

# State Department of Geology and Mineral Industries

702 Woodlark Building  
Portland 5, Oregon

## MARBLE MOUNTAIN QUARRY (limestone)

LOWER APPELGATE AREA  
JOSEPHINE COUNTY

### Operator:

Pacific Portland Cement Company, formerly Beaver Portland Cement Company, Gold Hill, Oregon. (Recently control taken over by Ideal Portland Cement Company.)

### Location:

Sec. 30, T. 37 S., R. 6 W.

The property was examined by the U.S. Engineer Dept. (Hodge, 38: 285-295) and the following extracts from this report are given:

**"Deposits:** The limestone body now quarried is the most northerly of six, spaced at irregular intervals in a chain 2 miles long lying close to the range line between Ranges 6 and 7 W., in the S 1/3 of T. 37 S. Their shape and position are shown on plate 59. None of them except the northern one is now accessible for large production, though some development has been done on body C, a small output some years ago having been hauled by wagon road (now impassable) down a branch of Cheney Creek. When it becomes advisable to operate at C, a 1 1/2-mile tram route can be established on practically a level grade around the north end of the mountain spur, delivering to the present crusher and shipping bin. Limestone bodies C, E, and F are characterized by high precipitous cliffs, affording excellent opportunity for the rapid development of large tonnages with little attention to overburden. Bodies B and D occupy more gentle slopes, heavily timbered and covered with soil.

**"Reserves:** The tonnages of limestones accessible in the several bodies above the level of the lowest present exposure in each have been estimated as follows:

<u>Body</u>	<u>Area Square Feet</u>	<u>Tons of Limestone</u>
A	590,000	20,000,000
B	53,200	440,000
C	450,930	12,000,000
D	324,000	3,600,000
E	534,600	9,000,000
F	333,000	3,500,000
Total	2,285,730	48,540,000

"In all cases, including the present quarry, it would be possible to enter the limestone body 100 to 200 feet below the lowest crop-pings by a tunnel only a few hundred feet through wall rock. The downward extent of the limestone lenses has not been ascertained, but the massiveness of the exposures indicates bodies likely to persist to depths at least equal to their respective lengths.

"Quality: The quality of the limestone from the several localities is shown by the following analyses of chip samples, except that of body A which is an average of numerous shipments to the cement plant.

Analyses of limestone from Marble Mountain:

<u>Constituents</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>
SiO <sub>2</sub>	0.87	0.06	2.31	0.34	1.73	3.20
Al <sub>2</sub> O <sub>3</sub>	0.35	0.01	1.72	0.06	1.69	0.93
Fe <sub>2</sub> O <sub>3</sub>	0.31	0.31	0.33	0.32	0.30	0.30
CaO	54.60	55.85	54.06	55.44	54.16	54.05
MgO	0.80	0.33	0.41	0.25	0.40	0.36
Ignition loss	<u>43.41</u>	<u>42.09</u>	<u>41.33</u>	<u>42.07</u>	<u>41.57</u>	<u>40.74</u>
TOTAL	100.34	98.65	100.16	98.48	99.85	99.58

-----

- 1 Body A
- 2 Body B -- U.S.E.D. Sample 190A
- 3 Body C -- U.S.E.D. Sample 184A, composite from middle and south ends.
- 4 Body D -- U.S.E.D. Sample 188A.
- 5 Body E -- U.S.E.D. Sample 182A, composite from middle, north and south ends
- 6 Body F -- U.S.E.D. Sample 186A, south end.

"The limestone is uniformly fine-grained and dark gray in color, but sometimes mottled, probably due to admixtures of light colored aragonite; a 2-foot seam of the latter mineral is exposed at locality C and it also occurs in smaller segregations at the Marble Mountain quarry. Predominating wall rocks are metamorphic sedimentaries, conveniently called greenstones."

(Oregon Metal Mines Handbook, Bulletin No. 14-G, Vol. II, Sec. 1, Josephine County, Oregon State Dept. of Geology & Mineral Industries, 1942, pages 161-162.)

**FINDING:**

f. If phased development, each phase contains adequate facilities and services to serve the property at a rural level for access, off-street parking and landscaping.

Not Applicable; any phased development of this site simply involves expansion of work force and natural resource removal, versus development requiring facilities.

**FINDING:**

g. To the extent possible, natural features are incorporated into the design in a manner that shall protect the scenic nature of the Illinois and Rogue Rivers.

Not Applicable; site is not located near the Illinois or Rogue Rivers, and is over 10 miles from either river system.

**SUMMARY AND CONCLUSIONS:**

In summation, this application can be found to be consistent with the applicable State Law pertaining to Forest Uses, consistent with the Goals and Policies of the Comprehensive Plan of Josephine County, and consistent with the Josephine County Zoning Ordinance.

The applicant has proposed a project that will create jobs and add significantly to the economic well-being of Josephine County, and has mitigated the potential conflicts arising from the proposed use by spending over \$160,000 to create a haul road by-pass that will eliminate the impact on abutting property owners and dwellings in the vicinity.

The Site Plan Committee and the Planning Commission for Josephine County can find that his application does meet the criteria as contained in the applicable sections of the Zoning Ordinance; the applicant respectfully requests approval of the application.

RESPECTFULLY SUBMITTED:  
THE RICHARD STEVENS COMPANY

SITE REVIEW APPLICATION

FEE: \$ 210.-

FEE PD: \$ 210.-

REQUEST: Site Plan Review for permanent quarry operations at  
the existing Marble Mountain Quarry.

LOCATION: Marble Mountain Quarry, Josephine County, Oregon

LEGAL DESCRIPTION: T. 37S Range 6W, Tax Lot 1000

ZONING: FC (Forest Commercial) COMPREHENSIVE PLAN Forest

\*\*\*\*\*

PROPERTY OWNER: - Campman Calcite Company

ADDRESS: P.O. Box 1225  
Sutherlin, OR 97479

TELEPHONE: \_\_\_\_\_

DESCRIPTION OF PROPOSED DEVELOPMENT: See Attached Findings

ACREAGE TO BE USED (INCLUDING PARKING, DRIVEWAYS, ETC.): 642 acres

\*\*\*\*\*

THIS PROPOSED DEVELOPMENT IS REQUIRED TO MEET THE FOLLOWING ORDINANCES AND SECTIONS GOVERNING THE USE:

SECTION(S) 15.216 to ; 15.219 ; COUNTY ZONING ORDINANCE  
SECTION(S) \_\_\_\_\_ ; \_\_\_\_\_ ; URBAN AREA ZONING ORDINANCE  
SECTION(S) \_\_\_\_\_ ; \_\_\_\_\_ ; SUBDIVISION ORDINANCE  
SECTION(S) \_\_\_\_\_ ; \_\_\_\_\_ ; URBAN AREA MANAGEMENT AGREE.

SECTION 660-06-025(2)(c) Oregon Administrative Rules

\*\*\*\*\*

PLOT PLAN REQUIREMENTS (See Attached)

NUMBER OF PLAN SETS NEEDED

Complete Sets	<u>5</u>	IN ADDITION:	Plot Plans	<u>3</u>
			Landscape Plans	<u>2</u>
			Drainage Plan	<u>2</u>

CONDITIONS WILL BE AVAILABLE ON THE FOLLOWING DATE: \_\_\_\_\_



**FINDINGS OF FACT AND CONCLUSIONS:**

DATE: August 29, 1991

APPLICATION: Site Plan Review  
Marble Mountain Quarry

APPLICANT: Campman Calcite Company  
P.O. Box 1225  
Sutherlin, Oregon 97479

AGENT: THE RICHARD STEVENS COMPANY  
107 E. Main Street, Suite 7  
Medford, OR 97501  
(503) 773-2646

ATTORNEY: Stephen Mountainspring  
Dole, Coalwell & Clark, P.C.  
P.O. Box 1205  
Roseburg, OR 97470

LOCATION: Marble Mountain Road, off Cheney Creek Road and  
Fish Hatchery Road, Wilderville, Josephine County.  
The property consists of 642 acres, containing  
the Marble Mountain Quarry, which occupies on site  
approximately 12-18 acres.

LEGAL DESCRIPTION: T. 37S, Range 6W, Map 00, Tax Lot 1000,  
Josephine County, Oregon.

ZONING: The property is zoned FC (Forest Commercial).

**BACKGROUND INFORMATION:**

The Marble Mountain Quarry site, located in the mountains south of Wilderville and west of Grants Pass, has been owned and operated as a limestone and calcite quarry since approximately 1917. Ideal Cement Company, the previous owner, removed over 3.6 million tons of limestone, most of which was used in the Gold Hill Cement Plant, from the early part of this century until 1967, when the cement plant was closed. Successor owners have removed incidental amounts of limestone over the years.

It should be pointed out that neither Ideal Cement or any successor owners have ever intended to permanently abandon the quarrying operation.

