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PORTLAND, OREGON; ATTN: MR. JERRY FISH  
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IN COMPLIANCE WITH ZONING ORDINANCE FOR THE COUNTY OF JEFFERSON, OREGON

RETRAK ADV. FILE FORM.

I. INTRODUCTION

Ocelot Mining Corp. (OMC), a Colorado corporation, is registered to conduct business activities in the State of Oregon. Ocelot Mining Corp. is a wholly-owned subsidiary of Ocelot Industries Ltd. with offices at #900, 333 - 5 Avenue SW, Calgary, Alberta, Canada.

Ocelot Mining Corp. has entered into agreements with mineral rights owners in parts of Township 9 South - Range 17 East, Township 9 South - Range 18 East, and Township 10 South - Range 17 East. Memoranda of Agreements have been filed with the County of Jefferson at Madras, Oregon; copies are attached.

It is Ocelot Mining Corp.'s intention to pursue the exploration and subsequent development and production (if any) of subsurface minerals on the subject lands. It is suggested that these activities will provide some measure of economic stimulus to the County of Jefferson.

The subject lands fall within an R-L Zone according to the Jefferson County Zoning Map and as such Ocelot Mining Corp.'s activities require an application for a Conditional Use Permit under Section 302(B)(3). The information provided below and in the attached application is submitted in accordance with the requirements of Article 6 of the Zoning Ordinance, Jefferson County.

II. PROPOSAL

(a) Objective

This application is for a two year term during which Ocelot Mining Corp. (OMC) wishes to explore the subject lands as detailed on the attached plan. Depending on the results of the two year exploration program, a further application will be submitted providing a comprehensive outline of proposed development plans. The two year period will be used to obtain information from exploration which will form the basis for the subsequent detail plan. At this stage it would be premature to speculate on the ultimate development program other than to remark that if all exploration results are positive, OMC is hopeful of establishing a mine which may be either of the open pit or underground type of mining. There is a low probability of reaching the development stage, however, the two year exploration program is an essential prerequisite step.

(b) Two Year Exploration Plan (this application)

A phased exploration program is envisaged where the principal activity will be drilling. Commencing on September 1, 1983, the initial phase in the first half of Year One, it is intended to drill approximately 20 core holes each to a depth of approximately 100 meters. Drill sites have yet to be selected and will be based on a surface inspection of the area during which geological observations will be made and hand-sized rock samples collected from outcrops, etc. Test holes will be drilled probably by a truck-mounted drill and will result in negligible surface disturbance. No surface installations are necessary and drillers and helpers will probably commute to the property from the nearest town on a daily basis. Existing roads and trails for the most part will be used throughout. Off road access is possible through existing gates and arrangements have been made with the appropriate surface-rights owners. The duration of the 20 hole program is estimated at between 30 and 60 days. This will be followed by a period of data assimilation when there will be no activity on the property. Should results prove positive, a second phase of activity will be planned for the second half of Year One.

Commencing approximately March 1, 1984, the second phase of drilling activity will take place similar in size and scope to the first phase. It is estimated that by September 1, 1984, the second phase will have been completed and the data assimilated. Should positive results be obtained, the third phase will commence.

The third phase would involve further drilling, marking the start of Year Two activities. The size of the third phase drilling program cannot be accurately predicted at this time, however, sufficient holes must be completed during Year Two in order to determine the subsurface geometry of mineralized rock and hence to provide data for a development plan and a further conditional use permit. Sampling of selective trenches for off property metallurgical test work will also be necessary during Year Two. The precise location of Year Two activities on the subject lands cannot be shown at this time.

At no time during the two year period is a significant disturbance of the surface envisaged. Trenching and pitting activities for the purposes of sampling will result in only minor disturbances each measuring an estimated 2 meters by 10 meters. Reclamation of the disturbances is entirely possible and planned. All equipment brought to the lands will be removed if a decision to discontinue activity is made during the term of the permit. No construction of permanent facilities is envisaged during the term of the permit.

  
Prepared by: John E. Gunton, Vice President  
Ocelot Mining Corp.

