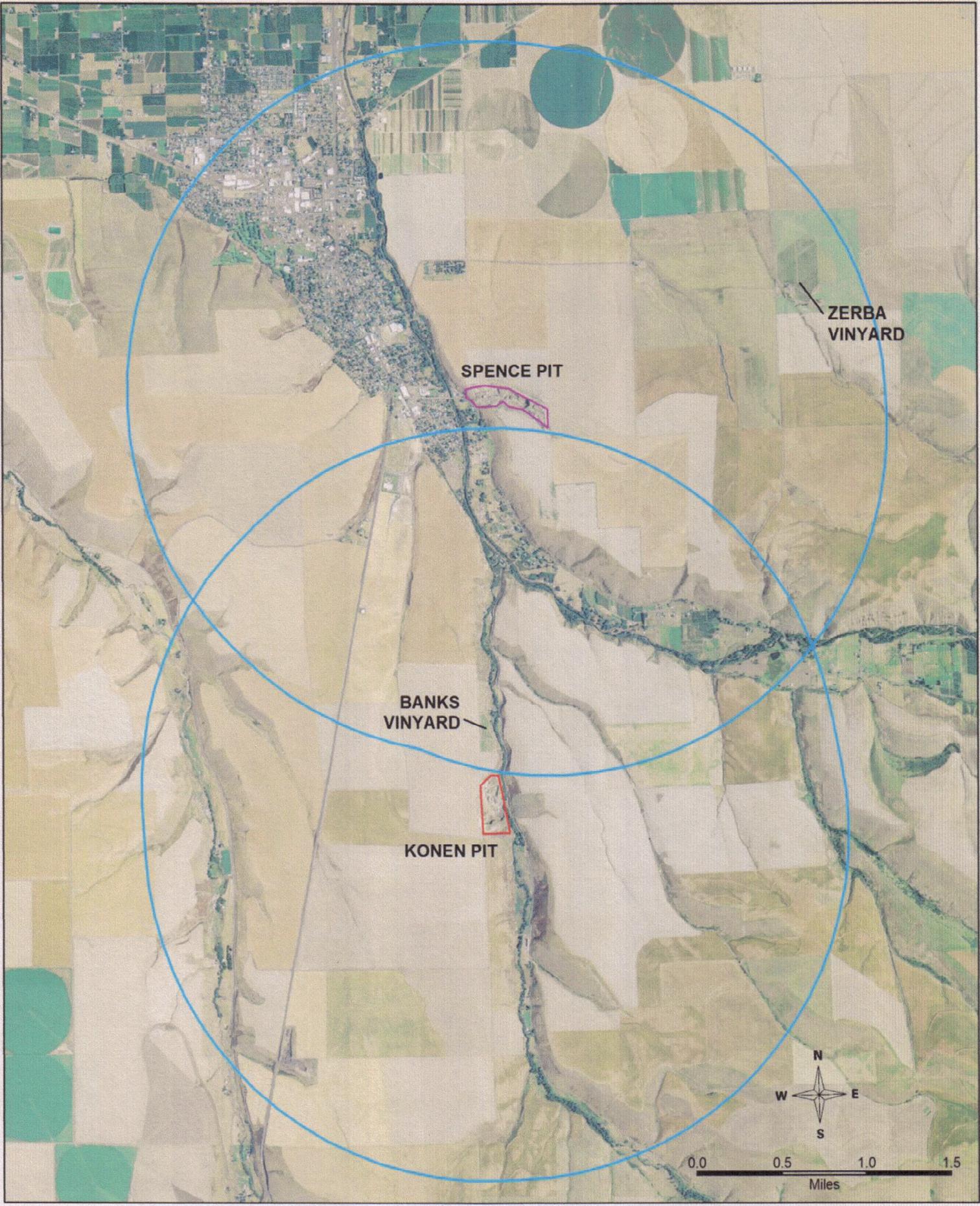
2012 AERIAL PHOTO, UMATILLA COUNTY, OREGON
2 MILE BUFFER FROM EXISTING GRAVEL PITS



2 mile buffer area



MAP DISCLAIMER: No warranty is made by Umatilla County as to the accuracy, reliability or completeness of this data. Parcel data should be used for reference purposes only. Created by J. Alford, Umatilla County Planning Department. 3/31/14



2012 AERIAL PHOTO, UMATILLA COUNTY, OREGON
2 MILE BUFFER AREA FROM EXISTING GRAVEL PITS

 2 mile buffer area

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Subject: A & B Asphalt
From: HACK Tom <HACK.Tom@deq.state.or.us>
Date: 3/27/2014 3:52 PM
To: 'Gina Miller' <ginam@co.umatilla.or.us>

Hello Gina:

In response to our conversation earlier today, A & B Asphalt is in possession of an Air Contaminant Discharge Permit (ACDP) No. 37-0043-G-01 located in the Sphinx Pit in Milton-Freewater and is in good standing with DEQ requirements. As they are permitted as a portable plant, they have the option to move the plant as they wish. The last full inspection was completed on July 14, 2011. The plant was found to be adequately using water sprays to control dust.

From time to time we have received complaints of excess dust from the crusher and/or their asphalt plant (*both located in the same pit*). However, upon investigating the complaints, no compliance problems were observed.

If I can be of further assistance, please feel to call me at (541) 278-4626.

Tom

#12

3/27/2014 4:05 PM

2011 Reclamation Awards
Outstanding Operator - Small
A & B Asphalt
30-0076 Humbert Quarry

The Humbert Quarry is located just outside the city limits of Milton-Freewater in northern Umatilla County. Mining began at this upland basalt quarry in the late 1960's. The site operated as a Grant of Total Exemption, producing less than 5,000 cubic yards of material in any 12-month period until 1984. In the early 1980's Umatilla County issued operating and reclamation plans under a county program administered by the Road Department. In 1990, Umatilla County relinquished the reclamation program turning administrative authority over to DOGAMI. A DOGAMI operating permit was issued to Humbert Excavating in 1990.

DOGAMI first visited this site in March 1990, and found the site well developed with benched highwalls, and configured as a bowl to contain storm water on-site. In 1997, the DOGAMI permit was transferred to Birch Creek Construction. Birch Creek operated the site until 2005, when a lease agreement expired and was not renewed with the landowner. The site sat idle until 2009, when A & B Asphalt assumed the DOGAMI permit and paid the past renewal fees to bring the site into compliance.

When A & B Asphalt began operations at this site the quarry floor was irregular, aggregate materials were stockpiled here and there and soil/overburden materials were scattered across the 15 acre site. The one real positive was a functioning storm water control system that effectively contained storm water on-site within the quarry floor. However, in late January 2010, a rain on snow event in the area caused a significant run-off event. An un-named ephemeral drainage forms the southern permit boundary for the Humbert Quarry. This drainage collects run-off from agricultural fields to the east and south of the quarry. After the rain on snow event, run-off roared down this un-named drainage creating an erosional feature 4 to 6 feet wide, with a high water mark of at least three feet. This run-off hit the county road and had nowhere to go except across the road and through a private property seeking the Walla Walla River, some 600 feet to the west. A DOGAMI inspection was scheduled at the request of the county road department to determine if mining operations had affected this drainage. It was determined little if any run-off occurred from the quarry operation. Virtually all of the run-off originated from the agricultural fields. When the quarry was originally developed there was no consideration given to the potential for run-off down the un-named drainage. No culverts were installed to convey run-off underneath the mine access road or the county road.

A & B Asphalt assisted in the cleanup of the sediment deposited on the county road and adjacent property. A culvert was installed beneath the mine access road to convey any future drainage down the east borrow ditch of the county road. So long as the flow down the un-named drainage

remains segregated from storm water on the quarry, the drainage is not considered a discharge from the quarry operation.

A & B Asphalt has done an outstanding job in developing the quarry in a safe and efficient manner. A new stockpile area was created for soil/overburden and a separate area for aggregate. A new equipment parking area was constructed. A new office and scales were installed. A new access road to cell towers above the quarry was constructed, and four decades worth of junk was cleaned up to be hauled to the landfill or salvage yard.

DOGAMI nominated A & B Asphalt as an outstanding operator after a site inspection requested by the county in January 2012.

Memo



Daly • Standlee & Associates, Inc.

4900 S.W. Griffith Drive
Suite 205
Beaverton, Oregon 97005
(503) 646-4420
Fax (503) 646-3385

Date: April 11, 2014

To: Mike Stalder

A&B Asphalt, Inc.

From: Mike Raley, Acoustical Consultant
Kerrie G. Standlee, P.E., Principal

Re: A&B Asphalt Goal 5 Noise Study
Comments by Opponents about Noise Impacts from the Quarry

DSA File #: 113132

Mike,

During the planning commission hearing on March 27, 2014 concerning the A&B Asphalt Goal 5 application, opponents of the application submitted oral testimony and written materials concerning noise impacts that would occur at their homes and at the school if the mining area at the quarry in question was allowed to be extended out as proposed in the application. Based on what DSA heard at the hearing and read in the submitted materials, the opponents have presented the planning commission with a considerable amount of misinformation about the noise that will emanate from the quarry if the approval is granted and, given that information, DSA is concerned the commissioners will not be able to fully understand how it can be concluded that noise impacts from operations at the A&B Asphalt quarry will be "minimized" as required within the Mineral and Aggregate Resources section of the Goal 5 legislation. To help the planning commission better understand how it can be concluded that noise impacts associated with the proposed operations will be "minimized", DSA presents the following information:

OAR 660-023-0180 Mineral and Aggregate Resources, Subsection (1)(g) of the Goal 5 Rule states:

"Minimize a conflict" means to reduce an identified conflict to a level that is no longer significant. For those types of conflicts addressed by local, state, or federal standards (such as the Department of Environmental Quality standards for noise and dust levels), to "minimize a conflict" means to ensure conformance to the applicable standard.

DSA assisted A&B Asphalt in the development of a mining plan for the new mining area that would ensure the noise radiating from the quarry site will comply with the limits specified in the DEQ Noise Control Regulations for Industry and Commerce [OAR 340-035-0035].



A&B Asphalt Goal 5 Noise Study
Comments by Opponents about Noise Impacts from the Quarry

Thus, as stated in the definition above, the Commission can conclude the noise impacts associated with the proposed changes at the quarry has been minimized.

Response to Comments Made about Noise by Opponents of the Application

In response to the information submitted by opponents of the application, DSA presents the following information:

Testimony and Written Submittal Presented by Mike Robinson, Attorney at Law

Robinson Comment Regarding 1,500 foot Impact Boundary

At the hearing, Mr. Robinson testified that the DSA noise study did not address noise impacts beyond the 1,500 foot boundary required in the Goal 5 rule. In written testimony Mr. Robinson stated the following:

“The Applicant must identify and minimize conflicts due to noise with regard to houses, schools, and other noise-sensitive uses and associated activities. OAR 660-023-0180(5)(b)(A), (c). Although the Applicant has submitted a noise study to the County, this study is deficient because it only considered impacts within the 1,500-foot impact area. It does not consider impacts to the larger impact area that Applicant was required to evaluate, which includes Grove Elementary School and numerous other residences.”

DSA’s Response to Robinson Comment Regarding 1,500 foot Impact Boundary

Mr. Robinson’s statements about how DSA’s noise study addressed only the area within the 1,500 foot impact boundary are incorrect because DSA always considers noise impacts beyond 1,500 feet of a mining site. According to OAR 660-023-0180 (5)(a):

“The local government shall determine an impact area for the purpose of identifying conflicts with proposed mining and processing activities. The impact area shall be large enough to include uses listed in subsection (b) of this section and shall be limited to 1,500 feet from the boundaries of the mining area, except where factual information indicates significant potential conflicts beyond this distance [emphasis added]. For a proposed expansion of an existing aggregate site, the impact area shall be measured from the perimeter of the proposed expansion area rather than the boundaries of the existing aggregate site and shall not include the existing aggregate site.”

Due to the fact that the Goal 5 rule considers a noise sensitive receptor impacted by noise when the noise level exceeds the limits specified in the DEQ noise control regulations, and due to the fact that DSA can not know in advance of a study how far out from a quarry one must go to ensure the noise levels are in compliance with the DEQ noise control regulation limits, DSA always looks out as far as it takes in all directions from a quarry to find the point where the DEQ noise control regulation limits will no longer be



A&B Asphalt Goal 5 Noise Study Comments by Opponents about Noise Impacts from the Quarry

exceeded without the need for mitigation. That approach was used in the A&B Asphalt mining area expansion noise study.

Furthermore, to demonstrate how the noise study was conducted to look beyond 1500 feet from the expansion area, Receiver R4 in Figures 5, 7 and 8 of the DSA noise study report is over 1,900 feet from the nearest point in the proposed mining area. And, while the noise study does not explicitly address the predicted noise levels at Grove Elementary School, it does address noise impacts at the school implicitly through the fact that the school is outside the DEQ compliance boundary shown in Figure 7 and 8 of the noise study report which defines the area beyond which the predicted L_{50} noise level will fall below the criterion of 55dBA. All areas outside the DEQ noise compliance boundary are in compliance with the DEQ criteria and thus noise impacts in these areas, which include Grove Elementary School, have been minimized in accordance to the Goal 5 rule for mineral and aggregate resources.

To further show where Grove Elementary School is located relative to the DEQ noise control regulation limits, Figures 1 and 2 (see below) show the hourly L_{50} noise level contours projected out beyond the DEQ compliance boundary for the two types of site operations generally expected in the expansion area: the ripping excavation and crushing operations and the rock drill and crushing operations. The figures show the significant resources identified by Mr. Robinson, such as the Grove Elementary School and the Walla Walla River, are both well outside the DEQ noise compliance boundary. Figures 1 and 2 show the 1,500 foot boundary line around the site in addition to the noise contour lines, and it is clear from looking at the figures that the study looked beyond the 1,500 foot boundary, especially in the direction of Milton-Freewater.

Finally, to further address any concerns the commissioners might have relative to noise impacts the proposed A&B Asphalt mining area expansion might have on the Grove Elementary School, DSA measured the ambient noise near the school on March 28, 2014 during an approximate 20 minute period of the 10:00 a.m. hour. Figure 3 shows the noise levels measured at the school as well as the range of noise levels that could radiate to the school from the mining area during the life of operations in the expansion area. The peaks shown in Figure 3 represent vehicle pass-bys from automobiles, motorcycles and an approximately 50/50 mix of haul trucks from A&B Asphalt and Konen Rock Products. The lowest ambient sound levels (around 45dBA) shown in the figure were typically generated by distant vehicle traffic, primarily on Highway 11. Comparing the predicted quarry-generated noise levels with the measured ambient levels shows that the noise generated by mining operations in the proposed expansion area will not have a noticeable impact on the overall ambient noise levels at Grove Elementary. All of this information demonstrates that the noise study clearly addressed impacts beyond 1,500 feet.

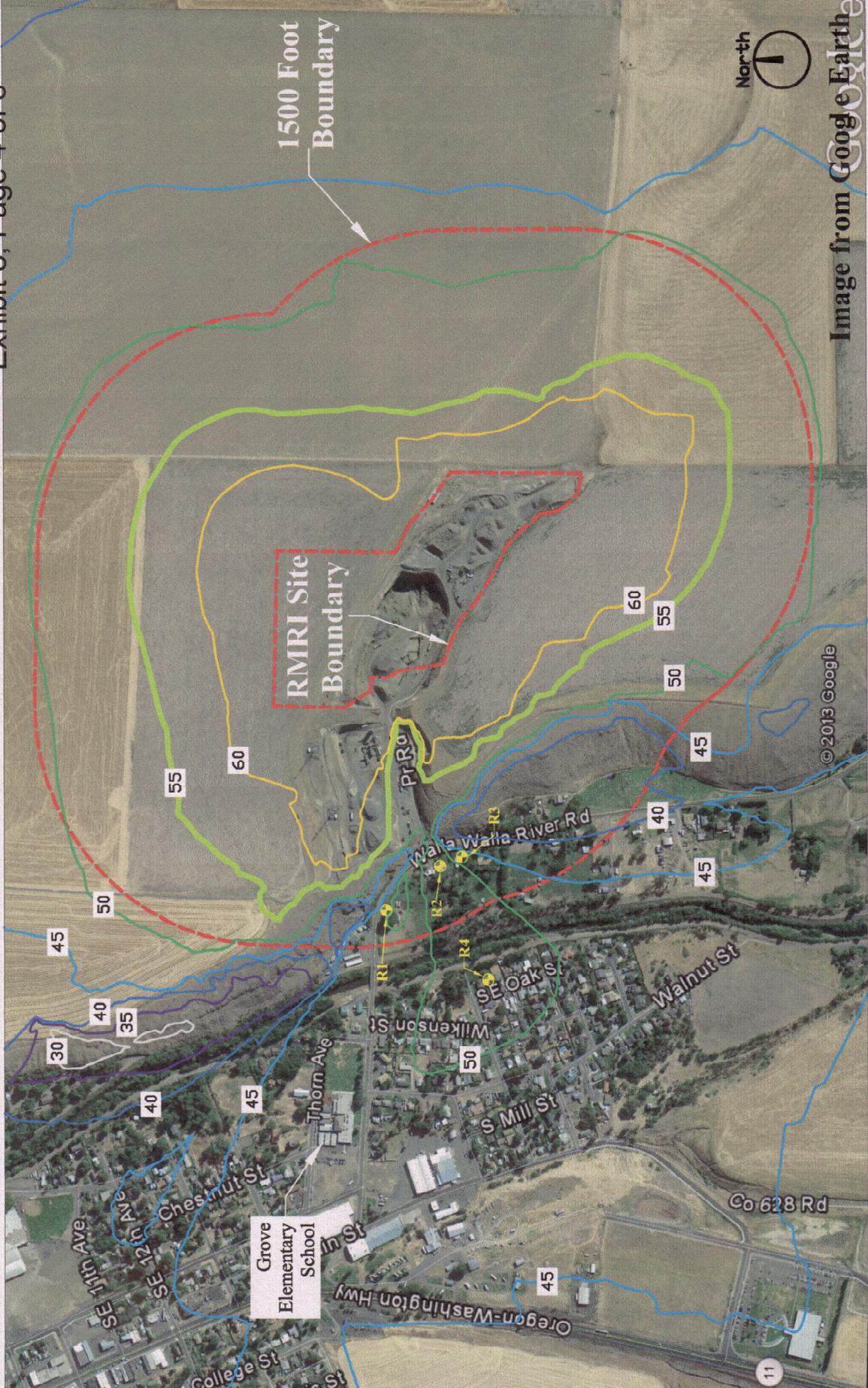


Image from Google Earth

© 2013 Google

Daly-Standlee & Associates, Inc.

ph: 503-646-4420
fax: 503-646-3385
email: DSA@acoustechgroup.com

A&B Asphalt New RMRI Site

L50 Contours - Ripping Excavation and Crushing Operations

Scale:

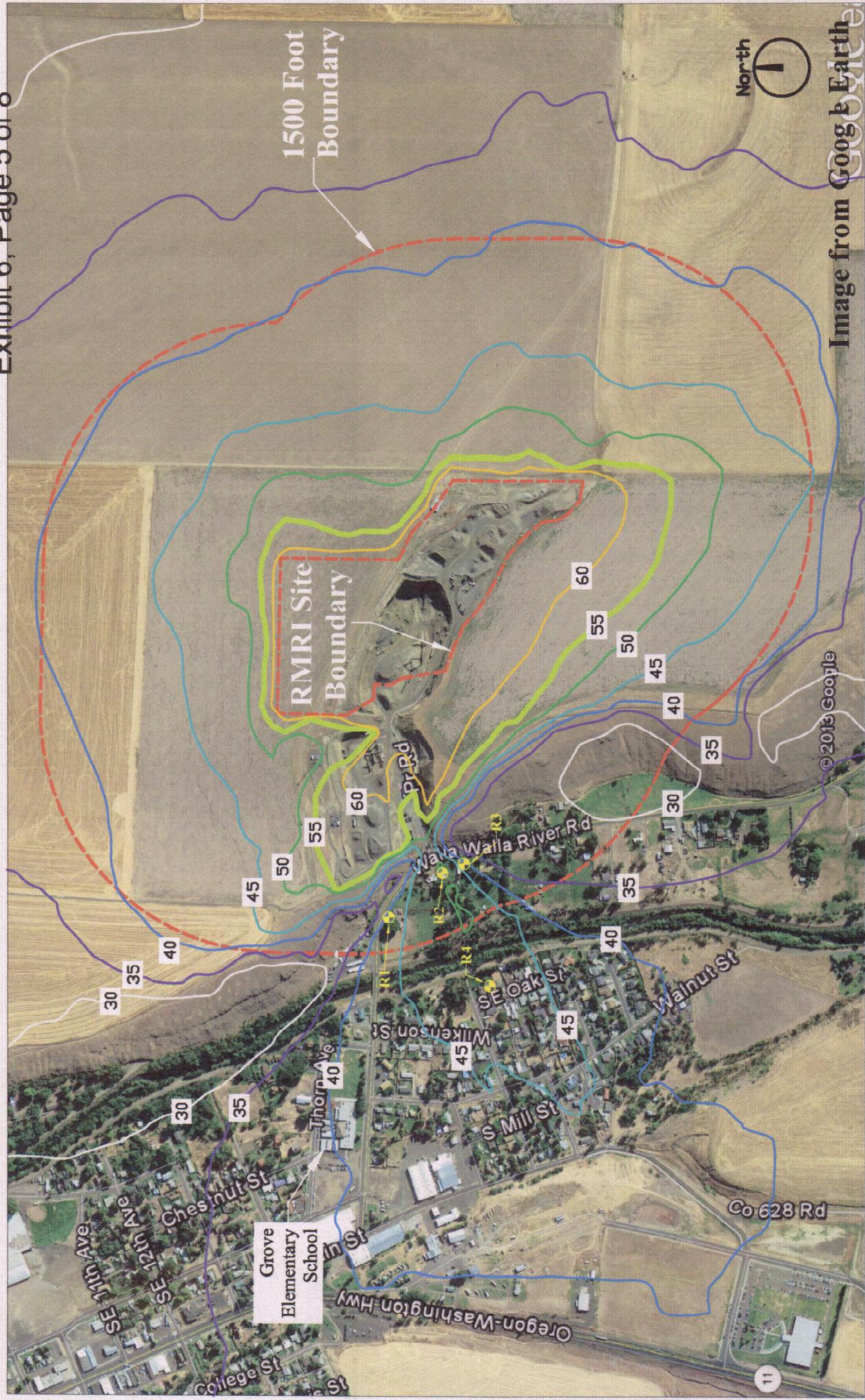
Project Engineer:

BDW

DATE: 04/08/14

PROJECT NO. 113131

FIGURE #1



Daly-Standlee & Associates, Inc.

ph: 503-646-4420
fax: 503-646-3385
email: DSA@acoustechgroup.com

Scale: Project Engineer: BDW

A&B Asphalt New RMRI Site

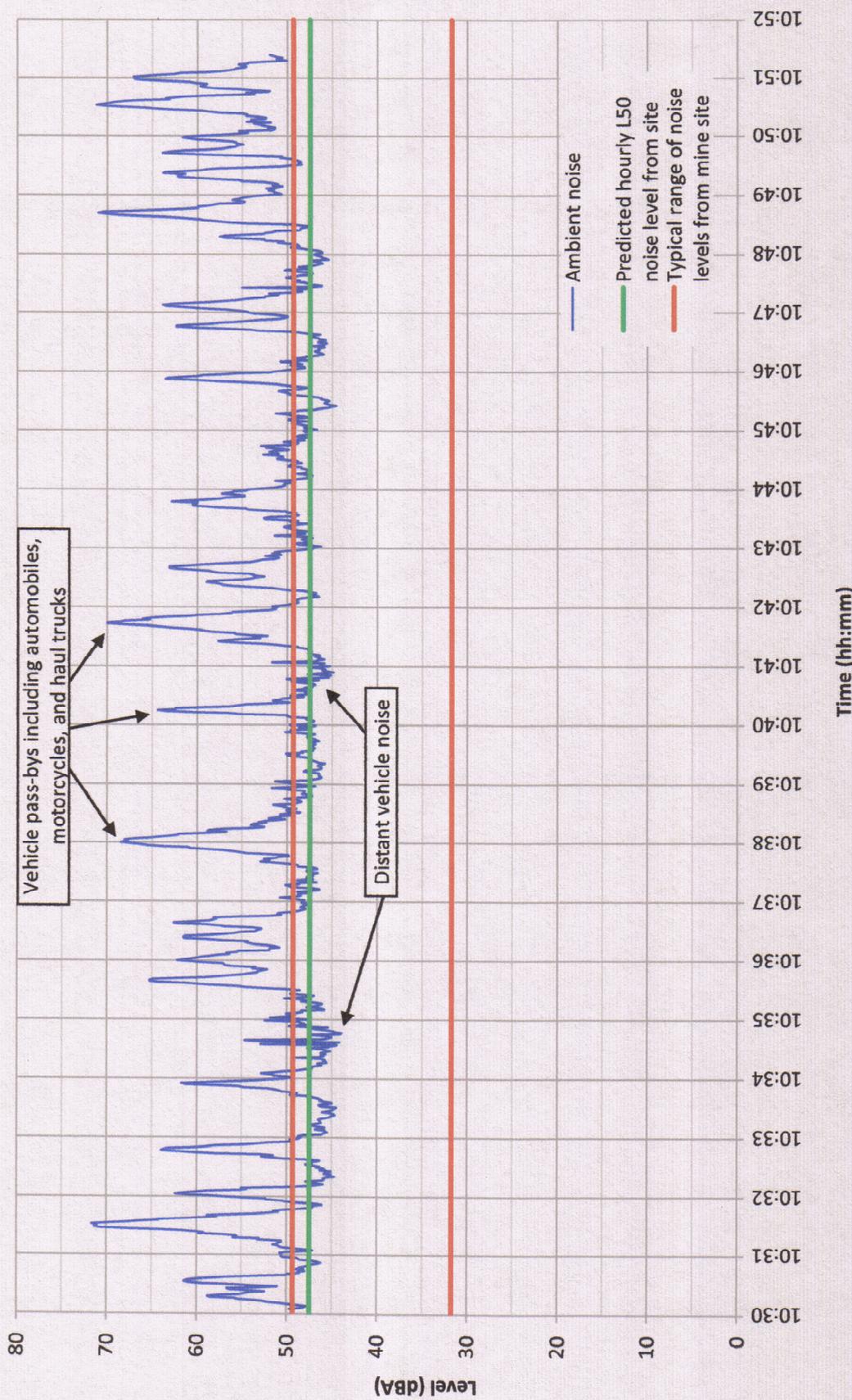
L50 Contours - Drilling and Crushing Operations

DATE: 04/08/14

PROJECT NO. 113131

FIGURE #2

Image from Google Earth



Daly-Standlee & Associates, Inc.

Phone: 503/646-4420
 Fax: 503/646-3385
 Email: DSA@acoustechgroup.com

DESIGNED BY: BDW
 DRAWN BY: BDW

Received levels at Grove Elementary School

DATE: 4/1/2014
 PROJECT NO. 113131

BDW

Figure 3



Robinson Comment Regarding On-road Haul Truck Noise

At the hearing Mr. Robinson stated that the noise study does not discuss noise from on-road haul trucks.

DSA's Response to Robinson Comment Regarding On-road Haul Truck Noise

Mr. Robinson was correct when he stated that DSA made no predictions of the noise associated with on-road haul trucks. However, Mr. Robinson's statement appears to imply that on-road haul truck noise is supposed to have been predicted and if that is the case, then he is incorrect in his implication. As is discussed on pages eleven (11) and nineteen (19) of the noise report, the noise from on-road haul trucks is not governed under by the limits specified in the "Noise Control Regulations for Industry and Commerce" [OAR 340-035-0035], except when the noise source of concern is a new source located on a site on which has never been used for industrial or commercial operations [OAR 340-035-0035 (5)(c)].

(5) Exemptions: Except as otherwise provided in subparagraph (1)(b)(B)(ii) of this rule, the rules in section (1) of this rule shall not apply to:

(c) Sounds created by the tires or motor used to propel any road vehicle complying with the noise standards for road vehicles.

The application is requesting permits to expand the mining area at an existing mine site using equipment that has been used at a mine site that has had operations occurring off and on for years since 1948. And, under the DEQ noise regulations for industry and commerce, noise associated with on-road haul trucks are exempt from the limits specified in the "Noise Control Regulations for Industry and Commerce".

The noise generated by on-road haul trucks is addressed in OAR 340-035-0030, "Noise Control Regulations for In-Use Motor Vehicles", and Table 3 of the regulation, "In-Use Road Vehicle Standards," gives maximum allowable sound levels for road vehicles under different operating conditions. The noise limit for trucks over 10,000 pounds GVWR (which would include the dump trucks going to and departing the A&B Asphalt mine site) moving at 35mph or less on level roadway, under constant speed, more than 200 feet from a stop, is 84dBA at a distance of fifty (50) feet. From data measured at the Grove Elementary School on March 28, 2014 during the 10AM hour (see Figure 3) DSA was able to determine that the maximum noise radiating from trucks serving both the A&B Asphalt mine site and the Konan Rock Products mine site was in the range of 77dBA at fifty (50) feet, well below the DEQ standard of 84dBA.



General Testimony Given at the Hearing by the Public

Public Comment Regarding Blasting Noise

At the March 27, 2014 hearing several members of the public commented that blasting at Spence Pit “shook” their houses and that blasting at the pit had caused damage to their homes. Some members of the public commented that the first two blasts at the quarry were “okay”, but that the third blast was not.

DSA’s Response to Public Comment Regarding Blasting Noise

Blasting noise is regulated by OAR 340-035-0035 (1)(d)(A) which gives the blasting noise limits as “98 dBC, slow response, between the hours of 7 a.m. and 10 p.m.” DSA typically does not predict blasting-generated noise levels expected at residences around a quarry because the noise level associated with any given blast is a function of a number of factors that are under the control of the blasting expert. Factors such as the number of holes used to fracture the rock, the number of holes detonated at the same time, the time delay between detonations, the level of charge used in each hole, the depth of the stemming used in the holes and the presence of overburden placed over the holes to contain the energy of the blast are all “tools-of-the-trade” used by the blaster to control the amount of noise released by a blast event. However, as was stated in DSA’s testimony and in DSA’s noise study, DSA has monitored blasts within 300 feet of a blast event and found the blasts to be in compliance with the DEQ criteria for blasting generated noise. Thus, it is DSA’s opinion that with properly designed blasts, it is feasible and expected that blasting noise generated at A&B Asphalt’s Spence Pit will comply with the DEQ criteria for blasting generated noise.

It is also DSA’s experience that if the DEQ criteria for blasting are met the air pressure wave from the blast will not “shake” or cause damage to homes. However, further discussion of blasting regulations that address damage to structures can be found in the documents submitted by Barnes, Inc. In addition, further discussion of the blast plan expected at the A&B Asphalt site can be found in the documents submitted by Barnes, Inc.

Public Comment Regarding the Audibility of Current Quarry Generated Noise

During the March 27 hearing several members of the public testified that they can hear the current quarry operations from their place of residence.

DSA’s Response to Public Comment Regarding the Audibility of Current Quarry Generated Noise

The Goal 5 regulations state that noise impacts are minimized if the quarry-generated noise is in compliance with the applicable DEQ noise regulations [OAR 660-023-0180 (1)(g)]. The Goal 5 regulations say nothing about audibility being a standard in assessing noise relative to a Goal 5 approval. On the other hand, DSA’s noise study shows the noise associated with the proposed expansion of the mining area will be in compliance with the DEQ noise regulations. Therefore DSA’s noise study shows noise impacts have been minimized as required in OAR 660-023-0180.

Environmental Services Geotechnical Engineering Construction Materials Testing Special Inspections

MR. MIKE STALDER
A & B ASPHALT
53847 Walla Walla River Road
Milton Freewater, Oregon 97862

MTI FILE NUMBER: B130508E

Attention: Mr. Stalder

Project: Pit Source Evaluation
Spence Pit 11 Acre Expansion
53847 Walla Walla River Road
Milton Freewater, Oregon

ADDENDUM 1

As per your request, MTI has addressed questions pertaining to the above reference project produced from a public hearing about the 11 acres Spence pit expansion. And MTI role in the performance of the investigation which includes logging of cores, quantifying quarry rock, and sampling and testing of rock deposits as per the procedures specified by the Oregon Department of Transportation – **2002 ODOT Standard Specifications according to section 02630.**

1. Were three bore holes enough to get a "representative sample"?

Yes, the three boring at random locations within the expansion area were adequate using standard geologic and engineering practices.

2. Why were the rocks from all three holes sampled together? Was that a way to "mask" the substandard nature of one of the samples?

The rock samples from the three borings were combined to mimic the work practice of the future pit operation. It was a way to assess future procedures accurately.

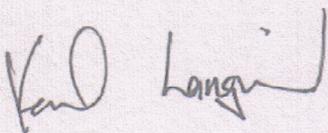
3. Samples were taken from different elevations. How does this relate to the possible depth of mining?

The depths of which the samples were collected mimic the work practices of the future mining operation as the mining will occur continuously throughout the vertical and lateral extents of the expansion area.

Sampling was conducted on 2 & 3 May 2013 as per the requirements specified by Oregon Administrative Rule (OAR) 660-23-180, Minerals and Aggregate Resources, Section (3)(a). The purpose of this evaluation is to determine suitability of in place basalt for the following use as aggregate.

We appreciate this opportunity to be of service to you and we look forward to working with you in the future. If you have any questions concerning this report, please call on us at **(208) 376-4748.**

Respectfully Submitted,
Materials Testing & Inspection, Inc.



Karl Languirand, P.G.
Project Manager



(Joins sheet 16)

Sheet 17

April 14, 2014

**SUPPLEMENTAL RECLAMATION PLAN
(To Be Submitted to DOGAMI)**

OAR 660-023-0180(3)(f) requires a reclamation plan when mining is allowed. If the land is zoned EFU, reclamation must be for uses specified in the rule:

(f) Where mining is allowed, the local government shall determine the post-mining use and provide for this use in the comprehensive plan and land use regulations. For significant aggregate sites on Class I, II and Unique farmland, local governments shall adopt plan and land use regulations to limit post-mining use to farm uses under ORS 215.203, uses listed under ORS 215.213(1) or 215.283(1), and fish and wildlife habitat uses, including wetland mitigation banking. Local governments shall coordinate with DOGAMI regarding the regulation and reclamation of mineral and aggregate sites, except where exempt under ORS 517.780.

A&B proposes to reclaim the expansion area for permitted farm uses per ORS 215.283(1) or ORS 215.203 or fish and wildlife habitat. Since the life of the quarry is 40 to 50 years, conditions and techniques – even, potentially, zoning -- will change, so that promising a specific use at this time would not be reasonable.

A&B will comply with all requirements of DOGAMI and has posed the requisite DOGAMI bond.

Enforcement 3rd Quarter 2010

From July through September 2010, the Motor Carrier Division finalized 104 civil enforcement actions, in addition to 97 actions related to inspection follow-up violations. The number next to each name indicates violations confirmed in the process.

** Denotes second complaint within five years.

*** Denotes third complaint within one year of second.

**** Denotes fourth complaint within one year of third.

***** Denotes fifth complaint within one year of fourth.

Safety Violations

A total of 92 enforcement actions related to violations found during safety compliance reviews or resulting from truck drivers violating an out-of-service order.

- 9 Mile Construction & Excavation, Inc. 4
- A & L Transport LLC 5**
- Action Drain and Rooter Service (Veneta OR) 4**
- Axis Crane LLC 58***
- Ball & Chain Transport LLC 2
- Tim Bither 2
- Brothers Express 4
- Building Solutions LLC 4
- C I U J Express 3
- Camelot Transportation LLC 6
- Can 2 Trucking, Inc. 4
- Carter & Company, Inc. 8**
- Chalma Trucking 3
- Cross River Transport, Inc. 10****
- D&T Excavation, Inc. 2**
- Dallwig Bros. Building Supply, Inc. 2**
- David Star LLC 4
- Paul E Denuc III 8
- Tim Dixon Construction, Inc. 2
- Dron Transport LLC 1
- E W H Transport 2**
- Eberle Concrete, Inc. 2
- Elegant Express 2***
- Robert L Fisher 2
- John A Fregulia 2
- Gage It Construction LLC 5
- G M Garcia Trucking 11**
- Gerardo Garcia Trucking 8
- Giustina Land & Timber Co. Limited Partnership 7
- David Samuel Gover III 1
- H&H Paving Co. 10**
- Hanel Development Group LLC 5
- Hatley Construction, Inc. 4
- Lyle B Hensley 1**
- Mike Herberger Trucking LLC 16
- Martin R Hoekstre 3
- Horse Ridge Farms 4
- Humbert Asphalt, Inc. 18**
- J & C Crawler Service 3**
- J&J's Transportation LLC 5
- J&K Distributing 10***
- Johnny Cat, Inc. 118****
- A R Johnston Co. 5
- Mark Jones Trucking, Inc. 8
- Jose Alvarado 1**
- Judy Construction Co. 1
- Dairl Landers 3
- Cynthia S Lutman 10
- McFall Enterprises, Inc. 10
- Dale L McFall 3**
- Rick McKay Corp. 1***
- McKenzie Excavating, Inc. 4
- Moody Contract Logging 3
- More Logs Fibre, Inc. 3
- Munsen Paving LLC 1**
- N W F Trucking 1*****
- Native Rock Trucking 5
- O & O Transportation 1**
- O & R Trucking LLC 4***
- Perotti Enterprises LTD 3
- R&C Logging LLC 3**
- Reedco, Inc. 2
- Rosales Trucking LLC 1***
- Rose City Paving LLC 6
- Rose Express Corp. 2***
- Roth Communications, Inc. 7
- Santana Crane, Inc. 8
- Sause Bros. Ocean Towing Co., Inc. 2
- Save On Transport 14***
- Semling Construction, Inc. 4
- Spec Industries, Inc. 4
- Stan's Construction & Portable Welding LLC 2
- Jim Steidley, Inc. 7
- Stryker & Sons B D K Trucking LLC 5
- Paul T Tate Jr. 3
- Thunder Movers LLC 14**
- Todd's Trucking, Inc. 1**
- Tony Transport, Inc. 10***
- Tree Products Hardwoods, Inc. 2
- Jeff Unger Logging, Inc. 26**
- V & E Auto LLC 5
- V&S Log Express, Inc. 3
- Vernam Crane Service, Inc. 2**
- Vernam, Inc. 3**
- Weber Trucking 9
- West Oregon Wood Products, Inc. 2
- Western Pacific Tree Service, Inc. 5**
- Western Rock Reduction Co. 4
- Clyde E Williams Trucking, Inc. 1

- E & S Wood Construction, Inc. 3**
- Woolley Equipment LLC 15****
- Ronald A Yates Log Trucking 1

Other Safety Violations

A total of 78 cease and desist orders and 19 penalty orders were related to failure to return a Driver or Equipment Compliance Check Form after a truck and/or driver safety inspection.