The site is located off Cheney Creek Road, at the extension of Marble Mountain Road, named for the quarry. According to information available, Marble Mountain Road is a "local access road" or "public use road", and not a county road, although the quarry has had rights of easement to Marble Mountain road for over 50 years.

Campman Calcite Company purchased the 642 acre Marble Mountain site approximately three years ago. They have determined that over 20 million tons of high quality limestone (i.e., limestone that has a high calcium content; over 97%) exists on the site. The operation will produce aggregates of various sizes ranging from as small as beach sand up to 5 inches in diameter. At this writing, the primary market for this product, due to its outstanding quality, is the sugar industry in the San Joaquin Valley. A preliminary agreement has been reached with Holly Sugar Company to use this high quality product in their processing.

Campman Calcite estimates annual production will range from 70,000 tons at start up to approximately 500,000 tons per year at the end of a five-six year development program. According to the applicant, extraction is typical quarrying operation. Stone will be drilled, shot and crushed at the quarry site, and then trucked for loading onto rail for transportation to markets. Anticipated employment will be contracted via Kincheloe & Sons, Inc., of Myrtle Point, Oregon, and will employ approximately 11 persons during the start up phase, ultimately employing up to 33 persons. These jobs are generally skilled labor positions paying in the range of 8-15 dollars per hour, depending upon the job.

Historically, Marble Mountain Road was used as the haul road for the quarrying operation. However, due to increased development in the area, and the wish to mitigate impacts on abutting property owners, Campman Calcite has entered into agreements with the Bureau of Land Management and several private property owners to reconstruct an existing logging road that will bypass the Marble Mountain/Cheney Creek/Fish Hatchery Road system, and access directly to Highway 199.



**PROPOSAL:**

This application is a request for site plan approval by Josephine County for the permanent quarrying operation on this property, under the provisions of Section 15.216 to 15.219 of the Josephine County Zoning Ordinance, which requires site plan approval for the alteration, expansion or reconstruction of uses which are noted under Section 15.212 of the JCZO. A Memorandum of Law is submitted as Exhibit 1 to these findings to demonstrate compliance with Section 15.212.

This application is consistent with the past uses of the quarry, in that limestone and calcite products will be extracted and crushed at the site, and shipped by truck and rail to various markets. The following is a proposed schedule for the start-up procedure regarding this operation:

1. August, 1991: Apply for Site Plan Review, pursuant to provisions of Josephine County Zoning Ordinance. The attached maps (Exhibits 2-3), photographs (Exhibits 4-8) and plot plan (Exhibit 9) are submitted to demonstrate conformance with the requirements of Section 15.216 and 15.218 of the Josephine County Zoning Ordinance.
2. September/October, 1991: Begin extraction of a 900-ton sample of the product, subsequent to permit issuance, to be delivered to Holly Sugar for batch testing. This will require approximately 36 truck loads to be hauled over the existing Marble Mountain/Cheney Creek road system.
3. September/October, 1991: Complete agreements for Highway 199 by-pass, and begin constructing roadway. Anticipated time frame for completion: July, 1992.
4. November/December, 1991: Secure rail loading site, equipment for weighing and unloading trucks, stockpiling, and loading rail cars in Grants Pass Industrial area.
5. January/April, 1992: Begin quarrying operations on site to stockpile for April delivery to Holly Sugar.
6. April, 1992: Begin hauling, temporarily, over Marble Mountain Road/Cheney Creek Road/Fish Hatchery Road, for Holly Sugar Contract. This use of the existing roadways should not exceed 120 days, and will be terminated with completion of Highway 199 by-pass.
7. July, 1992: Begin hauling on Highway 199 by-pass/new haul road.

**CONFORMANCE WITH CRITERIA FOR REVIEW AND DECISION:**

Section 15.219 of the Josephine County Zoning Ordinance (JCZO) provides for criteria for review and decision regarding site plan approvals. There are two primary criteria:

**"1. Service and Facilities Requirements:**

Applicants for any development that requires a site review shall provide sewage disposal, private or public water supply and demonstrate adequate groundwater, rural standard streets and any additional right-of-way required by the Traffic Management Plan, storm drainage facilities, irrigation facilities and fire protection as applicable. Unless specifically excepted by other applicable sections of this ordinance, developers shall perform the actual construction of all on-site, adjacent off-site and off-site improvements and dedications as required by the Site Plan Committee necessary to provide for the health, safety, welfare and convenience of the occupants of the development and the neighborhood. Improvements shall be compatible with existing improvements and designed to the greatest extent practical to meet the standards established by county ordinances or policies for rural level development."

**FINDING:**

This scope of this application is geared to reviewing the potential for conflicts arising from the quarrying operation on the abutting or adjacent rural levels of development, in conformance with the above criteria. Since this use is not related to residential development or dwellings in any way, sewage disposal, private or public water supply, and irrigation do not apply.

Storm Drainage, road development and fire protection, however, are viable issues. The applicant submits the following to demonstrate conformance with these issues:

**A. Storm Drainage:** Storm drainage resulting from the operation of the quarry is anticipated to be negligible, due to the shape, design, and orientation of the quarry. Impacts of storm drainage from operation of the quarry should not be significant, and can be mitigated via keeping existing drainage channels open, and focusing the flow of storm water to natural drainage in the area.



B. Road Development: As noted above, use of the Marble Mountain Road/Cheney Creek/Fish Hatchery Road system for the permanent haul road for this operation would have a significant and substantial impact on the abutting property owners, most of whom have moved to the area since full-time operations at the quarry were cut back in 1967. In addition, since the road is a local access road, and several property owners in the area have adamantly opposed any expansion or improvement, the applicant has entered into agreements with various other agencies and ownerships to develop a new haul road that will connect directly with Highway 199. This roadway will be constructed at a cost of approximately \$160,000, and should be in operation by July, 1992 (See attached exhibit for route and location). As part of this application, the applicant is requesting approval to extract and deliver 900 tons of stone for batch testing, and to do that, needs to use the existing Marble Mountain Road system for approximately 36 truck loads in September/October of 1991; In addition, if operations begin in April, 1992 as projected, the quarry would use the existing Marble Mountain Road system for approximately 90 days, or until the new road system (Highway 199 by-pass) is completed. Since several property owners have gone on record as not permitting any improvements or additional right-of-way (see attached letter, Exhibit 10) the applicant submits that he will work within the existing ROW and perform what dust abatement and traffic management he can to mitigate the impacts on abutting homes for that period of time that the roadway is used by the truck traffic. Dust abatement and traffic mitigations are proposed as sprinkling all gravelled portions of the road within 1/4 mile of any dwelling, and limiting the truck traffic to specific hours of the day, with an eye to not having trucks on the roadway during the 7:30 AM-8:30 AM hours, or during the 4:30-5:30 PM when traffic is at its heaviest.

C. Fire Protection: Applicant stipulates that all ODF requirements for fire protection in a forest zone will be complied with, including spark arrestors on all equipment, a 100-foot fuel break around significant areas that may have fire danger potential, and maintenance of fire suppression equipment on site during the fire season. Copies of the required standards are attached as Exhibit 11 (State Requirements) to these findings.

Based upon the above, the Planning Commission can find that the application is in conformance with the criteria as expressed in Section 15.219(1) of the JCZO.

"2. The Site Plan Committee shall approve, conditionally approve, or deny the request based upon the following criteria:

a. Complies with applicable elements of the Comprehensive Plan, including Goals, Policies, Traffic Management Plan and any adopted Public Facility Plans.

b. Complies with all other applicable provisions of this Ordinance.

c. Potential land use conflicts have been mitigated through specific conditions of development. Such conflicts include but are not limited to visual impacts, noise impacts, odor or vibration.

d. Public facilities and services are available, and if not, may be available as provided by the proposed project, and are of adequate capacity to serve the development to the required rural level.

e. Traffic conflicts and hazards are minimized on site and off site.

f. If phased development, each phase contains adequate facilities and services to serve the property at a rural level, access, off-street parking and landscaping.

g. To the extent possible, natural features are incorporated into the design in a manner that shall protect the scenic nature of the Rogue and Illinois Rivers."

**FINDING:**

a. Compliance with the Comprehensive Plan:

The Josephine County Comprehensive Plan provides for Goals and Policies regarding the long term development of the county. In reviewing the Plan, the following Elements have been identified as being applicable to the application:

- 1) Element 3: Earth Resources
- 2) Element 5: Air Resources
- 3) Element 7: Forest Lands



- 4) Element 13: Economics
- 5) Element 17: Transportation
- 6) Element 18 Fire

1) Element 3: Earth Resources

The Josephine County Comprehensive Plan (JCCP) notes on Page 1-6 that Marble Mountain was a major hard rock mine in early Josephine County; The Earth Resources Element (Element 3) also notes that the largest production of limestone "has come from the Marble Mountain Quarry, where deposits were quarried for the manufacture of portland cement. Currently, limestone is being quarried for refining as lime additive for agricultural products..." (Page 3-12, JCCP). The Aggregate Resources of Josephine County (State of Oregon, Department of Geology and Mineral Industries, 1975) shows the Marble Mountain quarry as a significant contributor for limestone (Page 42); the Goal 5 inventory notes that the Marble Mountain is a 1C site with a large supply of high quality limestone. Conflicting uses are noise, dust, traffic.

