

2-15-79
R.S.

County sets new district for mining

A new district for quarry and mining operations in rural areas of Lane County was established Wednesday by the county commissioners.

After an hour-long public hearing, the commissioners made a few changes in the "Quarry and Mine Operations Combining District" and unanimously approved it as part of the county's zoning code.

The special district designation would be used to allow quarry and mine operations, under certain restrictions, in four rural zones — exclusive farm use, farm-forestry, forest management and general rural.

The new zoning district, which was developed during the past 18 months, is designed for operations expected to have an average annual production of at least 30,000 cubic yards of material over a 10-year period. Smaller, less intense, operations would still operate under conditional-use permits or forest management zoning, which permits quarrying and mining under certain circumstances.

Wally Parker of Fall Creek raised several questions about how the new district would affect major mining operations. He said he has heard "unconfirmed rumors" about the possibility of an open-pit copper mine being established in the Fall Creek area and was opposed to the portion of the ordinance that allowed such mines.

The commissioners told him the ordinance will give the county greater power to control such a mining operation through site reviews and other restrictions than in the past.

Commissioner Otto t'Hooft said he doesn't believe there's any substance to the rumors Parker mentioned. T'Hooft said he knows of no reliable information that sufficient minable copper exists in the county for an open-pit operation.

Commissioner Jerry Rust disagreed with that, though, saying, "I think there's more than rumors. I understand there's excellent copper deposits in Lane County."

Most of the ordinance changes made Wednesday were suggested by Harold Barton of Eugene, a geology and mining consultant. Barton suggested changes in blasting notice and records provisions he said would be better for mining firms and for the public.

Another of his suggestions accepted by the commissioners would permit structures and buildings erected for the mining operations to remain on the property if there is another permitted use for them when the mining has been completed. Originally, the ordinance would have required that all such buildings be removed.

Lane planners approve new rock quarry zone

By RICK BELLA
Of the Register-Guard

A new zoning category for rock quarries and large-scale mining operations was approved unanimously by the Lane County Planning Commission Tuesday night.

The county commissioners will conduct another hearing before making a final decision on the proposed zone. A hearing date has not yet been set.

Quarry operators asked for the zone, saying it would make it easier for them to obtain long-term financing needed to buy expensive equipment if their sites are permanently zoned for that use.

Quarries and mining operations now exist under conditional-use permits that must be reviewed periodically.

If adopted by the commissioners, the zone would be used for large, long-term quarrying operations in unincorporated Lane County areas. Planners present at the Tuesday hearing said the zone would be recommended for the Springfield Quarry Rock Products site south of 28th Street and for the Conser Quarry northwest of Junction City.

The zone outlines standards the county will use when commenting on permit applications to the Oregon Department of Geology and Mineral Industries for quarries that would be in operation for a minimum of 10 years and would produce an average of 30,000 cubic yards of rock a year.

The zone's text says operators must give at least 1/2 hour notice to adjacent landowners if blasting is planned within 500 feet of an occupied building. Records of the blasting must be kept for at least two years, the text says. Lighting, hours of operation, fencing and parking "should" not interfere with land uses on adjacent property, according to the text.

Mel Jackson, Eugene's recreation coordinator and an outdoor enthusiast, said the wording should be stronger. He recommended changing "should" to "shall."

"The wording takes away the protection for the landowners adjacent to quarries because there is no backbone in the law," he said. "You can't enforce a 'should.'"

However, county Planning Director Lee Miller said enforcement was not the county's responsibility. He said the state regulates quarrying and the standards would only serve as guidelines when the state refers permit applications to the county for comment. He said the county does not want to duplicate the state's permit system.

Lowell City Administrator Karl Eysenbach said the zone is "unnecessary" because the county already offers conditional-use permits for quarries. He said the Lowell City Council opposes the proposed zone and that it may conflict with statewide planning guidelines.

adopted by the state Land Conservation and Development Commission. He also said the zone may conflict with land-use plans already adopted by the commissioners.

Miller disagreed. He said the zone would not cause any conflicts.