Following every inspection, the driver receives a copy of the inspection form. If violations were found, the motor carrier must sign and return the form within 15 days in order to certify that any vehicle-related problems were repaired and/or driver-related problems addressed (49 CFR Part 396.9). When the inspection occurs in Oregon, the signed form must be returned to the Oregon DOT Motor Carrier Transportation Division.

Under Oregon's enforcement process, the first time a carrier fails to return an inspection form for a Level 1 or Level 2 inspection that found an out-of-service violation, a Cease and Desist order is sent 50 days after the inspection establishing the failure to meet requirements. The second time it happens within 12 months of a Cease and Desist order, a civil complaint action may be filed assessing a \$1,000 penalty and seeking a five-day suspension of Oregon operating authority.

Following the filing of a civil complaint action, the motor carrier may admit the violation, agree to address the problem, and seek settlement, or deny the violation and request a hearing before an administrative law judge.

Other Violations

A total of 12 actions related to other violations, such as operating in excess of size or weight limits, operating without valid registration credentials, illegally bypassing a weigh station, offering or providing unauthorized household goods moving services, or operating in violation of farm registration laws and rules.

- Affordable Labor & Moving 4
- All Star Movers LLC 1

- Construction Truck & Trailer, Inc. 1
- Empire Transport (Mesa AZ) 1
- Estrella Blanca LLC 1
- Landstar Ranger, Inc. 1
- Let George Do It 1
- Home Safe Moving 1
- Riverbrook Trucking 1
- Siskiyou Packers 1
- Smooth Move People, Inc. 1
- West Coast Equipment, Inc. (Fort Worth TX) 3

Other Enforcement

Summary of work by Motor Carrier Enforcement Officers in the 3rd Quarter 2010:

Trucks Weighed on Static Scales
471,671

Trucks Precleared to Pass Green Light Weigh Stations
301,614

Weight-Related Citations
2,088

Weight-Related Warnings
1,585

Size-Related Citations
140

Size-Related Warnings
61

Trucks Required to "Legalize" and Correct Size and/or Weight
574

Other Citations, including safety-related citations
480

Other Warnings, including safety-related warnings
1,109

Citations for Operating Without Oregon Weight Receipt & Tax Identifier or No Vehicle Registration
1,251

Warnings for Operating Without Oregon Weight Receipt & Tax Identifier or No Vehicle Registration
1,516

Totals do not include enforcement actions by Oregon State Police or city and county officers.

Enforcement 2nd Quarter 2013

From April through June 2013, the Motor Carrier Division finalized 101 civil enforcement actions, in addition to 92 actions related to inspection follow-up violations.

** Denotes second complaint within five years.

*** Denotes third complaint within one year of second.

**** Denotes fourth complaint within one year of third.

***** Denotes fifth complaint within one year of fourth.

• Denotes failure to produce records.

Safety Violations

A total of 101 enforcement actions related to violations found during safety compliance reviews or resulting from truck drivers violating an out-of-service order.

A H E Trucking LLC 9**
Above All Sanitation Inc 2**
Almata Trucking LLC 1**
American Transportation Logistics Services Inc abn A T L S 3**
Atlantic Delivery LLC 33***
Auto Transport LLC 4*
Michael A Bailey 4*
Gregory & Velda Bales Inc 11**
Bantu Trucking Inc 5*
Bartlett Excavation & Construction LLC 2*
Guadalupe Bueno 2*
Calbag Metals Co 10**
Clark's Disposal Inc 6*
Jack Cook Logging 6*
Cradar Enterprises Inc 20**
D C K Trucking LLC 1*
D C R Trucking Inc abn Riverside Transport 6**
Dave's Loam & Topsoil Inc 270***
Lonnie Walt Dillman abn Dillman Trucking 3***
E J S Inc abn Salmon Concrete 1*
Elwood's Tree Service Co 6**
Emerald Moving Inc 8*
Ewing Transport LLC 2*
Excavators LLC, The 5*
Fast Track LLC 7*
Joe Floyd & Sons Incorporated 10**
Fortune's Bulldozing & Grading Inc 3*

Frolander Logging Inc 4**
Gedco Network LLC 4*
Gettis Paving Inc 6**
Gilbertson Trucking LTD 9*
GRG Express LLC 49**
H F I Transportation LLC 23***
H N S Inc 29****
H S C LLC 1**
Byron R Haberly and Evelyn Jean Haberly abn Byron's Excavating & Landscaping 19**
Hamilton Metals Inc 1**
Hampton Paving, LLC 3*
Hanel Development Group LLC 3**
Haworth & Sons Inc 3**
J C Brokerage Inc 17***
Mark Jones Trucking Inc 6***
Kingfisher Inc 3*
Kraft Masonry Inc 3**
Laskey Clifton Corporation 14***
Jeromey Dennis Lesperance 17**
Lowell G Lewis Construction Inc abn Joseph Excavating 2*
Cristino Lopez Vasquez abn Lopez Transportation 7*
M A Trucking LLC 5***
Madera Trucking LLC 5***
Terry L Mayfield 1**
Joe Nelson Martinez abn J N M Transport 1*
Robert R McMord, Jr. 20*
Dan McGovern Parking Lot Maintenance Inc 5*
Metro Machinery Rigging Inc 23**
Meyer Sign Co of Oregon Inc 9**
John Milton Trucking LLC 7**
Omar Morales-Cruz abn El Tarasco Trucking 7*
Motion Auto Carriers LLC 4*
Nelson C C Ranches, Inc 2*
Night&Day Express LLC 8*
Norton Trucking LLC 2***
Omalley Brothers Corporation 111***
Oregon Brewing Company abn Rogue Ales 1**
Oregon Pacific Construction Inc 2**
Oregon Vineyard Supply Co 7*
Paradigm Logistics LLC 1*
Greg Petersen Trucking Inc 1**
Mike Pihl Logging Company Inc 1**
Pine West LLC 4*
Pioneer Asphalt Inc 3*
R K Storage & Warehousing Inc 16**
R&R Tree Service Inc 4*
Rahn's Sanitary Service 26*

Raimore Construction LLC 4*
Rawhide Excavating Inc 3*
Ricky Reed Trucking 1*
Risseuw Trucking LLC 3*
Shad Robinson 3*
Rafael Innocencio Ruiz 1**
S V Trucking LLC 15**
Aaron Lee Sadowsky 2**
Schroeder Enterprises LTD 19*
Martin Silva dba M S H Trucking 3***
Smaf Environmental LLC 1*
Solid as a Rock Trucking LLC 22***
Gordon E Spezza Trucking 41**
Stallion Express LLC 33**
Star Line Express Inc 47***
James Alan Stout abn Stout Trucking 22**
Transamerica M D LLC 2**
Trout Creek Trucking, Inc 4*
Universal Auto Transport LLC 4*
Utility Trailer Sales of Oregon LLC 2*
Valley Irrigation & Dirt Works LLC 1**
Valley Timber Resource Inc 5*
Luke Paul Vanacker and Summer Joy Vanacker abn L & M Trucking 59****
Weber Trucking LLC 5**
Western Heavy Haul Inc 2*
Michael Yang dba Y Y Trucking 52****
Alexancer Zebnitski abn New World International Trading 3**

Other Safety Violations

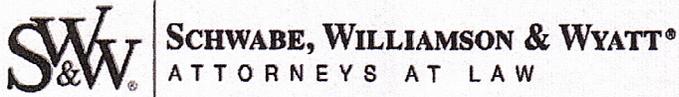
A total of 75 cease and desist orders and 17 penalty orders were related to failure to return a Driver or Equipment Compliance Check Form within 15 days after a truck and/or driver safety inspection.

Other Violations

A total of 41 actions related to other violations, such as operating in excess of size or weight limits, operating without valid registration credentials, illegally bypassing a weigh station, offering or providing unauthorized household goods moving services, charging rates for household goods moving other than the rates in an approved tariff, or operating in violation of farm registration laws and rules.

All American Moving Inc 12*
Allegiant Van Lines Inc 2*
American Moving&Storage LLC 10*

ASM LLC 10*
Blue Bird Transfer Inc 9*
Bowen Transportation Inc 1*
Joshua Wade Conger 1*
Cross Town Movers, Incorporated 23*
Crown Moving Co Inc 5*
Dion Patrick Dewolfe abn Dewolfe&Sons 5*
Elbrus Logistics Inc 1*
Emerald Moving, Inc 11*
Ferguson Transfer Company 11*
FJB transport 1*
Klamath Falls Moving & Storage Co Inc 6*
Knight Brothers LLC abn Intermountain Rigging & Heavy Haul 82*
Franklin D Lancaster abn LRS Moving&Storage 3*
Anthony Eugene Lindsey abn A Helping Hand Moving 6*
Mark Alberto Marrero 3*
Brett Joseph McQuiston 1*
Kevin Sean Meadors abn Able Movers 1**
Nicole Marie Igalo & Ryan Christopher Truitt abn Moving 503 1*
O'Neill Transfer & Storage Co, Inc 6*
P T I Trucking Inc 10*
Peoples Warehouse Inc 5*
Portlands Student Movers LLC 2*
Redthunder, V Mychal A 1*
Redthunder, V Mychal A 4*
Rise Solutions LLC 1*
Smith Bros Moving Service Inc abn Mountain West Moving&Storage 6*
Jesus Richard Steven Sonntag 1*
Stanton Transfer & storage Inc 4*
Stroh's Auto Transport 1*
Scott A Thomas aka Super Movers PDX 2*
Trans American Express Inc 1*
United Van Lines LLC 1*
US Transfer Co 1*
Western Express Inc 7*



Equitable Center, 530 Center St., NE, Suite 400, Salem, OR 97301 | Phone 503.540.4262 | Fax 503.399.1645 | www.schwabe.com

MARTHA O. PAGEL

Admitted in Oregon and Washington

Direct Line: Salem 503-540-4260; Portland 503-796-2872

E-Mail: mpagel@schwabe.com

April 14, 2014

VIA E-MAIL

Umatilla Planning Commission
216 SE 4th St.
Pendleton, OR 97801

Re: A & B Asphalt, Inc. - Application for Amendment to the Rock Material Resources Inventory and a Zone Change to Apply the Aggregate Resources Overly Zone
Our File No.: 127307-196995

Dear Commissioners:

I am writing on behalf of our client, A & B Asphalt, Inc., ("A & B") to address water supply issues in connection with the above-referenced application. Please include this letter in the record. I understand questions have been raised about the source, adequacy, and legal basis for the proposed water supply. I hope the following additional information and analysis will address any concerns:

A & B currently operates in both Oregon and Washington. The pending application proposes expansion of an existing basalt quarry site in the City of Milton-Freewater, Oregon. Industrial/non-potable water for existing quarry operations is provided from an on-site well, and from municipal supply. Bottled water is used to provide drinking water for up to 3-4 employees.

Use of the on-site well is allowed pursuant to ORS 537.545(1)(f) which authorizes use of up to 5,000 gallons per day ("gpd") for commercial or industrial purposes as an exempt use, not requiring a water right from the Oregon Water Resources Department ("OWRD"). Industrial uses include but are not limited to construction, operation and maintenance of an industrial site, facilities and buildings, and related uses. OAR 690-300-0010(25). A & B pumps directly from the well, as needed for industrial purposes, and excess water within the 5,000 gpd limit is saved in a 10,000 gallon storage tank on site. The 5,000 gpd exemption is sufficient to provide the minimal amount of water needed for existing facilities/employee use, as well as to allow for one 3,500-gallon tanker truck fill per day, as needed, and to help keep the storage tank full. The well does not currently have a meter (and a meter is not required by OWRD), but A & B is willing to install a meter as part of the site expansion.

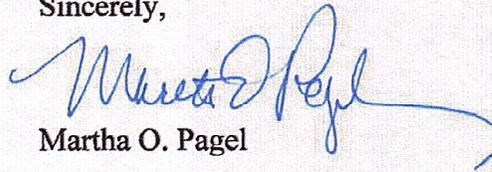
Umatilla Planning Commission
April 14, 2014
Page 2

Additional water for dust control is currently provided by tanker trucks that are filled at A & B's asphalt operations in Walla Walla, Washington, from municipal supply under a service plan with the City. A & B has confirmed with the City of Walla Walla that there are no restrictions as to the location of use after filling the tanker from a city hydrant. Excess water from the tankers is also saved in the on-site storage tank.

Although the proposed expansion of quarry operations will allow for continued rock production over time, the expansion will not significantly change the nature and extent of water use on the site. As a result, A & B will continue to provide for industrial on-site needs first through use of the existing well under the Oregon ground water exemption in ORS 537.545, with additional water for dust control to be provided from municipal supply, except that A & B will obtain the municipal supply from the City of Milton-Freewater rather than the City of Walla Walla.

Thank you for the opportunity to provide this additional information to confirm the current and proposed water uses are appropriate for site operations and consistent with Oregon law.

Sincerely,



Martha O. Pagel

MOP:kdo

cc: Mike Stalder
Ms. Wendie L. Kellington



March 26, 2014

To Whom it May Concern

We are the property owners at ~~53164~~ Walla Walla River Road. We have lived at our property for 8 years. The location of our property is directly across from the A & B Asphalt driveway. This is to let you know that A & B Asphalt has been a very good neighbor and that we have no concerns about A & B's land use application to expand the pit. We support A & B's application and urge you to approve it. Thank you.

Ashlee Jondo Elsay

March 26, 2014

To Whom it May Concern

We are the property owners at ~~53030~~ Walla Walla River Road. We have lived at our property for 3 years. The location of our property is directly across from the A & B Asphalt driveway. This is to let you know that A & B Asphalt has been a very good neighbor and that we have no concerns about A & B's land use application to expand the pit. We support A & B's application and urge you to approve it. Thank you.

A handwritten signature in cursive script that reads "Ashlee Elsay". The signature is written in black ink and is positioned in the lower-left quadrant of the page.

Von Der Ahe, Inc.
401 Parkview Street
Milton-Freewater, Oregon 9786
Phone 541-938-5213

March 27, 2014

To Whom It May Concern:

VonDerAhe, Inc. owns property in the Cemetery Road and Spoffard area that goes back to the location that A&B is trying to expand their business

It is our desire to say that we are all for this expansion. We believe that this community needs more businesses in the area and need to allow the existing ones to expand as they see the need. This would mean more jobs and more money put into other businesses in the area. This location is far enough out of town that it should not be a noise factor for anyone.

So it is our wish that you should allow them the permit that they need in order to allow this expansion.

Warm regards,

VonDerAhe, Inc.



Jan Bledsoe

Corporate Secretary

We support the expansion of A&B Asphalt, Inc and their right to conduct business in the City of Milton Freewater, Oregon and Umatilla County.

Signature

Printed Name

Address:

Ashlee Elsey

ASHLEE ELSEY

53830 WW RVR RD M-F
OR. 97802

Brad Breeding

Brad Breeding

1507 Wilkerson St.

April Martinez

April Martinez

1502 Walnut St.

Randy Madsen

Randy Madsen

503 NE 8th Ave

Mary Wightman

Mary Wightman

715 W. Elizabeth St M.F.

Brian Fossett

BRIAN FOSSETT

54242 WANA² RIVER R.

Jody L. Hodges

Jody L. Hodges

82608 Couseck Rd.
M.F. OR.

Robert Bailey

Robert Bailey

82608 Couseck Rd.

Wm. E. Luvisi

Wm. E. Luvisi

82360 Couseck Rd

We support the expansion of A&B Asphalt, Inc and their right to conduct business in the City of Milton Freewater, Oregon and Umatilla County.

Signature:	Printed Name:	Address:
<u>Sarah Knight</u>	<u>Sarah Knight</u>	<u>83803 Yellowjacket Rd</u>
<u>Lance Bullock</u>	<u>Lance Bullock</u>	<u>55299 Walla² Riv Rd</u>
<u>Ryan Bullock</u>	<u>Ryan Bullock</u>	<u>55299 Walla² Riv Rd</u>
<u>Darcy Bullock</u>	<u>Darcy Bullock</u>	<u>55299 Walla² Riv Rd</u>
<u>Seth Minson</u>	<u>Seth Minson</u>	<u>54362 Cooke Walla Rd</u>
<u>David Nelson</u>	<u>David Nelson</u>	<u>54887 Walla Walla Rd</u>
<u>Jacquie Nelson</u>	<u>Jacquie Nelson</u>	<u>54887 Walla Walla Rd</u>
<u>Dave Nelson</u>	<u>Dave Nelson</u>	<u>914 Ward St M-F</u>
<u>Colleen Nelson</u>	<u>Colleen Nelson</u>	<u>914 Ward St M-F</u>
<u>Kyle Crawford</u>	<u>Kyle Crawford</u>	<u>Albion, Oregon</u>
<u>Jake Kirby</u>	<u>Jake Kirby</u>	<u>678 Pierce M-F</u>
<u>Raina Moore</u>	<u>Raina Moore</u>	<u>445 Miller St NE 97864</u>
<u>Verna Watson</u>	<u>Verna Watson</u>	<u>23 Ireland Dr Milton Freewater OR 97868</u>

We support the expansion of A&B Asphalt, Inc and their right to conduct business in the City of Milton Freewater, Oregon and Umatilla County.