A review of the information contained in the Earth Resources Element and related documentation of Josephine County indicates that the Marble Mountain site is a quarry of long standing, that has a historical and economically significant effect on the county; the Planning Commission can find that this application is supported by the Earth Resources element of the Comprehensive Plan.

2) Element 5: Air Resources:

Increased activity at the Marble Mountain quarry site poses a potential for increased dust, both from the quarry operation and the truck hauling, which may primarily affect suspended particulate levels. A review of the suspended particulate levels for the area from 1970 to 1977 (Page 5-18) indicates that the primary standard for particulates has not been violated, but the secondary standard has been violated on seven occasions. The culprit, according to the documentation in the plan, is road dust.

The mitigation proposed by the applicant for road dust is (1) sprinkling or other dust control measures for the Marble Mountain road system for the period of time it is used; (2) shale base and water compaction, and/or oil mat for the proposed 199 by-pass route, and compliance with DEQ and county standards for rural road maintenance.



Air quality maintenance from the actual quarry operation will be consistent with DOGAMI standards for particulate standards, and applicant stipulates compliance with applicable DEQ requirements for rock crushers as well. Since the purpose of this request is for site plan approval prior to an operational phase, there is no documentation that can demonstrate the applicant has complied; Josephine County can find, however, that the proposed use can meet the applicable DEQ and DOGAMI standards which are attached as Exhibit 11, (since evaluations of similar uses have demonstrated compliance), and imposition of a condition to comply is applicable to protect the neighborhood as noted in (Vizina v. Douglas County, 16 Or LUBA 936 (1988)).

Josephine County can find that this application is consistent with the Air Quality Element of the Comprehensive Plan.

3) Element 7: Forest Lands

The Forest Lands Element of the Comprehensive Plan indicates that the forest cover is interdependent upon the geological and soil formations that underly the county. Implementation of the Forest Lands Element is contained in the JCZO, which acknowledges the need and the scope of mining activities in forest lands as a Conditional Use. Since the subject operation is a pre-existing authorized use (See Legal Findings, and attached Legal Memorandum, Exhibit 1), the site plan review concept is applicable to implement the Forest Lands goals, and Josephine County can find that this application is consistent with the Forest Lands Element.

4) Element 13: Economics

This element notes the importance of economic development to Josephine County. The first section of the element deals with the LFPR (Labor Force Participation Rate). Noting that only Gilliam County has a lower LFPR than Josephine County statewide, and that the Josephine County rate is over 8 percentage points LOWER than that of the state as a whole (35.2% v. 43.5%), it is obvious that job development should be a priority for Josephine County.

It is noted on page 13-15 of the Comprehensive Plan that prior to World War II, mining was the prime economic activity in the area, with a shift to logging from the 1940's to the 1980's. With the current impacts on logging as a major industrial player due to the spotted owl, habitat protection for other species, and general decrease in available timber, Josephine County is now demonstrating that over 60% of wage earners in the county are government, trade or service workers.



This is a significant number, since service or government workers generally do not "produce" in economic terms. Production is generally related to conversion of raw materials or natural resources into useable products.

The section on Mining (pages 13-22 through 13-25 of the Josephine County Comprehensive Plan) indicate that mining potential does exist in Josephine County, and that

"...Redevelopment of old sites or the opening of new precious metals sites could also have a nuisance or environmental impact. However, as the majority of these sites are on public lands and are governed by specific regulations, it is expected that the impact would be minimal."

Further, the plan notes on Page 13-82 that

"...mining industry will undergo expansion... which will have a positive effect on employment projections."

The proposed operation will employ between 11 and 33 persons in Josephine County. While this may not appear significant, in perspective the impact is substantial, since according to the plan, only about 200 persons are involved in mining in the county. The addition of 33 jobs is a 16.5% increase in this industry. Further, the applicant is spending approximately \$385,000 in up-front costs to initiate the operation, and will ultimately spend up to 13 million dollars in development and operational expenses over the next ten years.

With this in mind, Josephine County can find that this application is consistent with the Economic Element.

#### 5) Transportation Element

The Transportation Element notes in the introduction that the main mode of transit for goods and services in the county are auto, truck and rail, resulting in a demonstrated need for adequate road and rails systems. A review of the list of County maintained roads (Pages 17-2 to 17-6) notes that while Fish Hatchery Road and Cheney Creek Roads are county-maintained, Marble Mountain Road is not.

The concern over fairly high levels of truck traffic over Marble Mountain Road has stimulated the applicant to review the impacts of the application on the transportation system serving the area.

Since the impacts on Cheney Creek, Fish Hatchery Road and Marble Mountain Road appear substantial due to the increased rural residential character of the neighborhood, the applicant originally planned on spending between \$100,000 and \$150,000 on road improvements, primarily in the Marble Mountain Road area. However, opposition from landowners in the area precluded the purchase of necessary rights-of-way or construction, and an alternative route was ultimately selected that would (1) take all quarry traffic away from the Marble Mountain/Fish Hatchery Road link, and (2) create a new roadway to connect the quarry to Highway 199. The expenses noted in the proposal indicate the costs to be comparative to what was anticipated to be spent on Marble Mountain Road, and from an environmental standpoint, the impact will be minimal because the new route simply reconstructs existing logging roads and utilizes proposed BLM roads in the vicinity, resulting in a safer, shorter and more effective transportation route. With this in mind, Josephine County can find that the proposal is in conformance with the Transportation Element as well.

#### 6) Fire Protection

The Fire Protection element reviews both urban and rural elements of fire protection. The section on wildfire is particularly significant to this operation, since the quarry is located in an area of no fire protection except for ODF.

The quarrying operation has significantly impacted the immediate area of the quarry as far as fuel for wildfire is concerned, and in effect has created its own fuel break. As noted previously, the applicant stipulates that fire protection is in their interests as well as those of the county, and all steps will be taken to conform to ODF requirements for fire safety, including, if necessary, a tanker on site and all equipment related modifications (stack suppressors, etc.) required by ODF, and attached as an exhibit to these findings.

With this information, Josephine County can find that the application is consistent with the Fire Protection Element, and with all of the applicable elements of the Josephine County Comprehensive Plan.



**FINDING:**

**b. The application complies with all other applicable provisions of this Ordinance.**

A review of the information submitted in support of this application indicates that the applicant has complied with all of the other applicable provisions of the JCZO. Specifically, the applicant has:

1. Provided information showing the application is a pre-existing, authorized use in conformance with Section 15-212 of the JCZO (attached Memorandum of Law, P. 2).
2. Demonstrated that the operation is not a non-conforming use, as defined in Section 1.006(124) of the JCZO (attached Memorandum of Law).
3. Demonstrated that the proposed operation is consistent with the provisions of the Forest Commercial Zoning Designation, in compliance with the purpose statement of the district (to encourage the development and conservation of natural resources, including mining), as noted in Section 3.012 of the JCZO.
4. Demonstrated Compliance with the Comprehensive Plan and applicable Goals and Policies.
5. Provided information herein to document compliance with the balance of the criteria of the Site Review process, indicating that the application is consistent with all other applicable provisions of this Ordinance and State Law, and specifically OAR 660-06-025(2)(c), which specifically authorizes mining uses in Forest Zones (See Exhibit 12).

**FINDING:**

**c. Potential land use conflicts have been mitigated through specific conditions of development.**

As previously noted, the primary impact of the Marble Mountain operation is that of increased truck traffic on Marble Mountain Road during the start-up phase of the operation. The location, size, and orientation of the quarry, and the distance to the nearest dwelling are such that noise, dust or odors from the operation will have no impact on abutting property owners.

The nearest dwelling is approximately 2 miles from the quarry itself, and a North/South ridgeline separates the quarry operation from any residential uses. The design and orientation of the operational faces on the limestone lens is such that noise and dust will be mitigated by the existing quarry and vegetation, with the exception of blasting. Blasting on the various faces is a necessary part of the operation, but the applicant is confident that any reasonable conditions regarding blasting that would imposed by the county such as timing of blasting, days of the week, etc. would be stipulated to.

As noted above, the mitigation measures proposed for the start-up operation on Marble Mountain Road and the proposed new haul road to Highway 199 will significantly mitigate and then eliminate the effect of truck traffic on Marble Mountain Road dwellings.