STATEMENT OF SWAMI ANAND VIDEH  
AND SWAMI ANAND NEEHAR

On behalf of the Rajneesh Neo-Sannyas International Commune  
To the Jefferson County Planning Commission  
August 25, 1983

Ocelot Mining Corporation has submitted a sketchy application for exploration of mineral resources, which does not provide the County or objectors with the information necessary to determine if the application is consistent with the Jefferson County Comprehensive Plan and Development Code. Because we do not have sufficient information to assure us that we will not be harmed, we are forced to object to this application until such information is received.

Furthermore, since we have identified several types of potential harm that could result from the exploration phase of the applicant's project, we assert that the County should look at the development phase as well, to see if it would be allowed. If development is not acceptable at this location, there is no reason to risk the harms resulting from exploration. We ask the County to take a thorough look at this entire project.

The County Zoning Ordinance, section 302(C)(1), requires that,

"Conditional uses permitted by Subsection B of this section may be established on non-productive agricultural lands, subject to the criteria set forth in paragraph 2 of this Section and upon a finding by the Commission that such use . . ."

The land in question is clearly productive agricultural land. Within the phase 1 and 2 drilling areas there are a total of 640 acres. Of this area, approximately 175 acres are presently under cultivation. Soil types consist of 150 acres of Class VII soil, 405 acres of Class VI and 105 acres of Class III. Within and adjacent to the 3,800 acres proposed mineral development area there are over 1,300 acres of land under cultivation.

This does not qualify the project site as non-productive agricultural lands.

Provision 302(c)(1)(a) of the Zoning Ordinance requires that a conditional use be,

". . . compatible with farm uses described in Subsection (2) of ORS 215.203 and is consistent with the intent and purposes set forth in ORS 215.243, the County's Comprehensive Plan and this Ordinance."

The proposed drilling program could adversely affect agricultural land use both on and adjacent to the site. . The potential detrimental affects include an increase in erosion, compaction of the soil, contamination of the soil with oils and toxic chemicals and minerals, contamination of surface and ground water supplies and drying up of springs. See following sections for details.

In the event that the exploration program proceeds, a number of new hazards to agriculture and the environment arise. One of the most important ones concerns the common mining practice of setting up a temporary pilot plant on site. Often, during the

drilling phase, a company may set up a small field plant to check the assay results and the feasibility of the ore processing. In the case of minerals involved in the proposed program, a plant could involve the use of sodium cyanide and sulphuric acid or a strong base. The toxic potentials of these materials should they spill, and the hazards of disposal of waste materials is obvious. If such a pilot test occurs during the drilling phase of this project, it will not have occurred under any regulatory jurisdiction. Assurance must be obtained by the applicant that this practice will not occur without complete disclosure and evaluation by experts. *none*

If development of a mine proceeds, the potential for consequences to agriculture will greatly increase. On the mined site itself, agriculture will not be possible in any form, due to the actual mining excavation. On adjacent areas agricultural uses may be either limited or prevented. In addition to the land required for excavation, sufficient land will be required to allow processing of the minerals. The size of the excavation cannot be determined without more information. It could be anywhere from tens of thousands of square feet to a few square miles. The ore processing areas could occupy even more space. This processing could include rock crushing and chemical or mechanical separation, using very large amounts of water and toxic chemicals such as sodium cyanide. Large dams may be needed to store water and waste products. Large quantities of dust and haul traffic could further result in destruction of the

agricultural potential of the site and surroundings. A large amount of cultivated soils have been identified in and near the proposed sites, all of this and more is potentially harmed.

This potential harm can only be evaluated when sufficient information is made available by the applicant.

#### Jefferson County Comprehensive Plan

Seven objectives from the County's Comprehensive Plan apply to the Ocelot Mining Corporation proposal. The first two objectives relate to Goal 3: Agriculture; three relate to Goal 5: Open Space, Scenic and Historic Areas and Natural Resources; and two relate to Goal 6: Air, Water, Land Quality. Altogether ten policies needed to be addressed.

#### Goal 3: Agriculture

The goal is to preserve and maintain agricultural lands for agricultural use.

Objective (3-A): Protect land which presently is under production, or has the potential to be productive.

The applicant has stated that the land in the area of the proposal mining activity is used for occasional cattle grazing, however, the nearby land is presently under dry land agricultural cultivation.