Signature: 

Printed Name: Gary Knight

Address: 89145 Two way lane

Gary Knight

GARY KNIGHT

1820 S. Main W of
St.

Ana Hernandez

Ana Hernandez

624 S. Elizabeth St.

Indi Blomberg

Indi Blomberg

855477 Edwards Rd

Nathan Renken

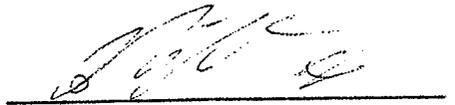
Nathan Renke

85427 Roth lane

Brianna Buck

Brianna Buck

303 SW 2nd



Nick Lefore

303 SW 2nd

Andy Miller

R.A. Andy Miller

920 S. Main M-F

Jill Bishop

Jill Bishop

4 SE main M-F

Deborah K Clark

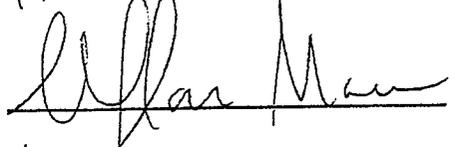
Deborah K Clark

514 NW 4th ave M-F

Hanna Bullock

Hanna Bullock

55299 Walla Walla River rd



Tiffany Munk

57183 Pleasant View Rd



Darcy Bullock

55299 walla walla
RIVER rd

A&B Asphalt, Inc and their right to conduct business in the City
Freewater, Oregon and Umatilla County.

Printed Name:

Address:

Darin [unclear]

56730 N-Front Ww Rd
Milton Free, WA 97862

Michael Jensen

Po Box 127
Plain OR 97854

Colby Reilly

53664 Walla Walla Rv Rd.
Milton Free, WA 97862

Joe T EISEY

53836 Walla Walla Riv Rd
Milton Free, WA 97862

Kenn [unclear]

53896
W W Riv Rd

LYNN Stocke

54654 W W Riv Rd

Steve Buh

54068 Walla Walla Rv Rd.

Mindy Birdwell

54068 W W Riv Rd

Zach Setzer

3475 W 2nd St M-F 97862

Jessica Setzer

347 5th 2nd MF 97862

Steve Knight

54842 Day Rd M-F 97862

We support the expansion of A&B Asphalt, Inc and their right to conduct business in the City of Milton Freewater, Oregon and Umatilla County.

Signature:

Printed Name:

Address:

Bud Ruple

Bud Ruple

23 Trekind Dr Milton Freewater

Victor Luna

Victor Luna

169 Elizabeth Milton Freewater OR

Jennifer Luna

Jennifer Luna

1169 Elizabeth Milton Freewater OR

Jacsa Knight

Teresa Knight

89143 Two way Lane #

Perla Olmos

Perla Olmos

1204 S Main Milton Freewater OR 97802

Ramon Olmos

Ramon Olmos

1204 S Main Milton Freewater OR

Cara Knight

Cara Knight

Elizabeth St M.F.

Kelsay Knight

Kelsay Knight

Elizabeth St M.F.

Bousay Khathavong

Bousay Khathavong

53828 Weber Lane Milton Freewater

nupon Sengsavong

nupon Sengsavong

53828 Weber Lane Milton Freewater

Bob Beaver

Bob Beaver

Michael W Prior

Michael W Prior

16504 Hanet Rd Kean WA

Exhibit 13 - cover letter



Leslie Hauer <lesliehauer@gmail.com>

A & B Asphalt - Spence Quarry

1 message

Barnes Inc. <barnesinc@lewiston.com>

Mon, Apr 14, 2014 at 2:49 PM

To: michael stalder <mdstalder@hotmail.com>

Cc: Leslie Hauer <lesliehauer@gmail.com>, wk@wkellington.com

Mike,

Please look over the Master Blast Plan Barnes, Inc. created for A & B's Spence Quarry. We have also attached our resume for your review. We believe the neighbors should not expect adverse offsite impacts from drilling and blasting performed by Barnes, Inc.

Please let us know if you have any questions or comments.

Thank you,

Dave

David Judd

Office Manager

Barnes, Inc.

208-746-0184 Phone

208-746-6143 Fax

2 attachments

 **SpenceQryMasterBlastPlan.pdf**
442K

**Master Blast Plan
A&B Asphalt
Spence Quarry**

Introduction

Barnes Inc. has been contracted by A & B Asphalt to perform drilling and blasting as required on the above-mentioned project. Barnes Inc. will be drilling and blasting the quarry for a rock material source. Blasting is anticipated to occur a few times a year. The number of holes drilled and shot per blast will vary with the location of the blast and cut depth. Prior to blasting, a shot plan will be created for each blast.

Production Blast Holes

Cut heights are from 2 feet to 60 feet; the blast pattern will be 9-foot burden and 10-foot spacing. The holes in the production area will be drilled with a 4inch bit to a maximum depth of no more than 60 ft. All holes will be sub drilled 4 feet. Holes will be primed with a Cast Booster and then loaded to within 7 to 10 feet of the collar with AN/FO (Ammonia Nitrate Fuel Oil mixture). The top(s) of the hole(s) will be stemmed with drill hole cuttings and if proven inadequate, the top of the hole(s) will be stemmed with crushed rock. Wet holes will be primed with a Cast Booster and the wet portion of the hole will then be loaded with 3" X 10 lbs Blastgel, a packaged Emulsion, until powder is out of the water. The hole will then be sealed off with Dynamix WR and stemmed to stemming height of 7 to 10 feet.

No blast holes will be drilled in Northwest Pipeline Company's 50' wide easement.

Controlled Blast Holes

N/A

Notification to Blast

The day before a scheduled blast, Barnes Inc will give forty-eight (48) hour advance notification to A &B Asphalt Pit Supervisor Mike Stalder via telephone and email to make sure crews are aware of "Blast Day" blasting. Barnes, Inc. will also email completed WilsOP Pre-Blasting Data Sheet Form at this time to Williams Northwest Pipeline Company and copy to A & B Asphalt Pit Supervisor.

A &B Asphalt will be responsible for all other notification. Barnes, Inc. understands that A & B Asphalt will also provide independent 24 hour advance notice of such blast to Williams Northwest Pipeline Company and to affected neighbors.

Initiation Systems

A shock tube system will be used on all production holes and surface delays. A non-electric ignition primer will be used to start the shock tube.

The delay between each hole will be 25 milliseconds. The blast will be delayed toward the open face when possible.

Signs, Signals & Traffic control

The prime contractor will provide Signs & Traffic control. Barnes Inc. will notify the contractor that blasting signs will be needed on all accesses to the blast area and the blast area will be barricaded with blasting signs posted. The Blasting Signal sign will also be posted so the public is aware of blasting signals.

Five minutes before the blast, the Blaster in Charge will give a series of whistles from an air horn. One minute before the blast, another series of whistles will be sounded. When all is clear, the Blaster in Charge will initiate the blast. After the blast, the Blaster in Charge will check for any problems. When all is clear, the blaster will sound the all clear whistle and work can resume. Warning signals will be posted so all employees can see them. A Sample of our signals will be included in the blast plan.

Drilling and Blasting Records

Within two weeks, all blast reports, for each blast, will be submitted to Barnes, Inc.'s main office and made available to the A & B Asphalt and Spence Properties, Inc. In the event records are needed sooner, provisions will be made to supply blasting records within a reasonable time frame. Vibration peaks of each blast are recorded on a blast report. The seismograph tapes are kept on file according to the day of blast. Pre-blast and Post-blast records are kept at Barnes Inc.'s office and a copy can be made as needed at the expense of the recipient. All drilling and blasting records are kept for a minimum of 5 years after the completion of project.

Safety Plan

A.) Barnes, Inc. has a health and safety plan in place and a copy is on job site at all times. The plan includes:

1. Personal safety of workers
2. Blasting Safety
3. Drilling Safety
4. Hazardous material & MSDS sheets
5. Hearing Plan
6. Dust control plan

Site-specific safety issues:

B.) When loading begins, all access to the blast site will be blocked with signs or barricades. No equipment or unauthorized personnel will be allowed on or near the drill pattern while explosives are being loaded.

Five minutes before the blast, all access will be blocked and monitored in order to keep a safe distance from the blasting zone. The local traffic will be stopped and as soon as the all clear is sounded traffic will resume.

Smoking and/or open flames are not permitted within 50 ft. of explosives or flammable liquids. Explosives will not be stored on site.

In the event of an electrical storm, all personnel and equipment will be cleared to a safe distance until the storm passes.

- C.) In the event of a misfire, the Blaster in Charge will secure the area and allow no one near for at least 30 minutes. He will then pick only the personnel he requires to help him safely re-fire, wash out, or recover un-shot explosives. The location of any potentially un-detonated explosives will be recorded on the blast report. Before the misfires are re-blasted, personnel and equipment will be removed to a safe distance from fly rock potential.
- D.) All drilling equipment and vehicles will be equipped with inspected fire extinguishers.
- E.) There should be no electrical power lines directly above the blast area, but in the event there are, drilling equipment will be kept a safe distance away as instructed by the power company involved.
- F.) Fly rock will be prevented by using proper stemming height and delay sequence. In addition, a face will be excavated to allow forward movement of the blast when possible.
- G.) All OSHA, MSHA, ATF, & DOT regulations will be followed on this project in regards to the safety of the public and our employees. Handling of explosives will follow the regulations that are put forth by the local governing body or federal standards.
- H.) Material Safety Data Sheets & Technical Data Sheets are on site and are available upon request.
- I.) No Explosives will be stored on site. All explosive will be delivered the day of the blast. No Explosive will be left unattended during the day. All federal and State regulations will be followed on this project.

Seismographs & Vibration

Vibration and blast monitoring will be coordinated between A & B Asphalt and the Blaster in Charge as per the specifications.

A minimum of two seismographs will be set up. The first seismograph will be placed at the gas line, upon Williams Northwest Pipeline Company's approval, and the other at the nearest structure.

Pre-Blast surveys will be completed on all homes within 1000 ft of the blasting.

Ground vibration and air blast will be controlled by blast design. Vibration will be kept to safe limits by monitoring maximum pounds per delay and air blast will be controlled by the proper amount of stemming. The distance will be measured from the shot and recorded on Barnes Blast Report.

Vibration limits that will be used as the criteria are: Federal mine standards a, copy of the Standards will be provided.

Emergency

The **Blaster-in-Charge** will be one of the following:

<u>Name</u>	<u>Phone</u>
Roland Taylor	208-816-0109
Chris Schwartz	208-816-0104
Larry Schwartz	208-816-0102
Scott Boyd	208-816-0112

In case of an emergency, the employees will have access to cell phones and/ or 2-way radios. All emergencies will be reported to Barnes, Inc. office at 1-208-746-0184.

License and Permits

License:

Federal Explosives license #: 9-ID-069-33-5E-90097

A copy of the Federal license along with a notice of clearance for employee possessors will be attached.

Permits:

No other permits for blasting are needed on this project

In case of emergency the employees will have access to cell phones and/ or 2-way radios. All emergencies will be reported to Barnes, Inc.'s office at 1-208-746-0184 **and Prime Contractor. When necessary first aid will be administered until emergency services arrive. 911 calls will be utilized when appropriate.**

Signature:

Prepared by Larry Schwartz at Barnes Inc _____

- 2) After the blast is over, the Blaster-in-Charge is required to observe the entire blast area for a minimum of 5 minutes to determine if all explosives have detonated and to guard against rock fall before commencing work in the cut.
- 3) The Blaster-in-Charge is responsible for clearing the site. If any holes have not detonated, the Blaster-in-Charge is required to handle the misfires before other personnel enter the worksite. The blast site is off limits to unauthorized personnel during this time.
- 4) Once the Blaster-in Charge indicates the area is free from misfires, overhangs, or other hazards, sound an all clear signal to indicate to all personnel in the area that blasting operations are finished. Do not allow traffic to proceed until the all clear signal is given.

p) Any other Safety concerns will be noted and gone over

Signature of Attendance:

Who do you represent :

April 10, 2014

Hector Ortiz
Williams Northwest Pipeline Company
PO Box 330
Plymouth, WA 93946

Dear Mr. Ortiz:

Thank you for taking the time to talk to me today about the pipeline that crosses A&B Asphalt's quarry operation south of Milton-Freewater, Oregon. I wanted to confirm the discussion with you, to be sure that A&B acts in accordance with Williams' concerns.

As you know, I am a land use planner, working with A&B Asphalt regarding their application to continue and expand their mining operation. You work for Williams Northwest Pipeline Company, and are aware that the company was a gas pipeline within a 50-foot wide easement crossing the A&B mining site. You indicated that A&B's mining work in the vicinity of the pipeline is not problematic so long as no material is removed within the pipeline right of way and that A&B should contact Williams in advance of any planned blasting.

Please let me know if I misunderstood our call today. Thank you for your courtesy and do not hesitate to call me (509-967-2074) or A&B's superintendent Mike Stalder (541-938-5205) if you ever have concerns or comments.

Yours truly,



Leslie Ann Hauer

cc Mike Stalder

Memo

To: Tamra Mabbott
From: Shane Finck 
Date: April 11, 2014
Re: Umatilla County Aggregate Resources Review

Review of 2A Sites

2A Site Background

As requested, I conducted a review of Goal 5 designated "2A" aggregate sites listed in the Umatilla County Comprehensive Plan Technical Report¹. Specifically the aggregate sites listed in Chapter D, Mineral and Aggregate Resources, starting on page D-167 of the technical report, which is comprised of information taken from the DOGAMI report². However, where the DOGAMI report was written in 1976, a portion of the material gleaned from the report is likely to be outdated and aggregate mining sites listed may have been temporary and long since closed or abandoned.

The Technical Report identifies a number of sites as 2A sites and characterizes them as follows:

1. 2A sites have no economic, social, environmental, or energy consequences in conflict from usage and managed to preserve the original character.
2. 2A sites are "...characteristically located on scab land bluffs far from any residential and intensive farming (cultivated) areas. All are small sites of two acres or less and all are inactive; ie, not currently being used."
3. "About 30 "3C" and "2A" resource sites are owned by the Oregon State Highway Department and County Road Department. Most of these sites are small (under four acres) and are used as material resources for road repair and construction."

Characteristics of 2A Sites

There are 19 2A sites listed in the Technical Report. Of the 19 sites, the Technical Report lists seven sites as inactive, three sites as active, and nine sites had no status. Currently, there are three of these sites that are permitted by DOGAMI and actively mining and/or storing aggregate materials. One site is operated by Umatilla County and is (COX)³ exempt. The remaining 2A designated sites do not have associated DOGAMI permits and are not found on the current DOGAMI list of permitted sites.

¹ The Umatilla County Comprehensive Plan Technical Report dated May 1980 and updated September 1982, June 1984, and September 1984.

² The State Department of Geology and Mineral Industries (DOGAMI) report titled Rock Mineral Resources of Umatilla County, Oregon, 1976.

³ COX is the DOGAMI acronym for County Exempt status.

The three active permitted sites that are designated as 2A sites were compared against the characteristics identified in the Technical Report. Each of the active sites are operating on footprints greater than two acres, Spence Quarry (currently A&B Asphalt) is located near a rural residential zone and cultivated land and the DOGAMI inventory indicates there is 29 disturbed acres at this location⁴. The Hatley Quarry and Nye Junction Quarry, located South West of Pilot Rock, are located near cultivated lands but not residential zones. The Hatley Quarry is currently between 4 and 7 acres⁵ and Nye Junction is sited on a 29.54 acre parcel with approximately 8 disturbed acres⁶.

I was unable to find the COX status Alkali Quarry with the information that is available. Records indicate that it is in 2N 30 E but fails to provide a section and the Lat/Long coordinates are for a different location in the County. However, looking at Google Maps, I was able to locate a considerable sized quarry in section 3N 29 (map 3N 29C TL 700) just to the northwest and just to the east of Echo Meadows Road, that appears to be operational, and which is not on the DOGAMI Permitted sites list.

Permitting of 2A Sites

All of the 2A listed sites were researched to identify if County issued permits existed. The Nye Junction Site has a Conditional Use Permit (CUP) and Zoning Permit (ZP) which were issued in 1988 for the mining operation. The Spence Quarry has a CUP and ZP issued in 1987 for the mining operation. The Hatley Quarry has a CUP issued in 2003, but was never issued a ZP as the conditions of the CUP were never met. The Alkali Quarry had no CUP or ZP in our records.

In 1974, ZP-74-641 was issued to the State of Oregon for a rock crusher and asphalt plant at TWP 1S RNG 31 SEC 24 TL 1502. The ZP may have been misapplied to two out of three aggregate sites southwest of Pilot Rock. The permit does seem to be for the now closed ODOT site at the location identified on the permit. One other quarry that had been issued permits and identified as the Lynch Site was issued C-2086-77 and ZP-77-2086 to Walla Walla County for removal and crushing of gravel, but little other information was found that was relevant to this site and it may have been a small scale operation.

⁴ Size information about the Spence Quarry site was taken from the DOGAMI Mining Permits Spreadsheet dated 3-12-2014

⁵ Email communication between Tamra Mabbott and Ben Mudie, 4/8/2014 regarding the Hatley quarry southwest of Pilot Rock, OR.

⁶ Size information about the Nye Junction site was taken from the DOGAMI Mining Permits Spreadsheet dated 3-12-2014

Review of Conditional Use Permits

Conditional Use Permits Reviewed

A random sampling of aggregate quarry CUPs were reviewed, without regard to Goal 5 status, to identify consistency or inconsistency in the conditions that were put upon the owner/operators at the different sites. The CUPs that were reviewed are:

Name	Conditional Use Permit	Zoning Permit
American Rock Products	C-1169-10 & C-1170-10	ZP-10-231
Hatley Construction	C-822-97	ZP-99-072
Hatley Pilot Rock	C-1040-03	None
Hermiston Rock Products	C-681-93	ZP-94-070
Humbert Asphalt	C-805-96	ZP-97-313
Humbert Excavating	C-479-87	ZP-09-081
Ingram, Dennis	C-1204-12	None
Konen Rock Products	C-1053-03	ZP-05-107
ODOT Diagonal	C-863-98	ZP-13-169
ODOT Dry Creek	C-831-97	ZP-97-062
ODOT Nye Junction	C-511-88	ZP-88-137
Pioneer Asphalt	C-1177-11	ZP-12-021
Torco Ranch	C-1016-02	ZP-03-180

CUP Review Findings

After reviewing the files of the above permits, most of the CUPs reviewed had accompanying zoning permits with the exception of the Hatley Pilot Rock aggregate mine. While some of the precedent and subsequent conditions of the permits were the same or similar, there was also variation in conditions across the permits. These variations can mostly be attributed to the different environmental conditions at each site, however some conditions could be varied as a result of changes within the Department related to when and who issued the CUP.

Among the conditions that were looked at, attention was paid to annual review frequency and operating hours to identify inconsistencies between permits.

The annual review schedule was inconsistent in the number of years for reviews. Some permits specified annual review periodicity of 1, 2, 3, or 5 years and a small number of permits did not have a time limit on the number of annual inspections. County issued letters were found that documented the completion of annual inspections and any observations during the inspections. Letters were also found that informed owner/operators of the County's intent to stop annual reviews at specific locations.