**FINDING:**

d. Public facilities are available, and if not, may be made available as provided by the proposed project, and are of adequate capacity to serve the development to the required rural level.

Public facilities as normally viewed are not required by this application, save for adequate road capacity, which has been addressed by the applicant regarding the new Highway 199 bypass haul road. Potable water on site for employees will be hauled to the property, and water will be maintained on site for fire suppression as noted in attached ODF guidelines. Sewerage for onsite employees will be provided by Porta-Potties, which will be maintained by the sanitation contractor providing the service.

**FINDING:**

e. Traffic conflicts and hazards are minimized on and off site.

Based upon an average number of daily truck trips (10-hour days), the proposed operation will generate approximately 20 trips per day at startup, with traffic rising to as many as 50-60 trips per day at full operational levels. The proposed bypass haul road will be constructed to accomodate the truck traffic at these levels. The proposed road passes through primarily private land, and will be a private and restricted haul road due to the BLM and private ownerships. Any potential conflict arising from the traffic generation of the quarry will affect only that short stretch of Cheney Creek Road (approximately 1/2 mile) between the two BLM approved access points. There are no dwellings within sight distance of these two roadways, and the mitigations proposed by the applicant (signage and approach permits) are in compliance with this section.



## CRIB MINERAL RESOURCES FILE 12

## RECORD IDENTIFICATION

RECORD NO..... M061876  
RECORD TYPE..... XIN  
COUNTRY/ORGANIZATION. USGS  
DEPOSIT NO..... DDGM1 100-291  
MAP CODE NO. OF REC..

## REPORTER

NAME..... SMITH, ROSCOE M.  
DATE..... 78 08  
UPDATED..... 81 03  
BY..... FERNS, MARK L. (BROOK, HOWARD C.)

## NAME AND LOCATION

DEPOSIT NAME..... MARBLE MOUNTAIN  
SYNONYM NAME..... ROGUE RIVER LIME; IDEAL CEMENT CO.

COUNTRY CODE..... US  
COUNTRY NAME: UNITED STATES

STATE CODE..... OR  
STATE NAME: OREGON

COUNTY..... JOSEPHINE  
DRAINAGE AREA..... 17100309 PACIFIC NORTHWEST  
PHYSIOGRAPHIC PROV..... 13 KLAMATH MOUNTAINS  
LAND CLASSIFICATION..... 01

QUAD SCALE  
1: 62500

QUAD NO OR NAME  
GRANTS PASS

LATITUDE  
42-20-07N

LONGITUDE  
123-27-33W

UTM NORTHING  
4686880.

UTM EASTING  
462175.

UTM ZONE NO  
+10

TWP..... 37S  
RANGE..... 06W  
SECTION.. 19  
MERIDIAN. WB & M

LOCATION COMMENTS: SW 1/4

COMMODITY INFORMATION

ORE MATERIALS (MINERALS, ROCKS, ETC.):  
LIMESTONE

ANALYTICAL DATA (GENERAL)  
95 - 97 % CaCO<sub>3</sub>

EXPLORATION AND DEVELOPMENT  
STATUS OF EXPLOR. OR DEV. 2

#### DESCRIPTION OF DEPOSIT

DEPOSIT TYPES:  
CHEMICAL SEDIMENTARY  
FORM/SHAPE OF DEPOSIT: LENSOID

SIZE/DIRECTIONAL DATA  
SIZE OF DEPOSIT..... SMALL  
COMMENTS (DESCRIPTION OF DEPOSIT):  
SIX LENSES; LARGEST MEASURES 50 X 500 FEET

#### DESCRIPTION OF WORKINGS

COMMENTS (DESCRIP. OF WORKINGS):  
QUARRY

#### PRODUCTION

YES  
SMALL PRODUCTION  
UNDETERMINED

#### CUMULATIVE PRODUCTION (ORE, COMMOD., CONC., OVERBUR.)

ITEM	ACC. AMOUNT	THOUS. UNITS	YEAR	GRADE, REMARKS
15 LST	EST	5000.000	TON	1924-1967
23	SOME			55.3 CAD

#### RESERVES AND POTENTIAL RESOURCES

ITEM	ACC. AMOUNT	THOUS. UNITS	YEAR	GRADE OR USE
1 LST	EST 50000.00	TONS	1938	95.0 - 97.0 % CaCO <sub>3</sub>

SOURCE OF INFORMATION (RESERVES/POT RESOURCES).. HODGE (1938)

#### GEOLOGY AND MINERALOGY



Year	Company Name	Cement Production S.Tons	Crushed Limestone Production by use			
			Cement	Sugar	Paper	Agriculture
(3) 1929	Beaver Portland Cement Co.	50783				3613
1930		47705				
1931		28244				
1932		19566				
1933		13198	11888		8921	543
1934		31347	ND	ND	ND	ND
1935		48875	ND	ND	ND	ND
1936		31474	ND	ND	ND	ND
1937		35753			25398	7715
1938		40381			10896	7965
1939		64234			18448	2137
1940	Pacific Portland Cement Co.	51695				
1941		84719				3711
1942		109646				2240
1943		103186				940
1944		60848				5747
1945		59814				4900
1946		114472				1182
1947		119178				1254
1948		123152				
1949		108296				4881
1950		98385				4567
1951		110027				
1952		105185				
1953	Pacific/Ideal Cement Co.	102486				
1954		97511	125951			
1955	← Ideal Cement Co.	122102	148435			
1956		116787	147230			
1957		90556	128557			
1958		92301	113268			
1959			135506			

1937		35753	25398	771
1938		40381	10896	796
1939		64234	18448	213
1940	Pacific Portland Cement Co.	51695		
1941		84719		371
1942		109646		224
1943		103186		94
1944		60848		574
1945		59814		490
1946		114472		118
1947		119178		125
1948		123152		
1949		108296		488
1950		98385		456
1951		110027		
1952		105185		
1953	Pacific/Ideal Cement Co.	102486		
1954		97511	125951	
1955	← Ideal Cement Co.	122102	148485	
1956		116787	147230	
1957		90556	128557	
1958		92301	113268	
1959			135506	
1960			111378	
1961			86135	
1962			141838	
1963			153091	
1964			166709	
1965			193421	
1966			169758	
1967			41391	

- (1) From U.S. Bureau of mines records
- (2) short tons
- (3) Previous production not recorded



Oregon Dept. of Geology & Mineral Industries  
Mined Land Reclamation Program  
229 Broadalbin St. SW  
Albany OR 97321-2246  
(541) 967-2039

OPERATING PERMIT -- Renewal  
ISSUED SUBJECT TO ANY LISTED CONDITIONS

|||||

Marble Mt. Quarry  
400 Griffin Road  
Grants Pass OR 97527

ID No.: 17-0107  
County: Josephine  
Site: Marble Mtn. Quarry  
Section: 19 30  
Twp: 37S  
Range: 6W

This permit shall be in effect, unless revoked or suspended for cause, from the date of issuance and shall remain in effect so long thereafter as the Permittee pays the annual fee to renew the permit, complies with the provisions of ORS 517.750 through 517.955 as applicable, the Rules as promulgated to administer the Oregon Mined Land Reclamation Act, the approved reclamation plan, and any conditions attached to this permit, and maintains a performance bond as required by the Act.

Issuance of this permit is not a finding of compliance with state-wide planning goals or the acknowledged comprehensive plan. The applicant must receive land-use approval from local government before using this permit.


NOTE: Reclamation plans may be modified per ORS 517.830(4) and OAR 632-(30) and (35)-035.

**CONDITIONS:** (Conditions may be appealed per OAR 632-30-030. If an appeal is made, this permit is invalid until the condition(s) appealed is/are resolved and the permit reissued.)

The Permittee shall:

1. maintain an overall excavated slope of  $1\frac{1}{2}$ :1.
2. not discharge storm water from the quarry area without a DEQ 1200A permit.
3. limit overburden stripping from June to September.
4. seed all barren overburden areas October 1 of each year.
5. create fill slopes of 2:1 or flatter.
6. not sidecast reject material or overburden over the outslope below the quarry.
7. limit placement of reject material and overburden to the three areas depicted on the map submitted on March 17, 2000.
8. provide subsurface drainage for the constructed reject material and overburden stockpiles.
9. remove vegetation prior to constructing the reject material and overburden stockpiles.
10. not dewater the quarry without amending the DOGAMI permit.