Within the area proposed for drilling in phase 1 and 2 there are presently 175 acres under cultivation (out of a total of 660 acres). This cultivated area represents 26% of the area. Within

and directly adjacent to the large 3,800 acre area covered in mineral rights agreements, there are over 1,300 acres under cultivation.

Within the phase 1 and 2 area the soils comprise 150 acres of Class VII, 405 acres of Class VI and 105 acres of Class III as determined in the SCS soils survey "Trout Creek-Shaniko." This land is clearly under production. (Shown on soils map, color photos and slides, and black and white enlargement with overlay.) Directly adjacent to the area in question is a substantial amount of land also under production. This land also contains Class III soils.

The county should protect this farm land. Policies 3-A-1 and 3-A-2 call for protection of both irrigated and non-irrigated farmland.

Policy (3-A-1): The County shall establish an Exclusive Farm Use Zone on irrigated agricultural land and closely adjacent land with a minimum lot size of 80 acres.

(3-A-2): The County shall establish an Exclusive Farm Use Zone on unirrigated agricultural land, rangeland, and adjacent land, with a minimum lot size of 40 acres. To effectively protect the resource base, this zone shall not allow subdivision of land, and shall limit the number of partitions permitted during a year.

Even if the only use were rangeland, Objective 3-D states:

"Protect fragile grazing acres from damage by nonagricultural use."

The applicant merely states that grazing land will not be altered or significantly disturbed during the year period under the requested permit. (Point 12.) However, the applicant also requests the conditional use permit for a two-year period beginning September 1, 1983 and carrying on into 1985. (No definite end date is given.)

The applicant characterizes the first year activity as "drilling." The third phase beginning September 1984 is described as "further drilling."

The size of the third phase drilling program cannot be accurately predicted at this time, however, sufficient holes must be completed during Year Two in order to determine the subsurface geometry of mineralized rock and hence to provide data for a development plan and a further conditional use permit. Sampling of selective trenches for off-property metallurgical test work will also be necessary during Year Two. The precise location of Year Two activities on the subject lands cannot be shown at this time."

At no time during the two year period is a significant disturbance of the surface envisaged. Trenching and pitting activities for the purposes of sampling will result in only minor disturbances, each measuring an estimated 2 meters by 10 meters."

This dimension is approximately 6 feet by 33 feet or 198 square feet. However, the applicant does not know how many trenches or pits will be dug. In addition to lack of information about quantity of work, the applicant has given no information about the type of hazards which may be involved.

The applicants have tried to play down the impact on the land which will occur during the initial exploration period (however long it will actually be). Two points must be stressed here.



First, the initial drilling phase may not have a significant environmental impact if the drilling program is done properly and the specific drilling technique used is appropriate to the site. However, in the type of area where the proposed drilling will occur, soils are highly prone to erosion. Tracks made by trucks can have a significant destabilizing influence on the land.

The proposal states that,

"existing roads and trails for the most part will be used throughout. Off road access is possible through existing gates and arrangements have been made with the appropriate surface-rights owners."

Clearly the applicant does not intend to do all drilling from the road. Why then has the applicant not provided the information requested by the County's application form, point 8-D: "Location of points of entry and exit for motor vehicles, and internal circulation pattern"?

Jefferson County cannot comply with Goal 3, Objectives 3-A or 3D unless more information is provided about the activity and protective measures adopted.

During part of phase 1 and all of phase 2 the land is likely to be extremely wet. This would make erosion of the land impossible to avoid, given the proposed method of drilling. The influence of the erosion of the watershed will be discussed in a later section. Poor drilling technique can also result in spillage of fuels, lubricants and drilling compounds. Waste material from the drilled holes can contain toxic materials such

as arsenic, lead, mercury, and antimony. These materials can enter the watershed or groundwater if not properly cared for. The applicant has not given an indication of the method to be used to seal the completed holes, through this is an important part of ensuring maintenance of groundwater quality. This will be discussed at a later section. In order to ensure that the initial drilling phase will not damage the land, more information is needed to evaluate the applicant's ability to perform the job in a satisfactory manner.

This information should include but not be limited to:

1. The type of drilling rig to be used including what type of tires and what weight truck;
2. The exact location of the proposed drilling and the planned methods for moving the rig to the sites;
3. References from qualified individuals as to the competence of the driller;
4. Method of drilling, i.e., open hole, diamond core etc.;
5. The methods for disposal of drilling wastes;
6. Plan for sealing completed holes;
7. Roads to be used and routes for off-road work.