Hours of operation were also inconsistent and varied across the CUPs. Some of the permitted operational hours are as follows:

Hatley Construction is permitted to operate only during daylight hours;

Konen Rock Products is permitted to operate 6AM to 7 PM;

Pioneer Asphalt is permitted to operate 7AM to 7 PM;

ODOT Dry Creek permit allowed the applicant to specify hours which could later be imposed as subsequent condition;

ODOT Nye Junction did not specify operational hours;

American Rock Products permit proposed 6AM to 6PM but was not a condition;
Hatley Pilot Rock permit specified that operational hour restrictions were not warranted;
Ingram CUP contains no restrictions on operating hours.

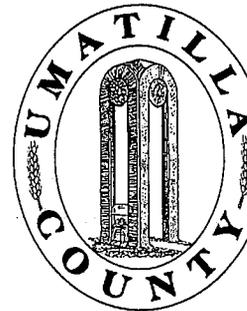
The above results were derived, within the parameters of this review, from the permits and property files associated with the aggregate operations as discussed. Additional inconsistencies and similarities would likely be identified with a more thorough review of the conditional use permits that have been historically issued by this Department.

Technical Report Inventory of Rock Material Sources in Umatilla
County Table D-XXII

Technical Report Page Number	# of Sites	# of 2A	# of Inactive	# of inactive 2A	# of Abandoned 2A
D-172	17	2	5	1	0
D-173	21	5	11	4	0
D-174	18	0	4	0	0
D-175	19	1	8	0	0
D-176	23	0	2	0	0
D-177	19	0	3	0	0
D-178	18	0	4	0	0
D-179	20	0	0	0	0
D-180	14	1	4	0	0
D-181	16	0	4	0	0
D-182	19	1	4	1	0
D-183	14	7	4	1	0
D-184	14	0	3	0	0
D-185	18	2	3	0	0
D-186	22	0	0	0	0
D-187	5	0	0	0	0
TOTALS	277	19	59	7	0

Umatilla County

Department of Land Use Planning



DIRECTOR
TAMRA
MABBOTT

April 15, 2014

LAND USE
PLANNING,
ZONING AND
PERMITTING

Memo

TO: Planning Commission
FROM: Tamra Mabbott
RE: A & B Asphalt - Follow up to March Hearing

CODE
ENFORCEMENT

SOLID WASTE
COMMITTEE

SMOKE
MANAGEMENT

GIS AND
MAPPING

RURAL
ADDRESSING

LIAISON,
NATURAL
RESOURCES &
ENVIRONMENT

At the March hearing you asked staff to research and provide information about blasting and Conditional Use Permits for A & B Asphalt. Staff has also assembled information about other aggregate sites in the county to further your understanding about the historical permitting and operation of rock quarries in Umatilla County.

1. Blasting

To address concerns about off-site impacts of blasting at the quarry, staff consulted with Ben Mundie, geologist with DOGAMI. There are technologies to mitigate off site impacts. Several counties and DOGAMI have required an operator to submit a blasting plan prior to and after blasting. There are examples of such plans for blasting adjacent to a natural gas pipeline. Conditions are commonly added that require notice of surrounding property owners. ODOT has a list of approved blasting consultants who can develop a blasting plan. In sum, it appears that reasonable measures can be taken, with appropriate conditions of approval, to minimize and mitigate off-site impacts.

2. Conditional Use Permits at Spence Pit

County Counsel reviewed the existing CUP files and concluded that A & B Asphalt permit(s) were valid, except for a pending citation issued for violation of hours of operation (hours of operation are limited to daylight hours only). A hearing in Circuit Court is scheduled for April 25th. County recorded two mornings in November 2013 where A & B was operating before daylight. County has no record of violations since the citation was issued.

Gina Miller, Code Enforcement/Planning Assistant, assembled a chronology of the three CUP files for the Spence Pit. The attached chronology provides a brief annotation of every document in each of the three files: a 1977 Zoning Map Amendment and CUP for a asphalt plant and rock crusher, a 1984 CUP to allow processing of rip-rap and aggregate, and a 1987 CUP to allow a batch plant at the site.

3. Clarification of Goal 5 Questions

The April 11, 2014 memo written by Planner Shane Finck provides a good background for other questions raised at the March hearing, namely the status of "2A" aggregate sites and consistency with permitting. In her March 27, 2014 letter, Amanda Punton, Goal 5 Specialist with Department of Land Conservation & Development, raises a question about whether or not a portion of the existing site is a "significant" Goal 5 resource. The draft Findings concluded that where the SW quarter of the SW quarter of the Spence Pit is listed as a "2A" site in the Technical Report, that portion is "significant." Importantly, where that SW quarter of SW quarter is significant, a Goal 5 application is not warranted for that portion of the quarry. Therefore, the Goal 5 application is for the balance of the site not currently listed on the county's Goal 5 aggregate inventory.

4. Aggregate Permitting in Umatilla County

At the March hearing, there were questions raised about the consistency of the department's permit process for aggregate operations. One person accused the county as acting unethically and showing favoritism towards A & B Asphalt. Such accusations are taken seriously and subsequently staff looked in to the files on a number of aggregate sites. What we found was that there are indeed inconsistencies in the permitting process, none of which are intentional, albeit there are some inconsistencies. The memo from Shane Finck includes a list of several Conditional Use Permits, most of which were issued a Zoning Permit within a year or two after the CUP was approved. However, some were issued a Zoning Permit a number of years after the CUP and two were never issued a Zoning Permit.

Unfortunately, it confirms the fact that over the years, county has not had a robust program to insure permit compliance. Historically, compliance has been complaint driven, meaning that permits were reviewed only if a complaint was filed. Many CUPs have a requirement for an annual review, a method to insure compliance with the conditions of approval.

Until a few years ago, the Planning Department did not have a staff member dedicated to permit compliance. We now have a person who is charged with tracking permits and compliance, for new permits. However, there are literally hundreds of permits that are not in the tracking system.

In 2009-2010 when the office had a fourth planner on staff, one of his projects was to update the inventory of existing aggregate sites. The next step would have been to update the Technical Report and Comprehensive Plan and to implement Oregon Administrative Rules Division 23 rules for permitting new sites. In 2011 staff proposed language to codify Division 23 Rules, which met resistance from industry and it has since been tabled. The attached database illustrates the vast amount of information, the complexity of and uniqueness of each aggregate site. Most of the existing "significant" sites were permitted under OAR Division 16 rules. Sites added to the inventory since about 2000 were permitted under OAR Division 23 rules.

The County Technical Report includes 277 aggregate sites. DOGAMI, the agency responsible for permitting operation and reclamation, has an inventory of 122 sites in Umatilla County. Of those, 31 are "county exempt" meaning county self-governs the reclamation and DOGAMI bonding is not required. Currently the county has 23 sites that are available, but many have not been used in recent history. The DOGAMI inventory shows 50 sites are currently "closed," although those sites could be re-opened.

Spence Pit permit history

Summary of Conditional Use Permits

#C-479-87 Humbert Asphaltting, applicant

To request "an addition to the existing conditional use permit to establish a hot mix asphalt batch plant to the established riprap and rock crushing operation" filed on March 3, 1987. The application was also signed by the property owner, James Spence. The application was approved with conditions by the Umatilla County Hearings Officer on March 18, 1987. April 8, 1992; approval for a name change on the application to Humbert Excavating.

April 14, 1987: Findings of Fact and Conclusions of Law were signed by Wendell Lampkin
"In the matter of Conditional Use Request #C-479 to allow an asphalt plant....."

April 8, 1992: Minutes from Umatilla County Hearings Officer
Request for a minor modification of #C-479 to allow an asphalt batch plant to be owned and operated by Humbert Excavating. The current batch plant is owned/operated by Humbert Asphaltting. It was noted in testimony that the batch plant from the original permit had already been removed. It was decided to allow Humbert Excavating to bring in a new batch plant as a minor modification to the original permit. A letter from the property owner, James Spence, was included to document that Humbert Asphaltting was no longer operating on the pit, and that Humbert Excavating was now operating on the pit.

May 1993: Site inspection for annual review by Tamra Mabbott. Pit still in operation. Noted change in size of rock crusher to different brand. W.J. Humbert has lease for property.

April 1994: Site inspection for annual review by Tamra Mabbott. Noxious weeds noted.
May 4, 1994: approval notice for extension of one year on permit from Tamra.

May 2, 1995: Site inspection for annual review by Patty Perry. Pit in operation. Noxious weeds noted. RV's noted on property, but did not appear to be occupied.

Mar 12, 1996: Site inspection for annual review by Patty Perry. No recent activity noted. Solid waste present, dumping appeared to be on-going. Gate was open and unlocked. RV still present near scale. Road is deeply eroded.

Nov 5, 1996: Letter in file from DOGAMI rescinding a closure order.

April 10, 1997: Site inspection for annual review by Patty Perry. Scales present and an unoccupied MH. It appears that pit is still in operation, but there is no crusher or asphalt plant present. Solid waste pile present.

Mar 10, 1998: Site inspection for annual review by Patty Perry. No sign of recent activity noted. The gate was unlocked. MH and scale still present. Solid waste pile still present, same size as last year. Fresh gravel noted on the road.

April 22, 1999: Site inspection for annual review by Patty Perry. 2 dump trucks and 1 loader present, but no employees were present. Gate was unlocked. Pit does not appear to be very active. No crusher is present and there are weeds around scale office and MH. There is a stockpile, but not active.

- Oct 28, 1999: Inspection report from DOGAMI. Mine site is inactive at time of visit. Activity has been sporadic, and site has not changed significantly since last inspection in January 1998. There are stockpiles in nw corner of pit.
- April 18, 2000: Inspection report for annual review by Patty Perry. Locked gate across road, no access to pit. Recent truck prints visible.
- April 17, 2000: Renewal request letter from Joe Humbert. He states that they intend to crush gravel this year, and possibly place a batch plant for asphalt production.
- August 18, 2001: Suspension Order from DOGAMI.
- Sept 12, 2001: Suspension order rescinded from DOGAMI.
- April 15, 2002: Inspection report for annual review by Patty Perry. NO recent activity noted, no tracks and weeds are present at front gate. Gate is locked, no access to interior of pit.
- June 17, 2003: Inspection report for annual review by Dennis Olson. Similar to 2002 inspection, does not appear to be used to any great extent.
- Mar 15, 2006: Letter to Joe Humbert from JR Cook. Notice of deferred annual review inspections unless warranted by complaints.
- August 22, 2008: Letter to Joe Humbert from Gina Miller. Request to confirm that pit is still in use.
- April 16, 2009: ZP 09-081 issued to change name on permit to WJ Humbert and replace scale house with new single wide MH. Old one destroyed by weather and vandalism.
- May 10, 2010: Received complaint about new batch plant and activity happening in the Spence Pit. Tamra Mabbott replied.

#C- 333-84 Humbert Excavating, applicant

Conditional use permit to allow processing of rip-rap and aggregate materials from an existing pit in an EFU-40 zone. The application was signed by James Spence, owner of James Spence Properties, Inc, property owner. The application was approved with conditions by the Umatilla County Hearings Officer on May 9, 1984.

- Apr 1984: Lease agreement between James Spence and Robert & Joe Humbert (Humbert Excavating).
- Apr 1984: Letter with conditions from City of Milton-Freewater Planning Director.
- Oct 22 1984: Findings of Fact and Conclusions of Law C-333
- May 9 1984: Staff Report
- Apr 1984: Application for C-333, Humbert Excavating, Applicant
- Apr 21 84: Letter to Joe Humbert from Planning – suggesting they oil roads.
- Apr 26, 84: Copy of City of MF letter, signed by Joe Humbert accepting their conditions.
- May 10, 84: Letter from Planning – notice of 15 day appeal period and approval of #C-333.

- May 24, 84: Letter from Planning – notice of appeal period over, and conditionals of approval to be met.
- Jun 5, 84: Letter from City of MF - met conditions.
- Jun 6, 84: Letter from Humberts – agreement to conditions and zoning permit application.
- Aug 17, 84: Letter from Planning – site visit report to Joe Humbert.

#C-2232-77 (Zoning Map Amendment #2231) Dan Humbert, Applicant

Zone change and conditional use permit filed on March 18, 1977. The property is owned by Spence Properties, Inc. The application was to amend the Zone Map from F-1 (Exclusive Farm Use) to F-2 (General Rural), and to establish a Conditional Use Permit for an asphalt plant and rock crusher on the existing rock quarry. The application for rezone was confined to 30 acres of Tax Lot 1700, which consisted of 143.61 acres. The Planning Commission recommended to the Board of Commissioners to approve the zone change and conditional use permit, subject to several conditions. Following several public hearings, the Board of Commissioners voted to approve the application, with conditions on July 18, 1977.

Mar 18, 1977: Site plan for #2232 showing NW Pipeline Co natural gas line, and placement of proposed plant/crusher.

April 1977: Opposition letters from Ready Mix

Hand written letter of justification (from Humberts?? Not signed or dated)

April 7, 1977: Notice from Pacific Gas Transmission Company. The pipeline on the subject property does not belong to them, probably belongs to Northwest Pipeline Corp.

April 27, 1977: Staff report and Findings of Fact for Zoning Map Amendment #2231 and Conditional Use Permit #2232 – Staff recommended approval of both applications. Site plans with pictures included in findings. (Scanned)

April 29, 1977: Notice of continuation on the public hearing for the application.

May 27, 1977: Notice to recommend application to the Board of Commissioners from the Planning Commission for approval to change the zone from F-1 to F-2, and place an asphalt plant and rock crusher.

Letters of opposition – see file

June 22, 1977: Memo from Board of Commissioners to Planning Commission, asking them to clarify Condition #2, or consider an alternate access route.

Sept 7, 1977: Findings of Fact – Order approving application.

March 1979: Planning Staff report - approval of extension of effective date for an approved Conditional Use to allow the establishment of an asphalt plant and rock crusher in an F-2 general rural zone (19 acre minimum zone), for 180 days due to inclement weather.

PermitID	Permit Type	Status	Site Name	Permittee	Landowner	Primary Commodity	Section	Township	Range	Disturbed acres	Permitted Acres
30-0082	GTE	Closed		William R.		gold & silver	36	6S	32E		
30-0001	GTE	Closed		S.D. Spencer &		sand & gravel	24	6N	35E		
30-0032	GTE	Closed	Eastside Pit	Ready-Mix, Ltd.		sand & gravel	36	6N	35E		
30-0035	COX	Exempt	Eastside Pit	Umatilla County		sand & gravel	36	6N	36E		
30-0072	COX	Exempt	Casper Pit	Umatilla County	Bruce & Frances		27	6N	36E		
30-0083	OPA	Closed		Klicker		gold	18	6N	38E		
30-0085	OPA	Closed	Rezer Quarry	T.J. Lund & son,		Rock	17	6N	37E		
30-0089	COX	Exempt	Casper Quarry	Umatilla County		Basalt	34	6N	36E		
30-0098	OPA	Closed		Ready-Mix, Ltd.		Pit Run	27	6N	35E		
30-0107	OPA	Permitted	Kennedy Pit	Humbert	Kennedy Farms	sand & gravel	36	6N	36E	14.00	20.00
30-0118	TEG	Closed	Columbia River Rockfall - Phase 1	ODOT -		Basalt	25	6N	30E	0.00	
30-0020	OPG	Permitted	OR-30-030-5; Camas Creek Quarry Hwy 28 mp 52.1	ODOT -		Basalt	21	5S	31E	4.00	20.00
30-0025	TEG	Closed		City of Ukiah		sand & gravel	13	5S	31E		
30-0027	TEG	Closed		City of Ukiah		sand & gravel	14	5S	31E		
30-0028	OPG	Closed		City of Ukiah		Clay	24	5S	31E		
30-0088	COX	Exempt	Leverenz Pit	Umatilla County	Meivin &	rock	13	5S	31E		
30-0128	OPG	Permitted	OR-30-052-5; Cable Creek Quarry Hwy 341 MP 6.20	ODOT -		basalt	4	5S	32E	4.00	26.81
30-0012	OPA-LEP	Permitted	Umatilla Pit	Jones-Scott	Jack Morrison	sand & gravel	16	5N	28E	89.00	102.00
30-0026	TEG	Closed		City of Ukiah		sand & gravel	12	5N	31E		
30-0029	LEP	Permitted	Snipes Mountain Sand	Snipes		sand & gravel	27	5N	28E	34.00	
30-0033	OPG	Permitted	OR-30-003-5; Diagonal Quarry Hwy 2 MP 191.5	ODOT -	Mervyn	Basalt	22	5N	29E	10.00	8.00
30-0037	COX	Exempt	Umatilla Pit	Umatilla County		sand & gravel	16	5N	28E		
30-0044	OPA	Permitted	Herniston Pit	Eucron	Clde Nobles	sand & gravel	21	5N	28E	41.00	38.00
30-0045	OPA-LEP	Permitted	Bonney Gravel Pit	Stuart Bonney		sand & gravel	16.17	5N	28E	20.00	35.50
30-0046	COX	Exempt	Bonney Pit	Umatilla County	Stuart Bonney	rock	16	5N	28E		
30-0047	OPG	Permitted	OR-30-019-5; Dry Creek Quarry (Blue Mtn Sm) Hwy 8 MP 22.9	ODOT -		Basalt	35	5N	35E	27.00	12.00
30-0051	VPA	Closed	Baker Pit	Central Pre-Mix	Amstad Farms	sand & gravel	25	5N	27E	0.00	0.00
30-0053	OPA	Permitted	Whitney Quarry	Jim Whitney		basalt	17	5N	34E	5.00	637.58
30-0058	OPG	Permitted	OR-30-038-5; Umatilla Butte Hwy 54 mp 2.7	ODOT -	BLM	Basalt	28	5N	28E	7.00	40.00
30-0060	OPG	Permitted	OR-30-001-5; Powerline Road Quarry (Kennedy) Hwy 2 MP 183.2	ODOT -		Basalt	16	5N	28E	20.00	15.00
30-0066	OPA-LEP	Permitted	Konen Pit	Konen Rock		basalt	30	5N	36E	33.00	66.00
30-0071	COX	Exempt	Schubert Pit	Umatilla County		Basalt	1	5N	34E		
30-0073	COX	Exempt	North Juniper	Umatilla County	Myra Furnish	Basalt	5	5N	32E		
30-0076	OPA	Permitted	Spence Quarry	Adam Schatz	Jim Spence	sand & gravel	7	5N	36E	29.00	30.00
30-0078	OPA	Permitted	Hat Rock Pit	Kenneth D.		Basalt	23	5N	29E	3.00	287.00
30-0087	OPA	Closed	Stone Quarry	Deatley-Eucron			32	5N	28E		
30-0095	COX	Exempt	Rohrman Quarry	Umatilla County	Kayella Simons	Basalt	7	5N	32E		
30-0101	VPA	Closed		Steelman-Duff,		Rock	18	5N	30E		
30-0102	OPA	Closed		Michael K.		borrow/fill/topsoil	27	5N	28E		
30-0108	OPA	Permitted	Schubert Pit	Humbert	Arlene Kessler	sand & gravel	1	5N	34E	14.00	20.00
30-0109	OPA-LEP	Permitted	Bonney Quarry Pit	Stuart Bonney		Basalt	21	5N	28E	23.00	103.00
30-0112	OPA	Closed	Snipes Mountain Sand	Sanitary	Norris Logsdon	Basalt	27	5N	28E		
30-0113	COX	Exempt	Engdahl Pit	Umatilla County		Basalt	33	5N	32E	5.00	
30-0116	GTE	Closed	Kik Sand Pit	Charles Kik		sand & gravel	27	5N	28E		
30-0117	GTE	Closed	Aluvial Pond	Milton		Rock	3	5N	35E		
30-0120	OPA	Closed	McNary Site	Desert River,	Port of Umatilla	sand & gravel	11	5N	28E	0.00	0.00