Planning commission member John Thomas of Springfield, said he favors the zone. "The lion's share of quarries in the county will still be under condition-

at-use permits," he said. In another matter, the planning commission recommended dedication of Minnick Road in Dexter as a public road. Although the 1,250-foot-long road is privately owned and does not meet county standards, the commissioners have made a special commitment to upgrade and to maintain Dexter's roads at public expense. The planning commission said the approval was a special exception and would not set a precedent.

Payless Fashion

Prices Effective Today Through

Laura Gillespie named Florence building chief

FLORENCE — The new building official for the City of Florence is Laura Gillespie, a former city finance clerk who turned her knack for building things into a new career.

Mrs. Gillespie will replace Building Official Charles Pratt, who is resigning Friday to take a building inspection job with Lane County.

He will work out of the Lane County Annex here and will handle building inspections in western Lane County. He

Mrs. Gillespie has been his assistant for about a year. Although she has never worked as a builder, she has driven her share of nails.

She said she and her husband built their own home, and she once worked as a blueprint reader in a lumber yard. While she was a city finance clerk, she was assigned to keep the city building department records. The work interested her, and she decided to become a building inspector.



February 26, 1979

RECEIVED

FEB 28 1979

DEPT OF GEOLOGY
& MINERAL INDUS.

Mr. Stanley Ausmus
Director, Oregon Department of Geology
and Mineral Industry
1129 Santiam SE
Albany, Oregon 97321

Dear Mr. Ausmus:

Enclosed please find for your information a copy of Lane County's Ordinance No. 26-78 In the Matter of Amending Chapter 10 of Lane Code to Add a Zoning District Entitled "Quarry and Mine Operations Combining District (/QM)", which was enacted on February 14, 1979 and will take effect on March 16, 1979.

Sincerely,

LANE COUNTY OFFICE OF LEGAL COUNSEL

By

Margie Hendriksen

MARGIE HENDRIKSEN

Acting County Counsel

MH:bj
Encl.

RECEIVED
FEB 28 1979
DEPT OF GEOLOGY
& MINERAL INDUS.

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDINANCE NO. 26-78

) IN THE MATTER OF AMENDING
) CHAPTER 10 OF LANE CODE
) TO ADD A ZONING DISTRICT
) ENTITLED "QUARRY AND MINE
) OPERATIONS COMBINING
) DISTRICT (/QM)"

The Board of County Commissioners of Lane County ordains as follows:

Chapter 10 of Lane Code is hereby amended by adding the following pages:

Remove these pages
- - - - -

Insert these pages
10.220-05 - 10.220-75
(four new pages)

Said pages are attached hereto and incorporated herein by reference. The purpose of this addition is to add a zoning district entitled "Quarry and Mine Operations Combining District (/QM)".

Enacted this 14th day of February, 1979

Vance J. Freeman
Chairman,
Lane County Board of Commissioners

Janet K. Walsh
Recording Secretary
for this meeting of the Board

APPROVED AS TO FORM
DATE 11/20/78 lane county
[Signature]
OFFICE OF LEGAL COUNSEL

Ordinance No. 26-78
In the Matter of Amending Chapter 10
of Lane Code to Add a Zoning District
Entitled "Quarry and Mine Operations
Combining District (/QM)"

QUARRY AND MINE OPERATIONS COMBINING DISTRICT (/QM)-05. PURPOSE

The purpose of the Quarry and Mine Operations Combining District is to:

- (a) Recognize that minerals and materials within the County are an unrenovable resource, and that extraction and processing are beneficial to the economy of the County and the welfare of its people;
- (b) Protect major deposits of minerals, rock, and related material resources with appropriate zoning;
- (c) Establish procedures for the protection of public health and safety on and adjacent to land where quarry and mine blasting operations are occurring;
- (d) Establish County standards in Chapter 10 of the Lane Manual to be used in reviewing referrals from state and Federal Agencies of Operation and Reclamation Plans, pollution control permits and similar permits.
- (e) Provide for cooperation between private and governmental entities in carrying out the purposes of this chapter.

-06. INTENT

The Quarry and Mine Operations Combining District shall be available for consideration and use by the County for new or existing operations when requests are received as part of an areawide zoning or as a specific rezoning.