Issued 6-25, 2001

  
Gary W. Lynch  
Supervisor

**RENEWAL IS REQUIRED BY MAY 31, 2002**

c: Josephine County  
DEQ Medford  
David Haight - ODFW Central Point  
DOGAMI Grants Pass

**Oregon Dept. of Geology & Mineral Industries**  
**Mineral Land Regulation & Reclamation Program**  
229 Broadalbin St. SW  
Albany OR 97321-2246  
(541) 967-2039

**OPERATING PERMIT -- Renewal**  
**ISSUED SUBJECT TO ANY LISTED CONDITIONS**

|||||  
Marble Mt. Quarry  
400 Griffin Road  
Grants Pass OR 97527

ID No.: 17-0107  
County: Josephine  
Site: Marble Mtn. Quarry  
Section: 19 30  
Twp: 37S  
Range: 6W

This permit shall be in effect, unless revoked or suspended for cause, from the date of issuance and shall remain in effect so long thereafter as the Permittee pays the annual fee to renew the permit, complies with the provisions of ORS 517.750 through 517.955 as applicable, the Rules as promulgated to administer the Oregon Mined Land Reclamation Act, the approved reclamation plan, and any conditions attached to this permit, and maintains a performance bond as required by the Act.

Issuance of this permit is not a finding of compliance with state-wide planning goals or the acknowledged comprehensive plan. The applicant must receive land-use approval from local government before using this permit.

NOTE: Reclamation plans may be modified per ORS 517.830(4) and OAR 632-(30) and (35)-035.

**CONDITIONS:** *(Conditions may be appealed per OAR 632-30-030. If an appeal is made, this permit is invalid until the condition(s) appealed is/are resolved and the permit reissued.)*

The Permittee shall:

1. maintain an overall excavated slope of 1½ :1.
2. not discharge storm water from the quarry area without a DEQ 1200A permit.
3. limit overburden stripping from June to September.
4. seed all barren overburden areas October 1 of each year.
5. create fill slopes of 2:1 or flatter.
6. not sidecast reject material or overburden over the outslope below the quarry.
7. limit placement of reject material and overburden to the three areas depicted on the map submitted on March 17, 2000.
8. provide subsurface drainage for the constructed reject material and overburden stockpiles.
9. remove vegetation prior to constructing the reject material and overburden stockpiles.
10. not dewater the quarry without amending the DOGAMI permit.

Issued 7-30, 2002

  
Gary W. Lynch  
Assistant Director

**RENEWAL IS REQUIRED BY MAY 31, 2003**

c: Josephine County Planning Department  
DEQ Medford  
David Haight, ODFW Central Point  
DOGAMI Grants Pass



### MARBLE MT. LIMESTONE QUARRY

Some facts about limestone and the Marble Mt. Quarry....

1. Marble Mt. limestone quarry was operated by Ideal Basic Industries from 1917 until 1967 as the limestone source for the now closed Gold Hill Cement Plant.
2. Marble Mt. Quarry is identified as a significant mineral resource in the Josephine County Comprehensive Plan. The 642 acres surrounding the quarry and adjacent properties are zoned FC (forest commercial). Commercial activity is the preferred use in a FC zone as opposed to rural residential use.
3. Next to sand and gravel, limestone is the second greatest tonnage material produced in the United States.
4. Oregon uses approximately \$23 million worth of limestone every year (other than cement). Currently, these products come from British Columbia, Nevada, and Texas.
5. There is currently one operating limestone quarry in the State at Durkee, Oregon on the Idaho-Oregon border and it's a cement quarry. There is not another viable limestone quarry within a 700 mile radius of here - none.
6. When fully operational, Marble Mt. Quarry will generate approximately 30 high paying, family supporting local jobs for our community producing an estimated payroll of \$1.2 million annually.
7. Marble Mt. Quarry will pour literally hundreds of thousands of dollars into Josephine County every year it operates, buying fuel, equipment, supplies and hiring drilling, crushing and hauling contractors.
8. Marble Mt. Quarry is asking for no Federal, State or County financial assistance.
9. Limestone is a base industrial commodity. Many industries are dependent on a cheap readily available limestone source (i.e. roofing, glass, paint, bricks, sugar, water and air pollution abatement compounds, fertilizers, animal feeds, etc.). Significant economic opportunities will be generated by the availability of this limestone source when limestone dependant manufacturers consider new production facilities.
10. The Josephine County Planning Dept. has recognized our 1977 Conditional Use Permit as being valid and has recommended 17 conditions to regulate the future quarrying operation at Marble Mt. Quarry. Campman Calcite Co. has accepted these proposed conditions at the December 19th Site Plan Review hearing.

11. An alternate haul route will be built directly from the quarry to Highway 199, using private logging roads and a proposed road across a BLM timber sales. The alternate route will eliminate the use of Cheney Creek and Fish Hatchery Roads from the haul route.

Although originally scheduled in July 1992, construction of the alternate route will be delayed by a court injunction issued March 4, 1992, in response to Spotted Owl concerns on timberlands. The injunction may delay construction of the alternate route for as long as two years.

12. On April 6, 1992, the Josephine County Planning Commission will meet to consider among other things, the 17 conditions recommended by the Planning Department. If conditions are adopted as they stand, Marble Mt. Quarry may be forced to stand idle as long as two more years until the BLM injunction is resolved.

The Planning Commission should allow usage of the existing haul route on a restricted basis until the alternate haul route can be constructed. We're asking the Planning Commission to allow us to haul a maximum of 150,000 tons annual production, which is less than was hauled when the quarry was in full operation.

Due to their own personal interests, our highly vocal opponents vigorously object to the reopening of the Marble Mt. Quarry. However, we believe that we have the right and responsibility to this and future generations to maintain and promote economic viability and diversity in our country.

Please lend your support for this project by attending our April 6th Planning Commission public hearing.

LOCATION: JOSEPHINE COUNTY COURTHOUSE, Room 156  
( May be relocated to City Council Chambers)

DATE: MONDAY, APRIL 6, 1992

TIME: 7:30 p.m.

Thank you,

Brice Campman



*Oregon Dept. of Geology & Mineral Industries*  
*Mined Land Reclamation*  
*1536 Queen Avenue SE*  
*Albany OR 97321*  
*(541) 967-2039*

GRANT OF TOTAL EXEMPTION



Campman Calcite Co., Inc.  
1242 Pickett Cr. Rd.  
Grants Pass OR 97527

ID No.: 17-0107  
County: Josephine  
Site: Marble Mtn. Quarry  
Section: 19,30  
Twp: 37S  
Range: 6W

Pursuant to ORS 517.750 through 517.990 as amended, the above-named permittee is granted an exemption from the requirements for a reclamation plan and a bond for this site. The basis for granting this Total Exemption is shown below:

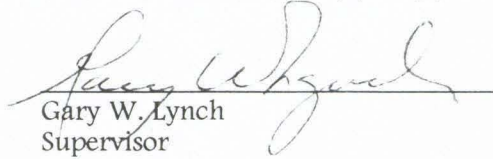
- ☐ 1. Access roads, borrow pit, or quarry (ORS 517.750(15)(a)).
- ☐ 2. On-site construction (ORS 517.750(15)(b)).
- ☐ 3. The site is less than one acre and a total of less than 5,000 cubic yards of mineral have been or will be removed per year (ORS 517.750(15)(a)).
- ☒ 4. The site has qualified for a Grant of Limited Exemption as defined by ORS 517.770, but annual production is less than 5,000 cubic yards.
- ☐ 5. Other.

Issuance of this Grant of Total Exemption is not a finding of compliance with state-wide planning goals or the acknowledged comprehensive plan. The applicant must receive land use approval from local government before using this exemption.

**PENALTIES**

It is the responsibility of the permittee to notify the department prior to expansion beyond the limits in existence as of the date of issue. Failure to do so places the permittee in the position of conducting a surface mining operation without a permit and subject to the penalties set forth in ORS 517.990(3) or (5).

Issued 11-10, 1997

  
Gary W. Lynch  
Supervisor

**RENEWAL IS REQUIRED BY NOVEMBER 30, 1998**

c: Josephine County  
DEQ - Medford  
David Haight - ODFW Central Point  
Tom Wiley - DOGAMI Grants Pass



# Oregon

Theodore R. Kulongoski, Governor

## Department of Geology & Mineral Industries

Mineral Land Regulation and Reclamation

229 Broadalbin Street SW

Albany, OR 97321-2246

(541) 967-2039

FAX: (541) 967-2075

www.oregongeology.com

### Memo

TO: Marble Mt. Quarry

DOGAMI MLRR ID NO: 17-0107, Marble Mtn. Quarry

DATE: October 23, 2008

FROM: Ben Mundie

SUBJECT: Closing File

Large scale mining at the Marble Mtn. quarry ceased in 1967. In 1991 a Grant of Limited Exemption was issued to Campman Calcite for approximately 16 acres. The site was then converted to a Grant of Total Exemption, which was maintained until 2000, when an Operating Permit was issued to Brice Campman. Mr. Campman never exceeded 5,000 cubic yards of production in any 12-month period under the operating permit. No new ground was disturbed by Mr. Campman.

In 2003, a permit transfer form was submitted to transfer the DOGAMI permit to the Confederated Tribes of the Grand Ronde. This transfer was never completed. No mine activity occurred during this period.