PermitID	Permit Type	Status	Site Name	Permittee	Landowner	Primary Commodity	Section	Township	Range	Disturbed acres	Permitted Acres
30-0038	COX	Exempt	404 Quarry	Umatilla County			8	2N	32E		
30-0048	COX	Exempt	Rainville Quarry	Umatilla County		Basalt	25	2N	33E		
30-0049	OPA	Permitted	Grubbs Pit	LaFrance		Basalt	25	2N	33E	12.00	10.00
30-0062	GTE	Closed	Duff	William R. Duff		Rock	3	2N	33E		
30-0075	COX	Exempt	Alkali	Umatilla County			9	2N	30E		
30-0081	VPA	Closed	Mission Pit	Pendleton		sand & gravel	9	2N	33E	0.00	0.00
30-0086	OPA	Closed		Don Wagner			12	2N	32E		
30-0103	TEG	Closed		ODFW		Rock	19	2N	32E		
30-0104	TEG	Closed		ODFW		Rock	33	2N	32E		
30-0105	OPA	Closed		H. Gale		Rock	89	2N	32E		
30-0110	GTE	Permitted	Birch Creek	Umatilla County		Basalt	13	2N	31E	2.00	0.00
30-0115	VPA	Closed	Torco Ranch	Pendleton		sand & gravel	14	2N	31E	0.00	0.00
30-0119	GTE	Closed	Straughan Pit	James Hatley	James &	Basalt	32, 33	2N	32E	0.00	0.00
30-0122	OPA	Permitted	Schuening Property	Rosemary		basalt	4	2N	32E	6.00	8.80
30-0124	OPG	Closed		City of		basalt	5	2N	32E		
30-0022	OPG	Closed	Pilot Rock	ODOT -		Rock	24	1S	31E		
30-0054	LEP	Closed	Louis Pit	Louisiana Pacific		sand & gravel	8	1S	32E		
30-0057	GTE	Closed	Meacham	Eucon	Union Pacific		3, 4, 35	1S	35E		
30-0059	COX	Exempt	Anderson-Sumac	Umatilla County	Rod Anderson	Basalt	5	1S	33E		
30-0070	COX	Exempt	Hoelt	Umatilla County	Fred Hoelt	Basalt	13	1S	32E		
30-0090	OPG	Permitted	OR-30-026-5; Nye Junction Quarry Hwy 28 MP 23.8	ODOT -		Basalt	19	1S	31E	8.00	29.50
30-0091	TEG	Closed	Hwy 26 MP 18.71	ODOT -		Basalt	24	1S	31E		
30-0099	LEP	Permitted		James Hatley	A.H. Ranches	basalt	24	1S	32E	10.00	0.00
30-0008	GTE	Closed		Hughes & Ladd,			12	1N	33E		
30-0009	GTE	Closed		Hughes & Ladd,			6	1N	34E		
30-0018	OPG	Permitted	OR-30-015-5; Meacham Quarry Hwy 6 mp 237.31	ODOT -		Basalt	34	1N	35E	29.00	36.00
30-0030	OPG	Closed	Emigrant Hill	ODOT -		Rock	6	1N	35E		
30-0031	OPG	Permitted	Cabbage Hill Quarry OR-30-010-5 Hwy 6 MP 224	ODOT -		basalt	2	1N	33E	3.50	24.30
30-0039	COX	Exempt	4 Corners	Umatilla County	Pendleton	Basalt	12	1N	30E		
30-0043	OPG	Closed	Meacham Rock Product	ODOT -		Rock	20	1N	35E		

DOGAMI Inventory of Umatilla County Aggregate Resources

PermitID	Permit Type	Status	Site Name	Permittee	Landowner	Primary Commodity	Section	Township	Range	Disturbed acres	Permitted Acres			
30-0126	OPA	Permitted	Cannon Pit	Robert Cannon	BLM	basalt	8	5N	34E	2.00	80.00			
30-0003	OPG	Permitted	OR-30-004-5; Ordnance Gravel Pit Hwy 6 mp 179	ODOT -		sand & gravel	26	4N	27E	17.00	22.00			
30-0004	OPG	Permitted	OR-30-049-5; Catron Quarry Hwy 334 MP 14.42	ODOT -		Basalt	22	4N	34E	12.00				
30-0010	COX	Exempt	Westland Pit	Umatilla County		sand & gravel	17	4N	28E					
30-0016	GTE	Closed		Stan Schnell		sand & gravel	9	4N	28E					
30-0023	OPA	Permitted	Hinkie Pit	Union Pacific		sand & gravel	29	4N	29E	60.00	227.00			
30-0034	COX	Exempt	Cristley Pit	Umatilla County			7	4N	29E					
30-0041	COX	Exempt	Struve Pit	Umatilla County			23	4N	32E					
30-0050	COX	Exempt	Tenney Pit	Umatilla County	Ralph Tenney	sand & gravel	24	4N	30E					
30-0061	OPG	Permitted	OR-30-043-5; Weston Quarry, Hwy 330 MP 2.8	ODOT -		Basalt	24	4N	35E	11.00	6.00			
30-0063	GTE	Closed	C & B Pit	C & B Livestock,		sand & gravel	22	4N	28E	0.00	0.00			
30-0064	OPA-LEP	Permitted	County Line	Herniston Rock		sand & gravel	27	4N	27E	25.00	27.00			
30-0067	OPG	Permitted	OR-30-048-5; Struve Quarry (Hascom) Hwy 334 MP 2.0	ODOT -		Basalt	23	4N	32E	11.00	4.00			
30-0068	COX	Exempt	McCormach	Umatilla County	McCormach & Starfield	Basalt	31	4N	34E		0.00			
30-0069	OPA	Closed	Canal Road Pit	Kevin L. Helzer		sand & gravel	7	4N	29E	0.00	0.00			
30-0079	OPA	Permitted	Westland Pit	Pioneer		sand & gravel	31	4N	28E					
30-0080	OPG	Closed	MP 7.1 Um-StantonHwy	ODOT -		sand & gravel	23	4N	28E	8.35	14.62			
30-0084	OPA	Closed	Lamb Gravel Pit	Steelman-Duff,		sand & gravel	25	4N	27E					
30-0093	TEG	Closed	Cold Springs	ODOT -			2	4N	31E					
30-0100	OPG	Closed	Bannister	ODOT -			12	4N	27E					
30-0106	OPA	Closed	Kalal Site	Kalal		sand & gravel	2	4N	28E	0.00	0.00			
30-0111	GTE	Closed	Harris Pit	Harris		sand & gravel	31	4N	38E					
30-0114	OPA	Closed	7-A's Gravel	7-A's, Inc.		sand & gravel	27	4N	27E					
30-0123	OPA	Permitted	Linton Mtn Property	Eagle Cap		basalt	8	9	16	17	4N	37E	29.00	60.00
30-0129	OPA	New	Rock It LLC	Wade Aylett		crushed rock	27	28	4N	27E				
30-0097	OPG	Amendme	Webb Slough Quarry	ODOT -		Basalt	12	3S	30E	14.00	31.25			
30-0121	OPA	Permitted	George Wachter Source	Seubert	George	basalt	12	3S	30SE	1.00	32.00			
30-0127	OPG	Permitted	OR30-050-5 Wildhorse Creek Quarry OR 335 MP 9.50	ODOT -		basalt	23	3S	33E	1.00	9.71			
30-0007	COX	Exempt	Cayuse Pit	Umatilla County		Basalt	35	3N	34E					
30-0036	COX	Exempt	Squaw Creek	Umatilla County		Basalt	36	3N	35E					
30-0040	COX	Exempt	Ransier Pit	Umatilla County	GM Ransier	Basalt	6	3N	30E					
30-0052	COX	Exempt	Rogers Pit	Umatilla County	B.L. Davis Ranch	sand & gravel	11	3N	34E					
30-0055	COX	Exempt	Thornhollow	Umatilla County	Barnett-Rugg	Basalt	33	3N	35E					
30-0056	COX	Exempt	Havana	Umatilla County		Basalt	23	3N	33E					
30-0065	OPG	Closed	Summit Road Quarry	ODOT -		Basalt	32	3N	38E					
30-0074	COX	Exempt	Tubbs-Cayuse	Umatilla County		Basalt	34	3N	34E					
30-0092	COX	Exempt	Narkaus Pit	Umatilla County	Lenore Narkaus	Basalt	11	3N	36E					
30-0125	OPA	Permitted		City of		basalt	31	3N	32	0.00	25.00			
30-0024		Closed		Harold H.		rock	4	5	32E					
30-0094	COX	Exempt	Doherty Sheep Ranch	Umatilla County	Joe P. Doherty	Basalt	17	20	2S	30E				
30-0096	COX	Exempt	Yellow Jacket	Umatilla County	Ralph & Kathryn	Basalt	26	2S	31E	2.00				
30-0002	OPA	Closed	Butter Quarry Site	Steelman-Duff,			27	2N	27E					
30-0011	LEP	Permitted	Jellum Quarry	American Rock		Basalt	5	2N	32E	17.00				
30-0015	OPA-LEP	Permitted	Barnhart Pit 1	Rod Anderson		Basalt	9	10	15	16	2N	31E	45.70	90.20
30-0017	GTE	Permitted	Barnhart Pit 2	Rod Anderson		Basalt	16	17	2N	31E	5.00	0.00		
30-0021	GTE	Closed	Pendleton Mission	Rogers	Dean Forth	sand & gravel	9	2N	33E					

INVENTORY OF UMATILLA COUNTY AGGREGATE RESOURCES

APRIL 28, 2010

UPDATED APRIL 14, 2014

SORTED BY MAP AND TAX LOT

*This inventory is compiled from several sources.

** A more detailed description of each column may be found at the end of the document.

DOGAMI Permit	SERIAL #	MAP & TAX LOT	ZONE	COUNTY PERMITS ISSUED	LANDOWNER	APPLICANT	DESCRIPTION OF USE	GOAL 5 STATUS
None	110933	6N 37 / 1100	EFU	#ZP-77-2086 #C-2086-77	Michael Lynch	Walla Walla County	Basalt Quarry Remove and Crush Gravel "Lynch Site"	"2A" on Tech Report
30-0072 (COX) Exempt	110450	6N 36 / 1100	EFU		Dennis and Helen Rea	Umatilla County	"Birch Creek" / "Casper Pit"	"3C" on Tech Report; Comprehensive Plan Exempt List
30-0035 (COX) Exempt; 30-0107 (OPA) Permitted	110617	6N 36 / 4600	EFU	#ZP-92-062; Approved with #C-630-91 and #P- 054	Barbara Kenny ETAL Kenny Farms Inc.	Humber Construction & Humber Asphaltting	Rock Pit/Crusher Site Asphalt Batch Plant "Kenny Pit"	Goal 5 - YES; #P-054 Approved on 3/4/92
30-0089 (COX) Exempt	110771	6N 36 / 8100	EFU	#ZP-87-168 #C-495-87	Catherine and Donald Ritche	Umatilla County Public Works Department	Rock Pit/Crusher Site "Casper Quarry"	"3C" on Tech Report
		Unable to Determine Specific Tax Lot (T6N R35E 16 NE1/4)					Small Gravel Pit	"3C" on Tech Report

DOG MIT PERMIT	Serial #	MAP & TAX LOT	ZONE	COUNTY PERMITS ISSUED	LANDOWNER	APPLICANT	DESCRIPTION OF USE	GOAL 5 STATUS
None	113287; 113858	6N 35 24A / 100; 6N 35 24D / 100	EFU	#P-060 #C-674-93 (Closed)	Lynne A. Chamberlain	Ready Mix Ltd	Aggregate Source - Walla Walla River	Goal 5 - YES; #P-060 Approved on 8/11/93
None	149653	6N 35 24G / 1404	RRSG / EFU-10	#ZP-97-313; Approved with #C-805-96	Daniel and Charlene Humbert	Dan and Charlene Humbert	Asphalt Plant	Not on Goal 5 Inventory
None	111972; 134839	6N 35 25C / 100; 6N 35 38C / 400	EFU-10	#ZP-93-051; Approved with #C-652-92 and #P-058	Milton-Freewater Pioneer Posse / Milton Freewater Water Control District	Ready Mix Ltd	Extract rock from Walla Walla River	Goal 5 - YES; #P-058 Approved on 3/17/93
None	149387 134722	6N 35 35A / 3606; 6N 35 35A / 3700	RI	#C-946-00 - (Approved but not acted on)	Konen Rock Products Inc.	George Kaup	Gravel/Rock Storage	Not on Goal 5 Inventory
30-0032 (GTE) Closed	135407	6N 35 36B / 101	EFU		Milton Freewater Water Control District	Umatilla County	Gravel Pit "Eastside Pit"	"3C" on Tech Report; Comprehensive Plan Exempt List
None	112218	6N 35 36B / 300	LI	#ZP-03-204; Approved with #C-1024-02	Pioneer Asphalt Inc.	Pioneer Ready Mix	Commercial Gravel Source	3C on Tech Report
None	114142	6N 34 / 3800	EFU	#ZP-03-205; Approved with #C-1025-02 #ZP-09-123; Approved with #C-1024-02 and #C-1022-02B	James D. Schubert	Eurus Combine Hills, LLC	Rock Borrow Pit and Crushing Site. Extract/crush 113,500 cy for 4.72 miles of new roads and to improve 21.63 miles of existing roads	Not on Goal 5 inventory.
None	105168	6N 33 / 1600	EFU	#ZP-01-031; Approved with conditions.	Leland Demaris 1/2 ETAL 1/2	DH Blatter & Sons	Extract/crush 60,000 cy Apply gravel on roads on same parcel. Stataline Wind Power Project	Not on Goal 5 inventory

DOGAMI PERMITS	SERIAL #	MAP & TAX EOT	ZONE	COUNTY PERMITS ISSUED	LANDOWNER	APPLICANT	DESCRIPTION OF USE	GOAL 5 STATUS
None	113215	6N 33 / 2300	EFU	#ZP-01-235; Approved with conditions.	Thomas W. Campbell 1/4, ETAL 3/4	DH Blattner & Sons	Extract/Crush 40,000 cy.	Not on Goal 5 inventory.
None	113320	6N 33 / 4200	EFU		Tony and Peggy Raymond		Small Basalt Quarry	"2A" on Tech Report
None		Unable to Determine Specific Tax Lot (T6N, R31E)	EFU				Small Basalt Quarry "Pearson Quarry"	"2A" on Tech Report
None	134127	5N 36 / 4700	EFU	#C-694-92 #P-056 ZP not found	Lawrence E.F.(E) & Talbot S. & Lawrence R	Humbert Asphalt	Aggregate Source	#P-056; Approved on 01/27/1992
30-0066 (OPA) Permitted	134129; 133993; 159021	5N 36 / 4800; 5N 36 / 5500; 5N 35 / 3801	EFU/AR	#ZP-78-103; Approved by #C-020-78 #ZP-05-107; Approved by #C-1053-03 #T-03-011 #Z-276	Konen Rock Products, Inc.	Konen Rock Products, Inc.	Aggregate Extraction and Processing / Temporary Batch Plant "Couse Creek Quarry" / "Konen Pit"	Yes; "3A" on Tech Report and in AR Overlay. #T-03-011 and #Z-276 Approved on 12/15/03
30-0076 (OPA) Permitted	134106	5N 36.07 / 200	EFU	#ZP-84-168; Approved by #C-333-84 #ZP-87-079; Approved by #C-479-87 #ZP-09-081	James Spence Properties, Inc.	Humbert Excavating; Humbert Asphaltting	Basalt Quarry; Asphalt Plant	"2A" on Tech Report
None	134123	5N 36 17CC / 100	EFU	#C-629-91 #P-053	Smith D & Ruth E & Lamson CE & LJ	Humbert Construction and Humbert Asphaltting	Rock Pit, Crusher, and Asphalt Plant	#P-053; Approved on 12/11/1991
None	134329	5N 36 18B / 1100	EFU		Shauna Patin		Small Basalt Quarry	"2A" on Tech Report
None	149705; 134156	5N 36 20 / 300; 5N 36 20 / 1000	EFU	#ZP-86-287	Archie and Sylvia Harris & Romeo and Nevah Bolen / Patrick Kelly	Wallace Bullock	Removal of Gravel and Rock Bar from within Walla Walla River for Flood Control	Not on Goal 5 inventory.