The Board of County Commissioners, based on potential problems identified during the Planning Commission or Board public hearings, shall apply site review procedures as provided in LC 10.335-15(5) as part of the zoning or rezoning of a property to ensure that the purpose and requirements of this section are met. In addition to the standard site review criteria (LC 10.335-20) the Board of County Commissioners may, at the time of such zoning, establish other specific site review considerations for a property zoned under the Quarry and Mine Operation (QM) combining district.

When property under consideration for /QM zoning is in close proximity to existing and planned uses potentially incompatible with /QM uses, the application of the Quarry and Mine Operations combining district may be limited to a specific portion of a property in order to encourage the compatibility and proper management of land uses.

The Quarry and Mine Operations Combining District is intended to be applied only to those operations which will be in operation for ten years or more and will have an average annual extraction of 30,000 cubic yards or more. Smaller, less intense operations of short term or intermittent duration should be provided pursuant to the Conditional Use provisions of this chapter or,

where appropriate, the Forest Management zone which provides for quarrying and mining under certain circumstances.

The Quarry and Mine Operations Combining District may be applied to specific operation sites when it has been determined that the establishment of this district will meet the purposes of the Lane County Comprehensive Plan when combined with the Exclusive Farm Use-20 (EFU-20); Farm Forestry-20 (FF-20); Forest Management (FM); and General Rural-10 (GR-10) zones.

-07. DEFINITIONS

For the purposes of this section only, the following definitions supersede definitions otherwise provided in this code:

- (1) "Director" means the Director of the Lane County Department of Environmental Management.
- (2) "Owner" means the person possessing legal rights to the mineral deposit being mined.
- (3) "Minerals" includes soil, coal, clay, stone, crushed hard rock quarry products, metallic ore and any other solid material or substance excavated for commercial, industrial, or construction use from natural deposits. "Minerals" does not include loam, sand, gravel, or other aggregate materials created and/or deposited by water movement.
- (4) "Mining Refuse" means all waste materials, soil, rock, mineral, liquid, vegetation, and other materials resulting from, or displaced by quarry and mining extraction operations within the operating permit area, including all waste materials deposited in or upon lands within such operating permit area.
- (5) "Operations Plan" means a written proposal submitted to the State Department of Geology and Mineral Industries under the requirements of ORS 517.790.
- (6) "Operator" means any individual, public or private corporation, political subdivision, agency, board or department of this state, any municipality, partnership, association, firm, trust, estate, or any other legal entity whatsoever that is engaged in quarry and extraction operations.
- (7) "Overburden" means the soil, rock, and similar materials that lie above natural deposits of minerals.
- (8) "Quarry and Mine Extraction" means all or any part of the process of removing mineral deposits exposed by any method including open-pit mining operations, auger mining operations, shaft mining, the construction of borrow pits, processing of extracted minerals, and exploration activities.
- (9) "Reclamation" means the employment of procedures in a quarry and mining extraction operation designed to minimize as much as practicable the impact such operations have on the environment, and to provide for

the rehabilitation of land affected by such operations. Reclamation includes the rehabilitation of plant cover, soil stabilization, water resource protection, and other measures appropriate to the subsequent beneficial use of such mined and reclaimed lands.

- (10) "Reclamation Plan" means a written proposal for the reclamation of the land area affected by a quarry and mine extraction operation submitted to the State Department of Geology and Mineral Industries.

-10. PERMITTED BUILDINGS AND USES

In the Quarry and Mine Operations Combining District, the following types of buildings and uses are permitted as hereafter specifically provided for by this section, subject to the provisions of the Quarry and Mining Operations Reclamation Permit and exceptions set forth in this chapter:

- (1) Uses permitted in the parent zone with which the QM zone is combined.
- (2) Extracting and storing of minerals, including equipment and materials necessary to carry out these functions.
- (3) Plants for the processing of minerals from quarry and mine extraction operations.
- (4) Sale of products generated from the quarrying and mining operation.
- (5) Activities permitted as part of the reclamation process provided for in the reclamation plan.
- (6) Structures and buildings used in conjunction with the extracting and storing of minerals.

-50. PERMITS FOR QUARRY AND MINE EXTRACTION

- ✓ (1) General. No quarry or mining extraction or related operations may be initiated on land zoned as Quarry and Mine Operations Combining District (/QM) until a surface mining permit has been issued by the Oregon Department of Geology and Mineral Industries.
- (a) Each permit application, Operation and Reclamation plan referred to the Director shall be reviewed following the Operation Standards and Reclamation Standards set forth in Sections 10.040 through 10.045 of the Lane Manual.