In 2004, the property was sold to WSS Properties LLC and renewal fees were paid through May 2006. WSS Properties never submitted reclamation security, an OPA was never issued. No mine activity occurred during this period.

Based on DOGAMI inspections from 1991, 1994, and 2003, it was documented that little production had occurred and the site had not expanded beyond the 16 acres recognized as exempt in 1991.

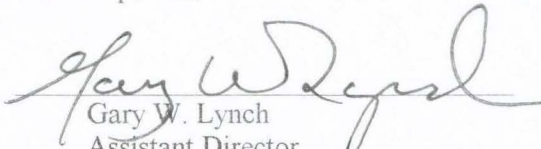
There has been no activity at the quarry since 2002. No off-site impacts from slope stability or storm water discharges have been reported or documented since 2002.

The quarry highwall is benched at approximately 1½:1 slopes, and appears stable. The quarry floor is sloped to retain storm water. Native vegetation has begun to volunteer on the highwall benches as well as along the margins of the site. A locked gate off of Cheney Creek Road prevents access up Marble Mtn. Road.

The file should be closed and the Performance Bond released.

By copy of this memo, we are notifying Fidelity & Deposit Co. of Maryland that Performance Bond #4006928, executed March 15, 2000, with Marble Mt. Quarry as principal, may be released effective upon receipt of this memo. All obligations to the State of Oregon have been fulfilled, and the file has been closed. Any future mining that exceeds 5,000 cubic yards of production in any 12-month period will require a new DOGAMI permit.

File closed by:

  
Gary W. Lynch  
Assistant Director

Date

10-23-08

Acres Exempt: 16

c: Josephine Planning Dept.  
DOGAMI Grants Pass  
Fidelity & Deposit Co. of Maryland



*Oregon Dept. Of Geology & Mineral Industries  
Mined Land Reclamation  
1536 Queen Avenue SE  
Albany OR 97321*

**GRANT OF TOTAL EXEMPTION**

Campman Calcite Co., Inc.  
1700 Rogue River Highway  
Grants Pass OR 97526

ID No.: 17-0107  
County: Josephine  
Site: Marble Mtn. Quarry  
Section: 19,30  
Twp: 37S  
Range: 6W

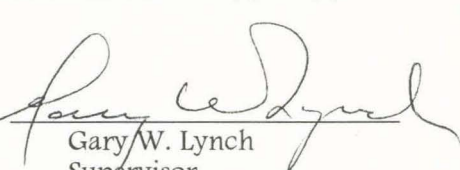
Pursuant to ORS 517.750 through 517.990 as amended, the above-named permittee is granted an exemption from the requirements for a reclamation plan and a bond for this site. The basis for granting this Total Exemption is shown below:

- ☐ 1. Access roads, borrow pit, or quarry (ORS 517.750(15)(a)).
- ☐ 2. On-site construction (ORS 517.750(15)(b)).
- ☐ 3. The site is less than one acre and a total of less than 5,000 cubic yards of mineral have been or will be removed per year (ORS 517.750(15)(a)).
- ☒ 4. The site has qualified for a Grant of Limited Exemption as defined by ORS 517.770, but annual production is less than 5,000 cubic yards.
- ☐ 5. Other.

Issuance of this Grant of Total Exemption is not a finding of compliance with state-wide planning goals or the acknowledged comprehensive plan. The applicant must receive land use approval from local government before using this exemption.

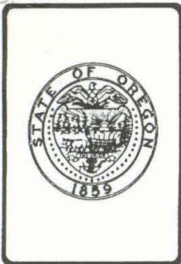
**PENALTIES**

It is the responsibility of the permittee to notify the department prior to expansion beyond the limits in existence as of the date of issue. Failure to do so places the permittee in the position of conducting a surface mining operation without a permit and subject to the penalties set forth in ORS 517.990(3) or (5).

Issued this 20<sup>th</sup> day of December, 1995.   
Gary W. Lynch  
Supervisor

**RENEWAL IS REQUIRED BY NOVEMBER 30, 1996**

c: Josephine County  
DEQ - Medford, SW Region  
David Haight - ODFW Central Point  
Tom Wiley - DOGAMI Grants Pass



# Department of Geology and Mineral Industries

1534 QUEEN AVE. SE, ALBANY, OREGON 97321

PHONE (503) 967-2039

## REPORT OF ON-SITE INSPECTION

Campman Calcite  
PO Box 1225  
Sutherlin, OR 97479

ID No. 17-0107

S19&30, T37S, R6W  
Marble Mountain Quarry  
Josephine County

DATE OF INSPECTION: November 8, 1991

This inspection was made to confirm that a Grant of Limited Exemption could be issued for this site. The present bulk sampling program is small enough that a permit from this department is not required. The limited exemption will be issued upon receipt of an aerial photograph documenting the extent of the quarry in 1972.

I was accompanied on this inspection by Brice Campman and Steve Mountainspring, representing Campman Calcite; David Haight, ODFW; Bruce Bartow, Josephine County Planning Director; and Tom Wiley, DOGAMI.

The site in question, known as the Marble Mountain Quarry, produced large amounts of high quality limestone prior to closing of the operation in 1967.

The current access to this quarry from Wilderville is via Fish Hatchery, Cheney Creek, and Marble Mountain Roads. A present plan is to construct a new access road which will tie into the Cheney Creek Road and eventually be extended directly to Highway 199.

An examination of the site shows that much of the area disturbed by mining prior to 1967 is unreclaimed with little or no vegetation on it. However, the peripheries of the site have revegetated to the extent that they are considered to be naturally reclaimed. Any

Page 1 of 2

cc: DEQ - Medford  
Josephine County Planning Dept.  
David Haight - ODFW  
Tom Wiley - DOGAMI, Grants Pass

Inspected by Allen H. Throop

Signature

Reclamationist

Title

AHT/dm:11/13/91

MINED LAND RECLAMATION



mining in those areas, or in areas not previously mined, must be covered under a full surface mining permit if more than one acre or more than 5,000 cubic yards per year are removed from those areas.

According to Mr. Campman, a 1986? photograph will be submitted. It should be accompanied by a 1972 photograph which should be available from State Forestry. Once the aerial photos are received, DOGAMI will make an overlay outlining the area acceptable as exempt from reclamation. If the outline is agreeable to Campman Calcite, the perimeter should be permanently marked in the field to avoid any future disputes.

Recently, approximately 900 tons of material was blasted from an intermediate bench and crushed. This material is to be used for a bulk sample to determine if the limestone is suitable for an intended consumer's use. A sample of this order of magnitude is common practice in the minerals industry to fully characterize the material and to duplicate as close as possible actual operating conditions in the consumer's facilities. This activity, therefore, falls under the broad definition of exploration or prospecting as defined in OAR 632-33-10 as opposed to a mining operation.

The 900 tons have yet to be removed from the site. From strictly a natural resource protection viewpoint, removing the material via the existing haul roads, rather than constructing 1,300 feet of new road would seem prudent. New road construction would severely disrupt vegetation and soils on perhaps half an acre which is not justified for this very small bulk sample. The present access road was used in the last five years for removal of timber from the property and should be more than adequate for trucking this limestone sample.

As mentioned above, prior to the time the quarry is expanded, a new reclamation plan will be required for that expansion area. Such a plan would include plans to remove the vegetation and topsoil, establish stable final slopes and revegetate the mine area. A bond would be required to guarantee completion of reclamation.

As long as operations stay within the area over which the Department has agreed a Grant of Limited Exemption is appropriate, no reclamation is required.

Access to a limestone cave on the site was buried a few years ago. Apparently it had been heavily vandalized prior to sealing off the access to it.

The cooperation of all other parties in meeting me on this site is appreciated.

File

OREGON DEPARTMENT OF GEOLOGY & MINERAL INDUSTRIES  
MINED LAND RECLAMATION

GRANT OF TOTAL EXEMPTION

Campman Calcite Co. Inc.  
PO Box 1225  
Sutherlin OR 97479

ID No.: 17-0107  
Site: Marble Mtn. Quarry  
Legal: S19,30,T37S,R6W  
County: Josephine

Pursuant to ORS 517.750 through 517.990 as amended, the above-named permittee is granted an exemption from the requirements for a reclamation plan and a bond for this site. The basis for granting this Total Exemption is shown below:

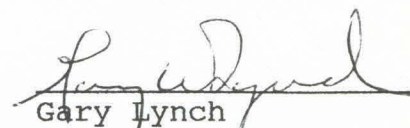
- \_\_\_ 1. Access roads borrow pit or quarry (ORS 517.750(15)(a)).
- \_\_\_ 2. On-site construction (ORS 517.750(15)(b)).
- \_\_\_ 3. The site is less than one acre and a total of less than 5,000 cubic yards of mineral have been or will be removed per year (ORS 517.750(15)(a)).
- ✓ \_\_\_ 4. The site has qualified for a Grant of Limited Exemption as defined by ORS 517.770, but annual production is less than 5,000 cubic yards.
- \_\_\_ 5. Other.