DOGAMI Permit	SERIAL#	MAP & TAX Lot	ZONE	COUNTY PERMITS ISSUED	LANDOWNER	APPLICANT	DESCRIPTION OF USE	GOAL 5 STATUS
None	143725	5N 35 35 / 200	EFU		State of Oregon	ODOT	Small Inactive Basalt Quarry	"3C" on Tech Report
30-0047 (OPG) Permitted	137465 / 135290	5N 35 35 / 400	EFU/AR	#ZP-84-311 #ZP-92-215 #G-831-97 #ZP-11-215	State of Oregon	ODOT	Rock Quarry, Aggregate Mining and Crushing "Dry Creek Quarry"	Yes, "3A" on Tech Report and in AR Overlay
None	113333	5N 34 / 200	EFU	#ZP-03-202 and #ZP-09-126; Both Approved by #C-1024-02	Patrick Kelly	Eurus Combine Hills II, LLC	Rock Borrow Pit and Crushing Site, #5 and #6	Not on Goal 5 Inventory.
30-0108 (OPA) Permitted	114038	5N 34 / 300	EFU	#ZP-92-054, Approved by #C-627-91 #P-051	Ariene Kessler and Charles Schubert	Humbert Construction, Inc. and Humbert Asphalt	Rock Crusher and Asphalt Plant "Schubert Pit"	Goal 5 - Yes; #P-051 Approved on 3/4/92 "3C" on Tech Report
30-0071 (COX) Exempt	136051	5N 34 / 301	EFU	#ZP-84-304 #ZP-93-105	Umatilla County	Umatilla County Road Department	Gravel Extraction "Schubert Pit"	Comprehensive Plan Exempt List
None	113181	5N 34 / 600	EFU	#ZP-03-203 and #ZP-09-122; Approved by #C-1022-02B and #C-1024-02	Robert and Betty Schubert	Eurus Combine Hills II, LLC	Rock Borrow Pit and Crushing Site for Wind Tower Project (3.56 acres)	Not on Goal 5 Inventory
30-0053 (OPA) Permitted	105612	5N 34 / 1390	EFU	#ZP-81-160 and #ZP-09-003; Both Approved by #C-184-81	J & P Whitney Properties, LLC	Umatilla County Road Department/ Jim Whitney	Quarry, Aggregate Processing "Whitney Quarry"/ "Wayland Pit"	"3C" on Tech Report, Comprehensive Plan Exempt List

DOGAMI Permit	SERIAL #	MAP & TAX LOT	ZONE	COUNTY PERMITS ISSUED	LANDOWNER	APPLICANT	DESCRIPTION OF USE	GOAL 5 STATUS
30-0126 (OPA) Permitted	105081	5N 34 / 1400	EFU/AR	#1-09-033 #Z-289 #P-097 #ZP-09-138, Approved by #C-1149-09 and #C-1150-09	Sunny Cove Ranches, Inc	Robert M. Gannon / Blatner Energy, Inc	Aggregate Extraction and Processing / Temporary Batch Plant "Gannon Pit"	Goal 5 - Yes; #P-097 Approved on 3/9/09
None	119817	5N 34 / 4900	EFU		Alan and Chris Froese		Basalt Quarry "Walker Quarry"	"2A" on Tech Report
None	105663	5N 34 / 5300	EFU		J.F. Temple, Inc, c/o Stacy Nandor		Medium Inactive, Basalt Quarry "Rush Quarry"	"3C" on Tech Report
None		T5N, R34E, 35 SE/SE / 3500	EFU			ODOT	Basalt Quarry	"2A" on Tech Report
None	104793	5N 33A / 900	EFU	#ZP-98-133 #ZP-99-210, Approved by #C-868-98	Raymond and Son, Inc	Rod Anderson Construction	Aggregate Extraction Site "Raymond Pit"	"3C" on Tech Report
30-0073 (COX) Exempt	104165	5N 32 / 700	EFU	#ZP-84-251, Approved by #C-335-84	Myra Furnish Lee, ETAL	Umatilla County Road Department	Rock Quarry "North Juniper" / "Furnish"	"3C" on Tech Report, Comprehensive Plan Exempt List
30-0095 (COX) Exempt	104167	5N 32 / 800	EFU	#G-549-89 Cancelled 4/99	Kayella Simmons, ETAL	Umatilla County	Basalt "Rohmann Quarry"	Not on Goal 5 inventory.
30-0113 (COX) Exempt	135193	5N 32 / 5600	EFU	#ZP-96-018	Umatilla County	Umatilla County Road Department	Re-Open Existing Gravel Pit "Engdahl Pit"	"3C" on Tech Report
30-0101 (VPA) Closed	127812	5N 30 / 904	EFU	#ZP-91-056, Approved by #C-611-91 #P-048	JB Land, LLC	Steelman Duff, Inc	Temporary Rock & Asphalt Plant for Hwy 37 Project	Goal 5 - Yes; #P-048 Approved on 4/15/91
30-0078 (OPA) Permitted	126948	5N 29D / 302	EFU	#ZP-81-035, Approved by #C-169-(80) #ZP-94-115	Kenneth Peterson	Barnhart Rock Products / Kenneth Peterson	Extract rock, Rock Crusher, "Hat Rock Pit"	Not on Goal 5 inventory.

DOGAMI PERMIT	SERIAL #	MAP & TAX LOT	ZONE	COUNTY PERMITS ISSUED	LANDOWNER	APPLICANT	DESCRIPTION OF USE	GOAL 5 STATUS
30-0033 (OPG) Permitted	127060	5N 29D / 800	EFU/AR	#ZP-79-336 #ZP-82-174: Approved by #C-245-82 #C-567-89 #ZP-95-294 #C-863-98 #ZP-12-057 #ZP-13-169	Lewis and Clark College, TRS	ODOT	Gravel Pit: Extraction, Crushing, Cold Batch Plant	Yes, 3A on Tech Report and in AR Overlay
None	130148	5N 29 27 / 2100	EFU	#ZP-94-222 #C-706-94	Phil and Ardele Hawman, LLC	Daniel Dorrant, Ready Mix Sand & Gravel	Temporary Dry Concrete Batch Plant	Not on Goal 5 Inventory.
30-0087 (OPA) Closed	124638	5N 28C / 6500	EFU	#ZP-87-085: Approved by #C-469-86	Fox Harvesting of Oregon, Inc.	Deatley Corp.	Gravel Extraction	Not on Goal 5 Inventory.
30-0120 (OPA) Permitted	161020, 136243	5N 28 11 / 1500; 5N 28 11 / 2100	M-2	#C-695-94 #ZP-97-150: Approved by #C-832-97 #ZP-00-090	Port of Umatilla	Pioneer Asphalt; Desert River, LLC	Removal of Previously Deposited Material; Mining to include Rock Crushing and Concrete Production	Not on Goal 5 inventory.
30-0037 (GOX) Exempt	136270	5N 28 16 / 1700	F-2	#C-496-87 No ZP in file	Umatilla County	Umatilla County Public Works Department	Removal of Gravel Deposits from Existing PVI/Borrow Pit for Construction of Port Road "Umatilla Pit"	Not on Goal 5 Inventory
30-0012 (OPA) Permitted	133085, 133084	5N 28 16 / 2100; 5n 28 16 / 2200	F-2	#ZP-94-041: Approved by #C-684-94 (Zoning Permit for Tax Lot 2100 only)	Jack M. Morrison	Jones-Scott Co.	Quarry Operation to include a wash plant, crusher, scale, and office trailer "Umatilla Pit"	Not on Goal 5 inventory.
30-0045 (OPA) Permitted	154735	5N 28 16 / 2300	M-2	#ZP-10-231: Approved by #C-1169-10 and #C-1170-10; #V-315-10	Stuart Bonney	American Rock Products; Stuart Bonney	Sand and Gravel "Bonney Gravel Pit"	Not on Goal 5 Inventory

DOGAMI PERMIT	SERIAL #	MAP & TAX LOT	ZONE	COUNTY PERMITS ISSUED	LANDOWNER	APPLICANT	DESCRIPTION OF USE	GOAL 5 STATUS
30-0060 (OPG) Permitted	136269	5N 28 16A / 1700	F-2	#ZP-81-340; Approved by #C-209-81 #ZP-91-035 and #ZP-92-195; Approved by #C-609-91 #C-661-93	State of Oregon	ODOT	Rock Crusher & Borrow Pit; Used in I-82 Port of Entry Project and Umatilla to McNary Project "Powerline Road Quarry"	Not on Goal 5 Inventory.
30-0046 (COX) Exempt 30-0109 (OPA) Permitted	133087	5N 28 21 / 100	F-1/F-2	#ZP-74-428 #G-1748 (See Property File for Ruling of the County Commissioners)	Stuart Bonney	Stuart Bonney	Crusher and Gravel Pit; Asphalt Plant	Not on Goal 5 Inventory.
30-0044 (OPA) Permitted	133090	5N 28 21 / 1700	F-1/F-2	#ZP-76-1618 #C-1618	Clyde Nobles Jr. 1/4, ETAL 3/4	LW Vail Co.	Rock Crusher, Asphalt Plant, Office/Scales "Hermiston Pit"	Not on Goal 5 Inventory.
None	133115	5N 28 22 / 700	M-1	#G-647-92 #ZP-08-004; Approved by #C-1125-07	Stuart Bonney	GPM Development Corp.	Batch Plant and Aggregate Storage	Not on Goal 5 Inventory.
30-0029 (LEP) Permitted	128547	5N 28 27B / 1100	LII/AR	No permits on file for mining	Norris Logsdon	Snipes Mountain Sand	Sand and Gravel "Snipes Mountain"	Yes; "3A" on Tech Report and in AR Overlay
30-0102 (OPA) Closed	128561	5N 28 27D / 100	L1	#ZP-91-131; Approved by #C-617-91	Michael Artelburn	Charles Kik	1.5 acre Sand Excavation Pit	Not on Goal 5 Inventory.
30-0058 (OPG) Permitted	137707	5N 28 28D / 100	AR/L1	#ZP-80-407; Approved by #C-157-80 #ZP-88-182 #C-537-89 #Z-250 #ZP-11-078	Bureau of Land Management, USA	ODOT	77.27 acre Rock Quarry, "Umatilla Butte"	Goal 5 - Yes; #Z-250 Approved on 4/28/88

DOGAMI PERMIT	SERIAL #	MAP & TAX LOT	ZONE	COUNTY PERMITS ISSUED	LANDOWNER	APPLICANT	DESCRIPTION OF USE	GOAL STATUS
30-0051 (VPA) Permitted	128454	5N 27/ 602	EFU	#C-141-80 #ZP-89-162 Approved by #C-564-89 #ZP-95-121 Approved by #C-743-95	Amstad Farms, LLC	Central Pre-Mix of Oregon	Aggregate Resource Pit, Rock Crusher, "Baker Pit"	"3C" on Tech Report
30-0111 (GTE) Closed	120725	4N 38 31 / 100	GF	#ZP-94-088, Approved by #C-628-91 #P-052	Harris Development Corp.	Harris Development Corp.	15 acre Rock Quarry "Harris Pit"	#P-052 04/29/1992
30-0123 (OPA) Permitted	134029 134493	4N 37 / 1301 4N 37 / 2101	EFU/ CWR/ AR	#ZP-05-147 Approved by #Z-282 #1-06-022, and #C-1078-05	Eagle Cap Rentals	Eagle Cap Rentals	Aggregate Site "Lincoln Min Property"	Goal 5 - Yes #Z-282 Approved on 02/02/05
None	136894	4N 37 / 5100	FR		State of Oregon		Aggregate Site	"3C" on Tech Report
		Unable to Determine Specific Tax Lot (14N, R37E, 28 SW/3W)					Basalt Quarry	"3C" on Tech Report
Not Listed		Unable to Determine Specific Tax Lot (14N, R36E, 22 NW/3W)					Basalt Quarry "Big Rayborn Canyon"	"2A" on Tech Report
		Unable to Determine Specific Tax Lot (14N, R36E, 36)					"Pine Creek"	Comprehensive Plan Exempt List

DOGAMI PERMIT	SERIAL #	MAP & TAX LOT	ZONE	COUNTY PERMITS ISSUED	LANDOWNER	APPLICANT	DESCRIPTION OF USE	GOAL 5 STATUS
None	122867	4N 35 / 6900	EFU	#ZP-81-339, Approved by #C-210-81 #ZP-86-046, Approved by #G-415-85 #ZP-91-201 #ZP-96-177 #ZP-02-022 #C-1012-02 #ZP-04-249 #Z-247	Jill and Ronald Perrine		Inactive Basalt Quarry "Weston Quarry"	"3C" on Tech Report
30-0061 (OPG) Permitted	142926	4N 35 / 7303	EFU/AR	#ZP-81-339, Approved by #C-210-81 #ZP-86-046, Approved by #G-415-85 #ZP-91-201 #ZP-96-177 #ZP-02-022 #C-1012-02 #ZP-04-249 #Z-247	State of Oregon	ODOT	27.09 acre Aggregate Resource Site	Goal 5 - Yes; #Z-247 Approved on 4/28/88 / "3C" on Tech Report
None	142036; 146549	4N 35 16 / 500; 4N 35 16 / 400	EFU		City of Weston		Inactive Basalt Quarry	"3C" on Tech Report
None	136730	4N 34 / 2900	EFU		State of Oregon		Large Basalt Quarry, Inactive	"3C" on Tech Report
30-0068 (COX) Exempt	101623	4N 34 / 11500	EFU	#ZP-84-116 #C-323-84	Maureen McCormach, Terry McCormach, and Alaya Investments LLC	Umatilla County Road Department	Rock Quarry "McCormach Pit"	"3C" on Tech Report, Comprehensive Plan Exempt List
30-0004 (OPG) Permitted	136732	4N 34 22 / 900	EFU/AR	#ZP-81-015, Approved by #C-473-86 #ZP-88-139 #ZP-05-169 #ZP-07-224 #Z-248	State of Oregon	ODOT	Gravel Extraction, 12.56 acre Aggregate Site "Gallon Quarry"	Goal 5 - Yes; #Z-248 Approved on 4/28/88 / "3C" on Tech Report
(30-0041) / 30-0067 (OPG) Permitted	135182	4N 32 / 4800	EFU/AR	#C-319-84 #C-568-89 #ZP-94-037 #ZP-98-004 #ZP-00-066, Approved by #C-937-00 #Z-249	State of Oregon	Umatilla County / ODOT	14.16 acre Aggregate Site "Struve Pit"	Goal 5 - Yes; #Z-249 Approved on 4/28/88 / "3C" on Tech Report

DOGAMI PERMIT	SERIAL #	MAP & TAX LOT	ZONE	COUNTY PERMITS ISSUED	LANDOWNER	APPLICANT	DESCRIPTION OF USE	GOAL 5 STATUS
30-0050 (COX) Exempt	100666	4N 30 / 2300	EFU	#ZP-80-207 #ZP-85-003 #C-130-80	Ralph Leroy Terney	Umatilla County Road Department	Rock Pit "Terney Pit"	Comprehensive Plan Exempt List
None	116368, 145527	4N 32 / 7100, 4N 32 / 7201	EFU		Dorothy Bissenger and Janet Schultz /Harry and Phyllis Schuening (TRS)		Small Basalt Quarry, inactive "Simpson Quarry"	"3C" on Tech Report
30-0069 (OPA) Closed; 30-0034 (COX) Exempt	135712, 135713	4N 29 07A / 1600; 4N 29 07A / 1700	RR-2	#ZP-84-104 #MU-017-84	Stanfield Irrigation District	B & M Construction Equipment Company	Rock Pit and Variance "Canal Road Pit" / "Christley Pit"	"3C" on Tech Report
None	106607	4N 30 / 3100	EFU	#C-1029-02 #P-073	Lloyd & Lois Percy	Jim Hatley	Quarry site- rock crusher	#P-073 12/02/2002
31-Oct-90 Closed	118225	4N 28 31 / 300	EFU/AR	#P-075 #Z-272 #C-1049-03 ZP#-12-021, Approved by G-1177-11	Howard Gass Estate	Eidon McDaniel's (E- MAC)	Expansion of site for aggregate extraction; CUP has expired	
None	139511, 137072	4N 29 31 / 2100; 4N 29 31 / 2200	EFU	#ZP-83-227 #C-503-87 #C-565-89	Moraine Partners, LLC / Umatilla County	Umatilla County Road Department	Gravel Bar Removal / Rock Crusher	Not on Goal 5 inventory.
30-0023 (OPA) Permitted	139617	4N 28G / 4000	HI/AR	#ZP-76-1655 / #C-1655- 76 #ZP-79-488, Approved by #C-095-(79)	Oregon-Washington Railroad and Navigation Company / (UPRR)	Oregon-Washington Railroad and Navigation Company / (UPRR)	Gravel / Ballast Removal Site "Hinkle Pit"	Yes: "3A" on Tech Report and in AR Overlay
30-0106 (OPA) Permitted No longer listed	119098	4N 28 02D / 700	FU-10	None	Vivian Kalal	Kalal Construction, Inc.	Sand and Gravel Removal	Not on Goal 5 inventory.

DOGAMI PERMIT	SERIAL #	MAP & TAX LOT	ZONE	COUNTY PERMITS ISSUED	LANDOWNER	APPLICANT	DESCRIPTION OF USE	GOAL 5 STATUS
30-0010 (COX) Exempt	143471	4N 28 17C / 1800	EFU-40	#C-440-(87)	Hermiston Rural Fire	Umatilla County	Large Gravel Pit "Westland Pit"	"3C" on Tech Report
None	151777	4N 28 21D / 701	EFU/FI		City of Hermiston, c/o Port of Umatilla		Small Gravel Pit	"3C" on Tech Report
None	135705	4N 28 21D / 200	EFU/FI		Brady Reilkowski		Small Gravel Pit	"3C" on Tech Report
30-0079 (OPPA)	162576	4N 28 30 / 2202	EFU	ZP#-12-021 Approved by C-1177-11	JTU ENTERPRISES LLC	Pioneer Asphalt	Rock Quarry	
30-0003 (OPG) Permitted	143482	4N 27 / 207	EFU/AR	#ZP-84-160: Approved by #C-327-84 #Z-251	United States of America - BLM	Oregon State Highway Division	Rock Quarry "Ordrance Pit"	Goal 5 - Yes; #Z-251 Approved on 4/28/88 / "3C" on Tech Report
30-0114 (OPPA) Closed 30-0129 (OPPA) NEW	148052	4N 27 27 / 300	EFU	#Z-259-97: Denied but placed on the significant site inventory #Z-294-11 #T-11-045 #ZP-12-090	Hansell Brothers, Inc.; Surface Owner Wade Aylett	7-A's Inc. c/o Ledidian Aylett, Mineral Rights Owner Wade Aylett, Rock Il LLC	Not permitted to mine	Added to Inventory as a Significant Site via Z- 259-97
30-0100 (OPG) Closed	144515	4N 27 / 401	EFU	#ZP-85-301: Approved by #C-410-85	Westland Irrigation District	Oregon State Highway Division	Gravel Extraction "Bannister"	Not on Goal 5 inventory.