-60. BLASTING NOTICE AND RECORDS

Operators using explosives for quarry and mine extraction shall follow explosive regulations and use commonly acceptable engineering standards based on physical conditions and atmospheric conditions of the site so as to prevent injury to persons and damage to public and private property. Except for small blasts in underground mining in remote mining districts [FM Zoning] the following conditions apply:

(1) Notice of Blasting. When blasting is to be done within 500 feet of an occupied building, the operator or an authorized agent shall notify all occupants that a blast is to be initiated. Such notice shall be given not more than six hours nor less than 30 minutes prior to detonation and shall include the approximate time of the blast.

(2) Blasting Records. Every operator shall maintain a record of each blast for at least two years. These records shall be available to the County, the State Department of Geology and Mineral Industries and other governmental agencies with appropriate jurisdiction upon request. Such records shall show the following for each blast:

- (a) Name of quarry or mine
- (b) Date, time and location of blast
- (c) Description of type of explosives and accessories used
- (d) Time interval of delay in milliseconds
- (e) Number of different delays
- (f) Number of holes per delay
- (g) Nominal explosive weight per hole
- (h) Total explosive weight per delay
- (i) Total weight of explosives per blast
- (j) Blast hole diameter, depth, spacing and stemming height

-75. SEVERABILITY

The provisions of this ordinance are severable. If any section, sentence, clause, or phrase of this ordinance is adjudged by a court of competent jurisdiction to be invalid, the decision shall not affect the validity of the remaining portions of this ordinance.

COOPERS & LYBRAND

CERTIFIED PUBLIC ACCOUNTANTS

IN PRINCIPAL AREAS
OF THE WORLD

1600 OAK STREET
EUGENE, OREGON 97401
(503) 485-1600

May 24, 1978

Lane Council of Governments
125 - 8th Avenue East
Eugene, Oregon 97401

ATTN: Mr. M. Yeager

Gentlemen:

Re: Gravel Use Information

Enclosed is a tabulated summary of sand and gravel excavation and use over the past 11 years. The information was tabulated from similar sheets completed by the companies listed below and submitted to Coopers & Lybrand in confidence for handling. The individual data sheets will not be revealed to anyone prior to destruction.

We have been instructed by the participants to send this totalized data forward to you. We do certify that the data truly represents the totals of the data provided, but can make no warrant as to the accuracy of the data submitted to Coopers & Lybrand.

Respectfully submitted,



Coopers & Lybrand

ds
Enclosure

cc: Delta Sand & Gravel Co.
Zumwalt & Williams
Green Gravel Co.
Egge's Sand & Gravel Co.

Morse Bros., Inc.
Shur-Way
Eugene Sand & Gravel
Wildish Sand & Gravel Co.

AGGREGATE QUESTIONNAIRE

May, 1978

As we have discussed, this information is very important to the future of the aggregate business. Please keep in mind that no other operator is going to see your data. We will all see the combined data.

Production History--

Year	Type P=Pit Q=Quarry	Total ¹ Excavated CY	Processed ² CY	"Pit Run" CY	Waste CY
1967		1,647,241	1,430,366	175,075	41,800
68		1,155,240	1,012,650	106,790	35,800
69		1,391,943	1,178,650	173,793	39,500
70		1,669,350	1,119,767	499,078	50,505
71		2,005,699	1,335,174	615,755	54,769
72		1,992,940	1,631,262	293,834	67,844
73		2,533,440	1,965,283	476,024	92,133
74		2,719,960	1,966,253	647,278	106,159
75		2,289,477	1,809,058	388,891	91,528
76		2,672,704	2,046,869	529,670	96,174
77		2,926,424	2,331,775	479,794	114,945

Notes: 1. Total excavated is based on the size of the hole resulting from excavation.

2. Processed includes all that is washed, sized or crushed.

Please mail this in the envelope provided. Thank you for your cooperation. Remember, none of us will see the individual results, nor will anyone else except the persons compiling the data. The summary will be provided to you as soon as possible.

Submitted by _____

Date _____

Please return by _____