Issuance of this Grant of Total Exemption is not a finding of compliance with state-wide planning goals or the acknowledged comprehensive plan. The applicant must receive land use approval from local government before using this exemption.

**PENALTIES**

It is the responsibility of the permittee to notify the department prior to expansion beyond the limits in existence as of the date of issue. Failure to do so places the permittee in the position of conducting a surface mining operation without a permit and subject to the penalties set forth in ORS 517.990(3) or (5).

Issued this 15 day of November, 1993.

  
Gary Lynch  
Supervisor

c: Josephine County Planning Department  
DEQ - Medford  
David Haight - ODFW Central Point  
Tom Wiley - DOGAMI G.P.

RENEWAL IS REQUIRED BY November 30, 1994



OREGON DEPARTMENT OF GEOLOGY & MINERAL INDUSTRIES  
MINED LAND RECLAMATION  
1536 QUEEN AVENUE SE  
ALBANY OR 97321

GRANT OF TOTAL EXEMPTION

Campman Calcite Co., Inc.  
1700 Rogue River Highway  
Grants Pass OR 97526

ID No.: 17-0107  
County: Josephine  
Site: Marble Mtn. Quarry  
Section: 19,30  
Twp: 37S  
Range: 6W

Pursuant to ORS 517.750 through 517.990 as amended, the above-named permittee is granted an exemption from the requirements for a reclamation plan and a bond for this site. The basis for granting this Total Exemption is shown below:

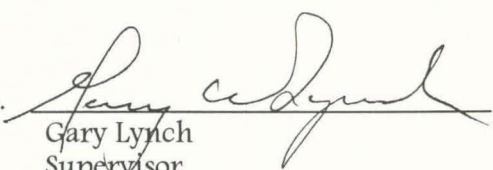
- ☐ 1. Access roads borrow pit or quarry (ORS 517.750(15)(a)).
- ☐ 2. On-site construction (ORS 517.750(15)(b)).
- ☐ 3. The site is less than one acre and a total of less than 5,000 cubic yards of mineral have been or will be removed per year (ORS 517.750(15)(a)).
- ☒ 4. The site has qualified for a Grant of Limited Exemption as defined by ORS 517.770, but annual production is less than 5,000 cubic yards.
- ☐ 5. Other.

Issuance of this Grant of Total Exemption is not a finding of compliance with state-wide planning goals or the acknowledged comprehensive plan. The applicant must receive land use approval from local government before using this exemption.

PENALTIES

It is the responsibility of the permittee to notify the department prior to expansion beyond the limits in existence as of the date of issue. Failure to do so places the permittee in the position of conducting a surface mining operation without a permit and subject to the penalties set forth in ORS 517.990(3) or (5).

Issued this 16 day of December, 1994.

  
Gary Lynch  
Supervisor

RENEWAL IS REQUIRED BY NOVEMBER 30 1995

c: Josephine County  
DEQ - Medford, SW Region  
David Haight - ODFW Central Point  
Tom Wiley - DOGAMI Grants Pass

Oregon Dept. of Geology & Mineral Industries  
Mined Land Reclamation Program  
1536 Queen Avenue SE  
Albany OR 97321  
(541) 967-2039

GRANT OF TOTAL EXEMPTION -- Renewal

|||||

Marble Mt. Quarry  
400 Griffin Road  
Grants Pass OR 97527

ID No.: 17-0107  
County: Josephine  
Site: Marble Mtn. Quarry  
Section: 19 30  
Twp: 37S  
Range: 6W

Pursuant to ORS 517.750 through 517.990 as amended, the above-named permittee is granted an exemption from the requirements for a reclamation plan and a bond for this site. The basis for granting this Total Exemption is shown below:

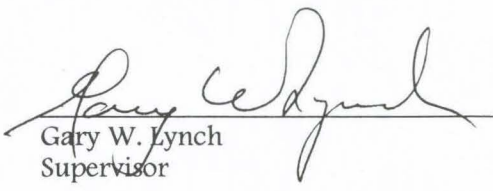
- ☐ 1. Access roads, borrow pit, or quarry (ORS 517.750(15)(a)).
- ☐ 2. On-site construction (ORS 517.750(15)(b)).
- ☐ 3. The site is less than one acre and a total of less than 5,000 cubic yards of mineral have been or will be removed per year (ORS 517.750(15)(a)).
- ☒ 4. The site has qualified for a Grant of Limited Exemption as defined by ORS 517.770, but annual production is less than 5,000 cubic yards.
- ☐ 5. Other.

Issuance of this Grant of Total Exemption is not a finding of compliance with state-wide planning goals or the acknowledged comprehensive plan. The applicant must receive land use approval from local government before using this exemption.

**PENALTIES**

It is the responsibility of the permittee to notify the department prior to expansion beyond the limits in existence as of the date of issue. Failure to do so places the permittee in the position of conducting a surface mining operation without a permit and subject to the penalties set forth in ORS 517.990(3) or (5).

Issued 11-17, 1998

  
Gary W. Lynch  
Supervisor

RENEWAL DATE NOVEMBER 30, 1999

c: Josephine County  
DEQ Medford  
David Haight, ODFW Central Point  
Tom Wiley, DOGAMI Grants Pass



*Oregon Dept. Of Geology & Mineral Industries*  
*Mined Land Reclamation*  
*1536 Queen Avenue SE*  
*Albany OR 97321*  
*(541) 967-2039*

GRANT OF TOTAL EXEMPTION



Campman Calcite Co., Inc.  
1242 Pickett Cr. Rd.  
Grants Pass OR 97527

ID No.: 17-0107  
County: Josephine  
Site: Marble Mtn. Quarry  
Section: 19,30  
Twp: 37S  
Range: 6W

Pursuant to ORS 517.750 through 517.990 as amended, the above-named permittee is granted an exemption from the requirements for a reclamation plan and a bond for this site. The basis for granting this Total Exemption is shown below:

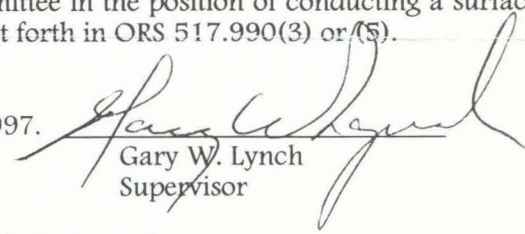
- ☐ 1. Access roads, borrow pit, or quarry (ORS 517.750(15)(a)).
- ☐ 2. On-site construction (ORS 517.750(15)(b)).
- ☐ 3. The site is less than one acre and a total of less than 5,000 cubic yards of mineral have been or will be removed per year (ORS 517.750(15)(a)).
- ☒ 4. The site has qualified for a Grant of Limited Exemption as defined by ORS 517.770, but annual production is less than 5,000 cubic yards.
- ☐ 5. Other.

Issuance of this Grant of Total Exemption is not a finding of compliance with state-wide planning goals or the acknowledged comprehensive plan. The applicant must receive land use approval from local government before using this exemption.

**PENALTIES**

It is the responsibility of the permittee to notify the department prior to expansion beyond the limits in existence as of the date of issue. Failure to do so places the permittee in the position of conducting a surface mining operation without a permit and subject to the penalties set forth in ORS 517.990(3) or (5).

Issued this 19 day of March, 1997.

  
Gary W. Lynch  
Supervisor

**RENEWAL IS REQUIRED BY NOVEMBER 30, 1997**

c: Josephine County  
DEQ - Medford  
David Haight - ODFW Central Point  
Tom Wiley - DOGAMI Grants Pass

Oregon Dept. of Geology & Mineral Industries  
Mined Land Reclamation Program  
1536 Queen Avenue SE  
Albany OR 97321  
(541) 967-2039

OPERATING PERMIT -- New  
ISSUED SUBJECT TO ANY LISTED CONDITIONS



Marble Mt. Quarry  
400 Griffin Road  
Grants Pass OR 97527

ID No.: 17-0107  
County: Josephine  
Site: Marble Mtn. Quarry  
Section: 19 30  
Twp: 37S  
Range: 6W

This permit shall be in effect, unless revoked or suspended for cause, from the date of issuance and shall remain in effect so long thereafter as the Permittee pays the annual fee to renew the permit, complies with the provisions of ORS 517.750 through 517.955 as applicable, the Rules as promulgated to administer the Oregon Mined Land Reclamation Act, the approved reclamation plan, and any conditions attached to this permit, and maintains a performance bond as required by the Act.

Issuance of this permit is not a finding of compliance with state-wide planning goals or the acknowledged comprehensive plan. The applicant must receive land-use approval from local government before using this permit.