DOGAMI PERMIT	SERIAL #	MAP & TAX LOT	ZONE	COUNTY PERMITS ISSUED	LANDOWNER	APPLICANT	DESCRIPTION OF USE	GOAL STATUS
30-0064 (OPA) Permitted No longer listed	116909; 116897	4N 27 / 2101; 4N 27 27 / 700	EFU	#ZP-83-054; Approved by #C-271-83 #ZP-94-070; Approved by #C-681-93	12 H Inc./ Hermiston Rock Products Inc.	Aaron Logsdon	Rock Quarry, Gravel Pit, Rock Crusher, Sediment Ponds "County Line"	"3C" on Tech Report
30-0084 (OPA) Closed No longer listed	116888 157926	4N 27 25A / 200; 4N 27 25A / 202	L/RTG	#C-413-85 #C-748-95 #ZP-90-055 #C-545-89 (4N27 1405)?	Flying J, Inc.	Steelman-Duff, Inc.	Gravel Pit, Asphalt Plant, Rock Crusher	Not on Goal 5 Inventory.
30-0092 (COX) Exempt	121904	3N 36A / 1900	GF/CWR	#C-517-88	Sara and James Pilgreen	Umatilla County Public Works Department	Gravel Pit and Rock Crusher "Narkaus Pit" / "Brogetti Quarry"	"3C" on Tech Report
		Unable to Determine Specific Tax Lot. (3N, R35E, S NW/SE)					Small Basalt Quarry	"3C" on Tech Report
30-0056 (COX) Exempt	140259; 137007; 140258	3N 33 23 / 100; 3N 33 23 / 600; 3N 33 23 / 700	EFU	#ZP-81-257; Approved by #C-201-81	State of Oregon	ODOT	Rock Quarry "Havana Quarries" "Wild Horse Creek Quarry"	"3C" on Tech Report
30-0040 (COX) Exempt	107911	3N 30B / 200	EFU	#ZP-87-018	Lucas and Tammy Wagner, ETAL	Umatilla County Road Department	Gravel Pit "Ransier Pit"	"3C" on Tech Report; Comprehensive Plan Exempt List
None	137068	3N 29 05 / 2500	EFU		State of Oregon		Large Gravel Pit, Inactive	"3C" on Tech Report

DOGAMI PERMIT	SERIAL #	MAP & TAX LOT	ZONE	COUNTY PERMITS ISSUED	LANDOWNER	APPLICANT	DESCRIPTION OF USE	GOAL 5 STATUS
30-0104 (TEG) Closed 30-0119 (GTE) Closed	100657	2N 32 / 3800	EFU	#P-050 #G-616-91 #ZP-99-072, Approved by #C-822-97	James and Deborah Straughan	Halley Construction Company	Aggregate Rock Pit	#P-050 8/08/1991
30-0122 (OPA) Permitted	104635	2N 32 04 / 400	EFU	#Z-278 #T-04-015 #C-1063-04	Rosemary Schuening	Rosemary Schuening	Aggregate Site Schuening Property	#Z-278 Approved on 02/23/04
30-0086 (OPA) Closed	104825	2N 32 12 / 1001	RLI	#G-451-86 (Permit expired and voided in 1991)	Justin and Donald Wagner	Don Wagner		Not on Goal 5 Inventory
30-0015 (OPA) Permitted	100077, 136828	2N 31 / 400; 2N 31A / 2800	EFU/AR And RH/AR	#P-076 #Z-273 #C-1050-03	Ted Forth, Barnhart Rock LLC	Barnhart Rock Inc.	Aggregate Source "Barnhart Pit 1"	Goal 5 - Yes; #Z-273 Approved on 10/21/03 /"3A" on Tech Report
30-0017 (GTE) Permitted	103952	2N 31 / 800	RH/AR	None	Ted and Robert Forth	Rod Anderson Construction Inc.	Aggregate Source "Barnhart Pit 2"	Yes; "3A" on Tech Report; and in AR Overlay
30-0115 (OPA) Permitted	100091	2N 31A / 2200	EFU	#C-834-97 #P-064	Vivian Taylor	Warren Taylor	Aggregate Source "Torco Ranch"	#P-064 6/10/1997
30-0110 (GTE) Permitted	100099	2N 31 13 / 400	EFU	#G-644-92 #ZP-03-180, Approved by #C-1016-02 #P-057	Vivian Taylor	Torco Ranch	Rock Crusher and Aggregate Pit "Birch Creek"	#P-057 10/21/1992
		Unable to Determine Specific Tax Lot (T2N, R30E, 1 SE/SE)					Small Basalt Quarry "Filler Pit"	"3C" on Tech Report

DOGAMI PERMIT	SERIAL #	MAP & TAX LOT	ZONE	COUNTY PERMITS ISSUED	LANDOWNER	APPLICANT	DESCRIPTION OF USE	GOAL 5 STATUS
30-0075 (GOX) Exempt	107140	2N 30 (29) / 1600	EFU		Gunningham Sheep Co	Umatilla County	Medium Basalt Quarry "Alkali"	"2A" on Tech Report
None	103897	2N 30 / 3301	EFU		Mud Springs Ranches, c/o Pendleton Ranches Inc.		Gravel Pit	Comprehensive Plan Exempt List
30-0002 (OPA) Closed	107104	2N 27 / 3000	EFU	#ZP-90-010; Approved by #C-547-89	Hawkins Co. Inc.	Steelman-Duff Inc	5 Acre Rock Crusher and Asphalt Batch Plant Site "Butter Creek Site"	Not on Goal 5 Inventory
30-0043 (OPG) Closed	136706	1N 35 / 8301	GF	None	State of Oregon	ODOT	Quarry "Emigrant Park Quarry" "Meacham Rock Product"	"3C" on Tech Report
		Unable to Determine Specific Tax Lot (11N, R35E, 27 SW/SE)					Basalt Quarry "Horse Quarry"	"3C" on Tech Report
		Unable to Determine Specific Tax Lot (11N, R36E, 29 SE/NE)					Basalt Quarry, Road cut "Borrow Pit"	"3C" on Tech Report

DOGAMI PERMIT	SERIAL #	MAP & TAX LOT	ZONE	COUNTY PERMITS ISSUED	LANDOWNER	APPLICANT	DESCRIPTION OF USE	GOAL 5 STATUS
30-0018 (OPG) Permitted	136721 136723 136722	1N 35 34 / 400; 1N 35 34 / 800; 1N 35 34 / 1000	GF/AR	#ZP-82-175 #ZP-88-183 #ZP-93-245 #ZP-97-062 #ZP-02-093. Approved by #C-1000-01 #ZP-06-251 #Z-246 #C-246-82 #C-538-88 #C-954-00, (Not acted upon) #ZP-11-216 #ZP-13-053	State of Oregon	ODOT	Aggregate Site "Mecham Quarry"	Goal 5 - Yes; #Z-246 Approved on 4/28/88 / "3C" on Tech Report
None	161038	1N 32 / 2203	EFU		Gary and Cheri Rhinhart		Basalt Quarry "Schuening Quarry"	"3C" on Tech Report
None	100640	1N 32 / 5100	EFU	#C-883-98 #P-065 #Z-261	J.G. Simpson Inc.	Umatilla County Road Department	Aggregate Source	#Z-261 (YES approved 1-20-99)
None	136406	1N 32D / 400	EFU		State of Oregon		Basalt Quarry, Inactive	"3C" on Tech Report
None	101392	1N 32D / 1600	EFU	#ZP-98-219. Approved by #C-815-97 and #P-062	Brand X Ranch, LLC	Richard Doherty	Mining & Aggregate Processing	#P-062 4/03/1997; (YES Approved on 6-24-97)
None	108113	1N 32D / 3500	EFU	#ZP-92-077, Approved by #C-631-92 and #P-055	Iris Doherty	Iris Doherty	Rip-rap Extraction from Quarry	? #P-055 11/05/1991; (YES approved on 4-06-92)

DOGAMI PERMIT	SERIAL #	MAP & TAX LOT	ZONE	COUNTY PERMITS ISSUED	LANDOWNER	APPLICANT	DESCRIPTION OF USE	GOAL STATUS
None	102219	T1N, R30E, 8 SWNE / 500	EFU				Basalt Quarry "Alkali Canyon Quarry"	"2A" on Tech Report
30-0039 (GOX) Exempt	159525	T1N, R31E, 18 SE/5W Lot	EFU		Hoke Ranches	Umatilla County	Large Basalt Quarry "Four Corners Quarry" "Combs Canyon"	"3C" on Tech Report Comprehensive Plan Exempt List
30-0057 (GTE) Closed	116476	1S 35 / 502	FR-5/ GF	#ZP-81-304; Approved by #C-207-81 #C-651-92 #ZP-95-160; Approved by #C-739-95	Eucon Corp. / Dently Co. Inc.	Steelman-Duff Division, Eucon Corporation / J.C. Compton	Quarry and Stockpile Site	Not on Goal 5 Inventory.
30-0070 (GOX) Exempt	152223	1S 32A / 3100	EFU	#ZP-85-023 #C-363-85; (Voided for commercial use in 1991 Still open for county use.)	Harry and Iris Christensen	Umatilla County	Rock Quarry "Hobett Pit"	"3C" on Tech Report Comprehensive Plan Exempt List
30-0054 (LEP) Closed	118091	1S 32 08D / 200	F-1	#C-1524-76	Kinzua Resources, LLC	Louisiana Pacific Corporation	Rock Pit	"3C" on Tech Report
30-0022 (OPG) Closed	108210	1S 31 / 1502	EFU	#ZP-74-641	Cunningham Sheep and Land Co.,	ODOT	Aggregate Site, Rock Crusher, Asphalt Plant "Pilot Rock"	"2A" on Tech Report
		Unable to Determine Specific Tax Lot (T1N, R31E, 18 SE/5W)					Basalt Quarry	"3C" on Tech Report
		Unable to Determine Specific Tax Lot (1S, R32E, 30 NE/4W)					Medium Basalt Quarry "West Birch Creek"	"3C" on Tech Report

DOGAMI PERMIT	SERIAL #	MAP & TAX LOT	ZONE	COUNTY PERMITS ISSUED	LANDOWNER	APPLICANT	DESCRIPTION OF USE	GOAL 5 STATUS
30-0091 (TEG) Closed	1353330	1S 31 24 / 1506	EFU	#ZP-74-641	State of Oregon	ODOT	Basalt Quarry	"2A" on Tech Report
30-0099 (LEP) Permitted	108218	1S 31 24 / 1900	EFU	#C-1040-03 #P-074	A.H. Ranch Inc.	James Hatley	Basalt Quarry	"2A" on Tech Report
None	145970, 108210	Unable to Determine Specific Tax Lot (11S, R31E, 22 SW/4E, SE/4E)	EFU				Basalt Quarry "Jack Canyon Quarry"	"2A" on Tech Report
30-0090 (OPG) Permitted	1353332	1S 31 19 / 1702	EFU/AR	#ZP-88-020; Approved by #C-511-88 #ZP-88-137 #Z-245	ODOT	ODOT	29.54 acre Aggregate Site "Nye Junction Quarry"	Goal 5 - Yes; #Z-245 Approved on 4/28/88; "2A" on Tech Report
None	108129	1S 30 / 300	EFU		Paul and Kathy Nelson		Basalt Quarry "Victor Nelson-Murray"	"3C" on Tech Report; Comprehensive Plan Exempt List
None	108135	1S 30 22 SE/SE / 1100	EFU		Spin and Marty LLC	ODOT	Basalt Quarry	"3C" on Tech Report
None	108135	1S 30 26 NW/NE / 1100	EFU		Spin and Marty LLC	ODOT	Basalt Quarry	"2A" on Tech Report
None	117990	1S 30 / 1900	EFU		Cunningham Sheep Co.	ODOT	Basalt Quarry "Burl Stuart Quarry"	"2A" on Tech Report

DOGAMI PERMIT	SERIAL #	MAP & TAX LOT	ZONE	COUNTY PERMITS ISSUED	LANDOWNER	APPLICANT	DESCRIPTION OF USE	GOAL 5 STATUS
None	117974	2S 32 10 / 100	EFU		Mary and Adolph Weinke		Basalt Quarry "East Birch Creek"	"3C" on Tech Report
30-0096 (COX) Exempt	108580	2S 31 / 502	EFU		Kathryn Low (TRS), ET AL	Umatilla County	Basalt "Yellow Jacket"	Not on Goal 5 Inventory.
30-0094 (COX) Exempt	108500; 108521	2S 30 / 600; 2S 30 / 1300	EFU	#ZP-88-144; Approved by #C-530-88	Larry and Ludean Anderson; Cunningham Sheep Co.	Umatilla County Road Department	Gravel Pit and Rock Crusher "Doherty Sheep Ranch"	Not on Goal 5 Inventory.
		Unable to Determine Specific Tax Lot (13S, R30 1/2E, 1 NE/NW)		#ZP-90-113; Approved by #C-590-90 #ZP-96-130; Approved by #C-784-96 #C-739-95 #Z-277 #T-03-012 #C-1054-03			Basalt Quarry	"3C" on Tech Report
30-0121 (OPA) Permitted;	107356	3S 30% / 500	EFU/ CWR/ AR		Emma Wachter (Est.), c/o George Wachter;	Seibert Excavators, Inc;	Aggregate Mining, Crushing, and Batch Plant Site "Webb Slough Pit"	Goal 5 - Yes; #Z-277 Approved on 12/15/03. / "3C" on Tech Report

DOGAMI PERMIT	SERIAL #	MAP & TAX LOT	ZONE	COUNTY PERMITS ISSUED	LANDOWNER	APPLICANT	DESCRIPTION OF USE	GOAL STATUS
30-0097 (OPG) Permitted	135290	3S 30 1/2 / 503	EFU/ CWR/ AR	#ZP-90-113; Approved by #C-590-90 #ZP-96-130; Approved by #C-784-96 #C-739-95 #Z-277 #T-03-012 #C-1054-03 #ZP-07-242	State of Oregon	ODOT	Aggregate Mining, Crushing, and Batch Plant Site "Webb Slough Pit"	Goal 5 - Yes; #Z-277 Approved on 12/15/03 /3C on Tech Report
None	107335	3S 30 / 390	EFU		Spin and Marty LLC		Basalt Quarry "Gurdane"	"3C" on Tech Report
None	101477	4S 31 / 4800	GF		Cunningham Sheep Co		Basalt Quarry	"3C" on Tech Report
None	118034	(T4S, R30, 5 NW/SE) / 800	EFU/CWR		Doherty		Basalt Quarry "Gurdane Quarry"	"2A" on Tech Report
None		Unable to Determine Specific Tax Lot (T4S, R30, 16 NW/SE)					Basalt Trench	"2A" on Tech Report
30-0025 (TEG) Closed; 30-0088 (COX) Exempt	101684	5S 31 / 1500	GF	#ZP-87-087	Glenda and Melvin Christian	Umatilla County Road Department	1.8 acre Stockpile Pit "Leverenz Pit" "Leverenz-Ukiah"	Comprehensive Plan Exempt List
None	137117	5S 31 / 2800	GF		State of Oregon	ODOT		"3C" on Tech Report

DOGAMI PERMIT	SERIAL #	MAP & TAX LOT	ZONE	COUNTY PERMITS ISSUED	LANDOWNER	APPLICANT	DESCRIPTION OF USE	GOAL 5 STATUS
30-0020 (OPG) Permitted	137117	5S 31 / 2800	GF/ CWR/ AR	#ZP-85-029 #Z-244 #P-059 #ZP-96-002 #C-899-99 #ZP-02-028 #ZP-06-250 #ZP-11-086	State of Oregon	ODOT	Aggregate Site "Camas Creek Quarry"	Goal 5 - Yes; #Z-244 Approved on 04/28/88; #P-059 Approved on 06/16/93; "3C" on Tech Report
None	142888	5S 31 10BD / 200	GF		State of Oregon	ODOT	Stockpile	Not on Goal 5 Inventory
		Unable to Determine Specific Tax Lot (T5S, R31E, 14 NW/4NW)					Small Gravel Pit "Ukiah Gravel Pit"	"3C" on Tech Report
		Unable to Determine Specific Tax Lot (T5S, R31E, 39)					Gravel Pit "Soap Hill"	Comprehensive Plan Exempt List
None	102150	6S 31C / 2400	GF/ CWR	#ZP-99-265 #C-916-99	United States of America; BLM	JAL Construction	Portable Rock Crusher and Asphalt Plant, Stockpiling	Not on Goal 5 Inventory.

***SOURCES:**

1. "List of Existing Mining Permits," Oregon Department of Geology and Minerals, as updated 3/12/2014, <http://oregongeology.org/sub/mlr/newmlrpermitting.htm>.
2. "Inventory of Rock Material Sources in Umatilla County," Table D-XXII in Umatilla County Comprehensive Plan Technical Report.
3. "Existing Gravel Pits Exempted from Obtaining Conditional Use Permits," Umatilla County Comprehensive Plan, Chapter 8, Policy 40.
4. Umatilla County Assessor's Maps.
5. Umatilla County Permit Tracking.
6. Umatilla County Planning Department Property Files.

****COLUMN ASSUMPTIONS:**

DOGAMI PERMIT: This column provides information on any permits issued by the Oregon Department of Geology and Mineral Industries (DOGAMI). The first line is the permit number issued by DOGAMI. Under the permit number is the permit code describing the type of permit issued. These codes are explained in the table below. Finally, under the permit code is the current status of the permit. This will be labeled Permitted, Closed, or Exempt. Permitted is for a site that has a current permit, closed is for a site that had a permit but is not currently open, and exempt sites are sites that are permitted to Umatilla County and do not require a full DOGAMI permit.

OPA	-	Operating Permit Aggregate	OPM	-	Operating Permit Metal
OPG	-	Operating Permit Government	XP(A, G, M, or P)	-	Exploration Permit (Aggregate, Government, Metal, or Placer)
LEP/(LEGG = Government)	-	Grant of Limited Exemption (Mined prior to 1972)	VP(A, G, M, or P)	-	Vegetation Permit (Aggregate, Government, Metal, or Placer)
LEV	-	Grant of Limited Exemption (Mined prior to 1981)	GTE/(TEG = Government)	-	Grant of Total Exemption
OPP	-	Operating Permit Placer	COX	-	County Exempt

SERIAL #: This column contains the parcel(s) Tax Account Serial Number(s).

MAP #/TAX LOT: This column contains the information for the parcel(s) on which the resource is located. It includes the Umatilla County Assessor's Map Number, the Tax Lot Number.

ZONE: The Zone column lists the zoning of the property where the aggregate resource site is located, as shown on the Umatilla County Zoning Map. Details on each zone may be found in the Umatilla County Development Code.

COUNTY PERMITS ISSUED: All known permits issued by Umatilla County are listed in this column. The letter at the beginning of each permit number describes the type of permit as shown below. These permits were found; as referenced on other permits, in the county's computerized Permit Tracking, and in the county's property files.

- ZP = Zoning Permit
- C = Conditional Use Permit
- Z = Zone or Zone Map Amendment
- P = Plan Amendment
- AR = Aggregate Resources Overlay Zone
- T = Text Amendment

LANDOWNER: This column lists landowners as shown on each parcel's tax account as of the date of the last update.

PERMITEE / APPLICANT: This is the permittee or applicant as listed on the county permit, on the DOGAMI permit, or in the county's permit tracking. The permittee shown is the most recent or current permittee.

DESCRIPTION OF USE: The "Description of Use" column provides information such as: size of operation; amount of the resource to be extracted; purpose of the extraction; or the name of the site. This information was taken from permits, permit tracking, and Umatilla County Technical Report's Aggregate Inventory.

GOAL 5 STATUS: The "Goal 5 Status" column shows any previous determinations as to the resource site's Goal 5, "significance." The term "Tech Report" refers to the site's listing in Umatilla County's Technical Report, Chapter D, under the Mineral and Aggregate Resources section, Table D-XXII, "Inventory of Rock Material Sources in Umatilla County." Sites with a designation of 2A, 3C, or 3A have been included on this list.

- 2A = No Conflicting Uses Identified. Manage Resource Site so as to Preserve Original Character.
- 3C = Conflicting Uses Identified. Specifically Limit Conflicting Use.
- 3A = Conflicting Uses Identified. Preserve the Resource Site.

A listing on the Umatilla County Comprehensive Plan Exempt list refers to Policy 40 in Chapter 8 of the Umatilla County Comprehensive Plan. This is a list of small sites owned by the county that are exempted from obtaining Conditional Use Permits for operation. These sites still require a zoning permit. In addition, this column includes the permit numbers of any amendments that have been made to place the site on a list of significant resources. The codes for the amendments are the same as the codes under the "County Permits Issued" column.

SITE SPECIFIC UPDATE: The date of any updates that have been made to an individual resource site.