Other information will be required to assure water quality protection as noted in a later section.

Goal 5: Open Space, Scenic and Historic Areas, and Natural Resources

To conserve open space and protect natural and scenic resources.

The relevant objective is 5-B.

Objective (5-B): Provide for continued availability of mineral and aggregate resources.

Policy (5-B-1): The County shall institute land use categories which protect mineral and aggregate sites from incroachment by residential development. These land use categories shall provide for controlled access to and development of these resources.

(5-B-2): Aggregate and mineral exploration, extraction, and reclamation shall be conducted in conformance with the regulations of the Department of Geology and Mineral Industries.

To begin with, the sections of land in question are not listed in Table 9 of the Comprehensive Plan titled "MINERAL AND AGGREGATE SITES (pp. 36-37). Question is raised whether Policy 5-B-1 can be met, as the land use categories do not "provide for controlled access to and development of these resources." The Comprehensive Plan does not even identify the sites as resource sites; so they will not be needed as resources before the year 2000. It is also questionable whether Policy 5-B-2 can be met.

The applicants have not provided any information as to the minerals under exploration nor have they described the type of mining that would occur. The type of low profile, underground mining that was common in the area previously is now generally not economically feasible. Underground mining has become too expensive to be justified unless the ore grade is extremely high, which is unlikely in this location.

It is obvious that any type of development will have enormous impacts on the agricultural and residential value of the subject land and the land around it. The type of information needed to allow this full evaluation should include but not be limited to:

1. The mineral or minerals that are under exploration;
2. The type of mining operation that would result if an economic mineral was located;
3. A full environmental impact study covering the type of proposed mining and processing procedures to be used.

How can the regulations of the Department of Geology and Mineral Industries be met without this information? More importantly, how can Jefferson County assure that the information is provided and the regulations met?

Most likely, the drilling proposed is not the initial state of exploration. Customarily, substantial research time and expense precedes an application for drilling work on-site. The fact that drilling is requested here indicates an increasing probability of development at this location. Expenses prior to drilling usually exceed several hundred thousand dollars. Before allowing a permit, the County must request the information needed to assess the environmental impacts. Granting this permit without requesting the information and protecting nearby lands would lead to two full years of development before any protection can be assured.

The applicant states that reclamation is entirely possible and planned. This refers only to the first phases of drilling. No actual details concerning this reclamation are provided such as:

1. How drill holes will be sealed; ✓
2. What material will be used to backfill the proposed trenches;

3. How haul roads and erosion will be reclaimed.

Once again, in order for the proposal to be fully evaluated, the potential development of a mine must also be considered. Before mining can proceed a full reclamation plan must be filed with the Department of Geology and Mineral Industries. In order to satisfy all concerned parties that the applicant in fact has a feasible reclamation plan in some planning stage (and has had adequate experience to carry it out), it is necessary to provide a more thorough discussion of the anticipated resource concerns. These concerns include:

1. Potential quantity of material to be mined;
2. Disposal options for waste materials;
3. Protection of groundwater and surface water when excavation or drilling intersects aquifers or springs;
4. Suitability and hazards of mine tailings as fill material for reclaiming the excavations;
5. Provisions for continued monitoring of the site after termination of the project (at any stage) for unforeseen environmental impacts.

Once again, this information is required to determine the scope and thoroughness of the planning for the proposed project.

Objective (5-H): Protect fish & wildlife resources.

Policy (5-H-1): Land use categories which preserve the integrity of wildlife habitats will be established.

(5-H-2): The Department of Fish and Wildlife will be specifically consulted when proposed land use actions may affect fish or wildlife habitats.

Currant Creek drains into Krishnamurti Lake, a new reservoir planned for stocking with fish. It is a major resource for wildlife and the largest freshwater lake in the area lying on the Wasco-Jefferson County border.

At the high elevations where the mining is proposed, both elk and antelope have been sighted. These larger animals are relatively rare and antelope are just now extending their habitat this far north.

No information has been presented about wildlife habitat, nor has the applicant responded to Point 8-I in the County's application form titled "Grading and slopes where they affect relationship of the buildings and drainage."

In fact, the applicant has not addressed drainage and slopes and the relationship of these factors to downstream habitats at all.

The proposed drilling program and possible mining and processing will obviously have an impact on fish and wildlife resources, both in the immediate area of the work, and possibly many miles downstream in the two drainage basins which intersect the project area. The Department of Fish and Wildlife should be provided with complete project information including the potential extraction and processing operation in order for them to evaluate potential harm to resources.

Objective (5-I): Protect the water resources of the County.

- Policy (5-I-1): Continue direct involvement of the County Sanitarian in land use matters. The Sanitarian shall be a member of the Technical Review Committee.
- (5-I-2): Notify and consult with appropriate state agencies during review of development proposals when such proposals might affect surface or groundwater quality.
- (5-I-5): Cooperate with the Department of Environmental Quality in protection of surface and subsurface water resources.

The initial stages of development can affect the water resources in a number of ways. First, as previously mentioned, erosion can be caused by the drilling rig itself. Eroded material will enter the headwaters of the Currant Creek ending up in the Krishnamurti Dam and eventually the John Day River. The adjoining property to the site, Rancho Rajneesh, has one of the most fully developed watershed reclamation programs in the state. Miles of streambed have been stabilized and rangeland management programs have helped to improve the water quality in the drainage basin. Groundwater development and exploration is also orientated toward conservation and preservation of water quality.

Second, the type of minerals associated with the exploration requested on the property in question all can have serious environmental consequences. Drill cuttings can contain arsenic, lead, mercury, antimony and other toxic minerals in large enough amounts to affect water quality over large areas. Once again, more information on the drilling program is required to answer this concern. If development on the site does occur, the

environmental concerns increase greatly. If subsurface mining occurs, the possibility of groundwater entering the shafts or draining from the excavations is great. Water coming from such a mineralized area will be likely to contain higher concentrations of the toxic heavy metals which occur in the rock formations likely to be encountered. The applicant needs to provide detailed information on how this water would be treated before discharge into any surface or groundwater supplies. If, during the drilling process, more than one aquifer is penetrated, there is a possibility that cross contamination of aquifers could occur. It is also possible that one aquifer could drain into another affecting other water users. There are many springs in the area of the exploration. The applicant needs to show how these springs will be protected. If surface mining occurs the same potential for groundwater contamination exists.

If ores are discovered here and processing begins on-site, then the processing of the mined ore would include the greatest hazards to water resources. The first question is the sheer quantity of water required for most processing methods. Water will be needed for the crushing operation to minimize dust. Huge amounts of water will be required if flotation methods are used for concentrating ores. This location is situated at the top of the watershed, so one can legitimately ask from where the large quantities of needed water could be provided. The John Day River is more than 10 miles away, and the next largest stream nearby is Trout Creek, some 5 miles away. So even if water quality could



be protected, the needed quantities of water may not be available for an economical operation.

Policies 5-I-2 and 5-I-5 call for coordination with appropriate state agencies, including the DEQ. Yet the County did not list DEQ on the notifications list supplied. It is not known whether the Water Resources Department was notified in a timely fashion. No information on the aquifers or watershed has been introduced by the applicant. More information is needed from the applicant.

Goal 6: Air, Water, Land Quality

To maintain and improve the quality of the air, water, and land resources of Jefferson County.

Objective (6-A): Maintain the present high air quality of Jefferson County, and assist, where possible, in solutions to problems which already exist.

Policy (6-A-1): The County will notify appropriate state and federal agencies of all proposals for industrial development, and of other proposals which may affect environmental quality. Their comments will weigh heavily in decisions concerning the proposal.

The Jefferson County Plan states that: "The county is sparsely populated and has no major air or water polluting industries . . . The County residents prefer to encourage development which does not damage the physical environment." (pg.90). Although certain areas are listed as mineral resource areas, presumably they are located in places where environmental quality can be protected.

Mining is not a clean operation. Large quantities of dust can be created when ores are crushed, and furthermore, this dust tends to be toxic. Chemicals used in the processing of ores are extremely dangerous and hard to contain.

The waste processed ores in some processes can contain residuals of the chemicals used in the process. One process commonly used to separate mercury, silver, gold, etc., uses cyanide and sulfuric acid. There will be enormous amounts of waste treated materials after the processing is completed. These materials have to be stored somewhere and isolated from the environment so that the toxic chemicals do not leach into the environment. The appropriate state agencies should be provided with complete operational plans and the type of mining and processing that may occur in order to evaluate the potential for damage to the water resources.

Surely this is a proposal which may "affect environmental quality." The county's policies require that federal and state agencies be notified.

We do not know if appropriate agencies have been notified and no information or review has been supplied even by the Department of Geology and Mineral Industries, much less DEQ, Fish and Wildlife, Water Resources, the Bureau of Land Management (Carrant Creek crosses BLM land).

Objective (6-B): Protect the quality of water resources of the County, and assist, where possible in solutions to problems which already exist.

Policy (6-B-1): Appropriate state and federal agencies will be consulted when proposed development may result in environmental quality problems.

These objectives are very similar to 5-I in an earlier part of this report. Suffice to say that the danger of degrading the water resources is a major one, even at early stages of the drilling proposed.

## Review for Conditional Use Permits

Section 302(c)(1)(d) - Is situated on generally unsuitable land for the production of farm crops and livestock, considering the terrain, adverse soil or land conditions, drainage and flooding, vegetation, location and size of the tract.

The land designated for exploration and potential development is currently in agricultural production, as discussed above. The quality of the soil and the terrain both make successful agricultural production possible.

Section 302(c)(1)(e) - Complies with such other conditions as the governing body of the County considers necessary, and specifically complies with the intent and purposes of the County's Rural Land Use and Development Policy.

We have had a short time to review this application and have not had time to locate or identify the County's Rural Land Use and Development Policy. We would like the opportunity to review it and comment on how the policy might apply to this application, before any decision on the application is made.

Section 302(c)(2) - The following criteria shall be used when evaluating a Conditional Use for an R-L area.

Section 302(c)(1)(b) - Does not interfere seriously with accepted farming practices as defined in paragraph (c) of Subsection (2) of ORS 215.203 on adjacent lands devoted to farm uses.

As we have explained above, exploration could result in water pollution if it is not done with great care. Development could result in even greater damage when highly toxic chemical

pollutants are brought into the area. This could have a serious adverse affect on the ability of adjacent owners to continue farming:

Section 302(c)(1)(c) - Does not materially alter the stability of the overall land use pattern of the area.

Once word gets out that there may be precious metals like gold or silver in the Jefferson County area, you can expect a modern day gold rush. You can anticipate receiving many applications for exploration and development, which could seriously and prematurely change the nature of land use in the county. It is important to set clear and careful standards now, so that no precedent is set to allow exploration and development without gathering all applicable information.

Section 302(c)(2)(a) - Immediate and future impact on public services, existing road systems and traffic demands.

If this exploration is successful and development begins there could be a large influx of workers into the area. This work force would require a full range of public services and could seriously strain the services currently available.

Section 302(c)(2)(b) - Soil type and its development limitations, including slides, erosions, flooding and drainage.

The potential for erosion and water pollution is discussed above.

Section 302(c)(2)(c) - Agricultural productivity which includes not only food productivity, but the production of any other usable agricultural product which requires open space and non-urban environment.

The current use of the land and its potential for agricultural productivity is discussed above.

Section 302(c)(2)(d) - Development is to be designed to minimize the effects on terrain, slope and ground cover.

The potential for erosion and air and watershed pollution is discussed above.

Section 302(c)(2)(e) - Development shall be compatible with the existing land use pattern and the overall character of the overall area.

As we have discussed above, erosion and pollution could have a negative effect on agricultural production in the area. It is also important to note that the area is in the watershed for the City of Rajneeshpuram, and that water pollution could affect that city's water supply.

Section 302(c)(2)(8) - An adequate quantity and quality of water and either subsurface or other sanitary disposal system, and adequate provisions for solid waste disposal.

The applicant has not shown how much water would be needed for its exploration or development operation. It has not submitted any information on the availability of water in the area. It has also not shown what it plans to do with contaminated waste water or other by-products of its operation.

It is important to have this information in order to fully evaluate the application.

Section 302(c)(2)(g) - The public need for the proposed development.

The County has inventoried its aggregate and mineral resources (Comprehensive Plan pp. 35-37) and did not include this area within that inventory. Therefore, the County has found that this area is not needed for aggregate or mineral development before the year 2000.

Section 302(c)(2)(h) - Conversion of agricultural lands to non-farm uses shall be based upon consideration of the following factors:

- (1) Environmental, energy, social and economic consequences.
- (2) Unavailability of an alternative suitable location for the requested use.
- (3) Compatibility of the proposed use with related agricultural land.
- (4) The retention of Class I through VI soils in farm use and the retention of range lands.

See discussion of agricultural uses above.

Section 302(c)(2)(i) - Agricultural lands are lands of predominately Class I, II, III, IV, V and VI soils as identified in the Soil Capability Classification System of the United States Soil Conservation Service and Rangelands, and other lands which are suitable for farm use, taking into consideration soil fertility, suitability for grazing, climatic conditions, existing and future availability of water for farm irrigation purposes, existing land use patterns, technological and energy inputs required, or accepted farming practices. Lands in other classes which are necessary to permit farm practices to be undertaken on adjacent or nearby lands, shall be included as agricultural land in any event.

See discussion of agricultural uses and land characteristics above.

Section 602 - To determine whether a conditional use proposal shall be approved or denied, the commission shall find that the following criteria are met, can be met by observance of conditions, are not able to be met, or are not applicable.

Section 602(A) - The proposal will be consistent with the Comprehensive Plan and the objectives of the Zoning Ordinance and other applicable policies of the County.

We have discussed above that this application may be inconsistent with several provisions of the Jefferson County Comprehensive Plan and the objectives of the Zoning Ordinance. We are not aware, however, of what the "other applicable policies of the County" are. We would like to see those policies and have an opportunity to review them and comment on how they apply to this application before any decision is made.

Section 602(B) - Taking into account location, size, design and operation characteristics, the proposal will have a minimal adverse impact on the (a) livability, (b) value, and (c) appropriate development of abutting properties and the surrounding area compared to the impact of development that is permitted outright.

We are not sure how to present an objection under this section, because the terms are so broad and we do not know how the County interprets them. We are not sure what "minimal adverse impact," "livability," "value," and "appropriate development" mean in this context.

Section 602(C) - The location and design of the site and structures for the proposal will be as attractive as the nature of the use and its setting warrant.

We do not have sufficient information on the proposed mining and drilling operation to determine if this standard would be met. We know that mining operations are potentially very unsightly, and could detract substantially from the beauty of the area.



Section 602(D) - The proposal will preserve assets of particular interest to the community.

It is essential to preserve the clean air and water and farmland in this area. There is not enough information to determine if this operation would be or could be conducted in such a way as to preserve these precious assets.

Section 602(E) - The applicant has a bona fide intent and financial capability to use and develop the land as proposed to insure that the permit, once issued, will be acted upon in an appropriate manner.

There is no information available on the ability of this applicant to explore or develop the land as proposed.

Section 603(D) - Mining, quarrying, or other extraction activity: Extraction of resources may be allowed as a conditional use when in compliance with the following:

1. Plans and specifications submitted to the Planning Commission for approval must contain sufficient information to allow the Planning Commission to consider and set standards pertaining to the following:
  - a. The most appropriate use of the land.
  - b. Setback from the property line.
  - c. The protection of pedestrians and vehicles through the use of fencing and screening.
  - d. The protection of fish and wildlife habitat and ecological systems through control of potential air and water pollutants.
  - e. The prevention of the collection and stagnation of water of all stages of the operation.
  - f. The rehabilitation of the land upon termination of the operation.
2. Surface mining equipment and process, and necessary access roads shall be constructed, maintained, and operated in conformance with the standards and regulations of the Oregon Department of Geology and Mineral Industries.

It is appropriate for this Commission to consider all of these factors before granting any permits to explore or develop mineral-resources. The information resented above outlines the potential harms that could result if the County does not exercise its authority to guarantee a safe and ecological operation.

CONCLUSION

Therefore, we ask that this commission delay all action on this application until sufficient information is available to assure consistency with all the provisions of the Comprehensive Plan and Zoning Ordinance discussed here.

Dated \_\_\_\_\_, 1983

\_\_\_\_\_  
Swami Anand Videh

Dated \_\_\_\_\_, 1983

\_\_\_\_\_  
Swami Anand Neehar