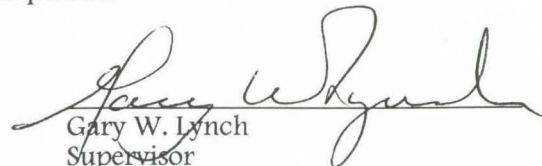
NOTE: Reclamation plans may be modified per ORS 517.830(4) and OAR 632-(30) and (35)-035.

**CONDITIONS:** *(Conditions may be appealed per OAR 632-30-030. If an appeal is made, this permit is invalid until the condition(s) appealed is/are resolved and the permit reissued.)*

The Permittee shall:

1. maintain an overall excavated slope of  $1\frac{1}{2} : 1$ .
2. not discharge storm water from the quarry area without a DEQ 1200A permit.
3. limit overburden stripping from June to September.
4. seed all barren overburden areas October 1 of each year.
5. create fill slopes of 2:1 or flatter.
6. not sidecast reject material or overburden over the outslope below the quarry.
7. limit placement of reject material and overburden to the three areas depicted on the map submitted on March 17, 2000.
8. provide subsurface drainage for the constructed reject material and overburden stockpiles.
9. remove vegetation prior to constructing the reject material and overburden stockpiles.
10. not dewater the quarry without amending the DOGAMI permit.

Issued 5-8, 2000

  
Gary W. Lynch  
Supervisor

**RENEWAL IS REQUIRED BY MAY 31, 2001**

c: Josephine County  
DEQ Medford  
ODFW Central Point  
DOGAMI Grants Pass



**CONTACT PERSON:**

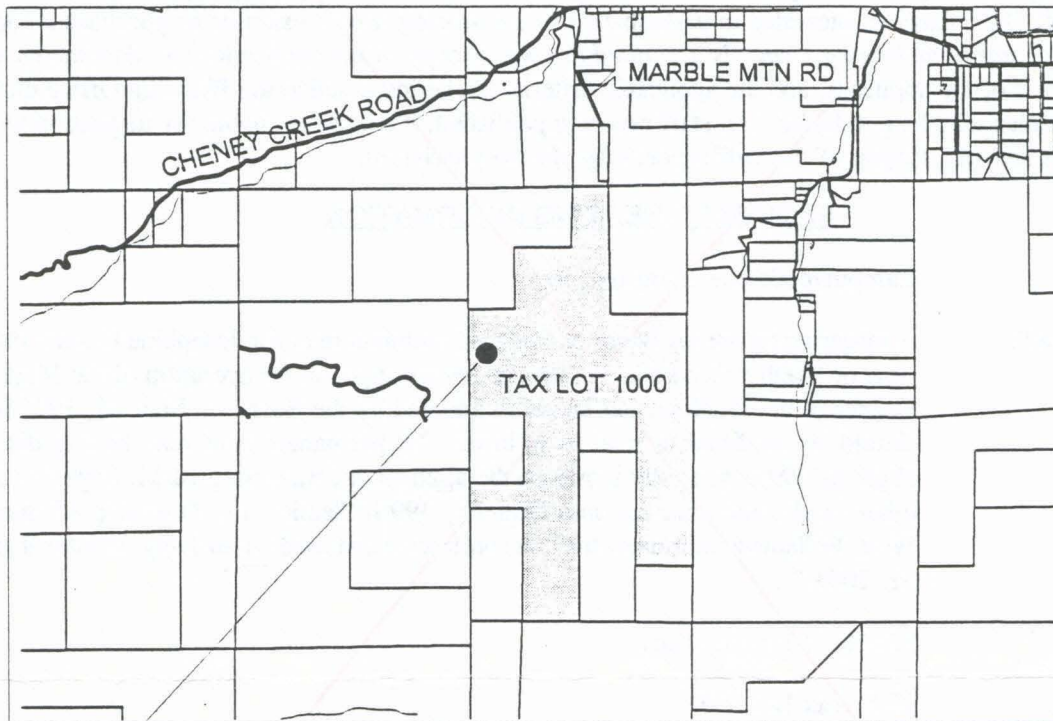
The planner handling the file is Michael Snider (541-474-5421, Extension 3605).

**APPEAL ISSUES:**

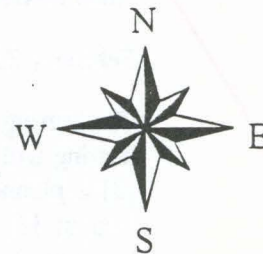
Failure to raise an issue at the hearing, in person or in writing, or failure to provide statements or evidence sufficient to afford the Board to respond to the issue, precludes appeal to the Land Use Board of Appeals (LUBA) on that issue. This makes it important to clearly and accurately state your issue when you testify at the hearing. The Board's decision may be appealed to LUBA within 21 days from the date notice of the Board's decision is mailed.

**NOTICE MUST BE  
FORWARDED:**

If you are a mortgagee, lienholder, vendor or seller, state law (ORS 215.513) requires that you promptly forward this notice to the purchaser of the property.



● **SUBJECT PROPERTY  
MARBLE MOUNTAIN QUARRY**

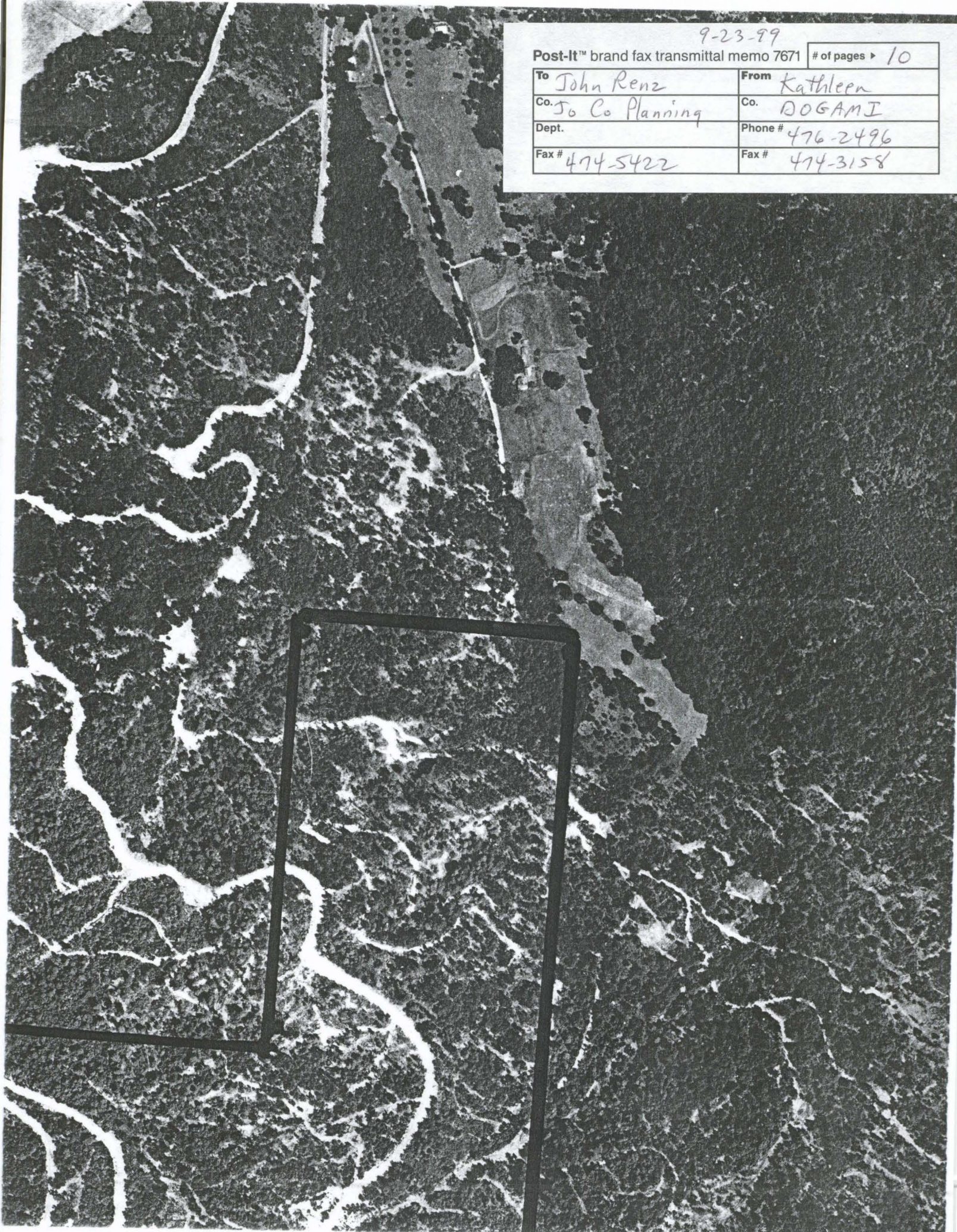




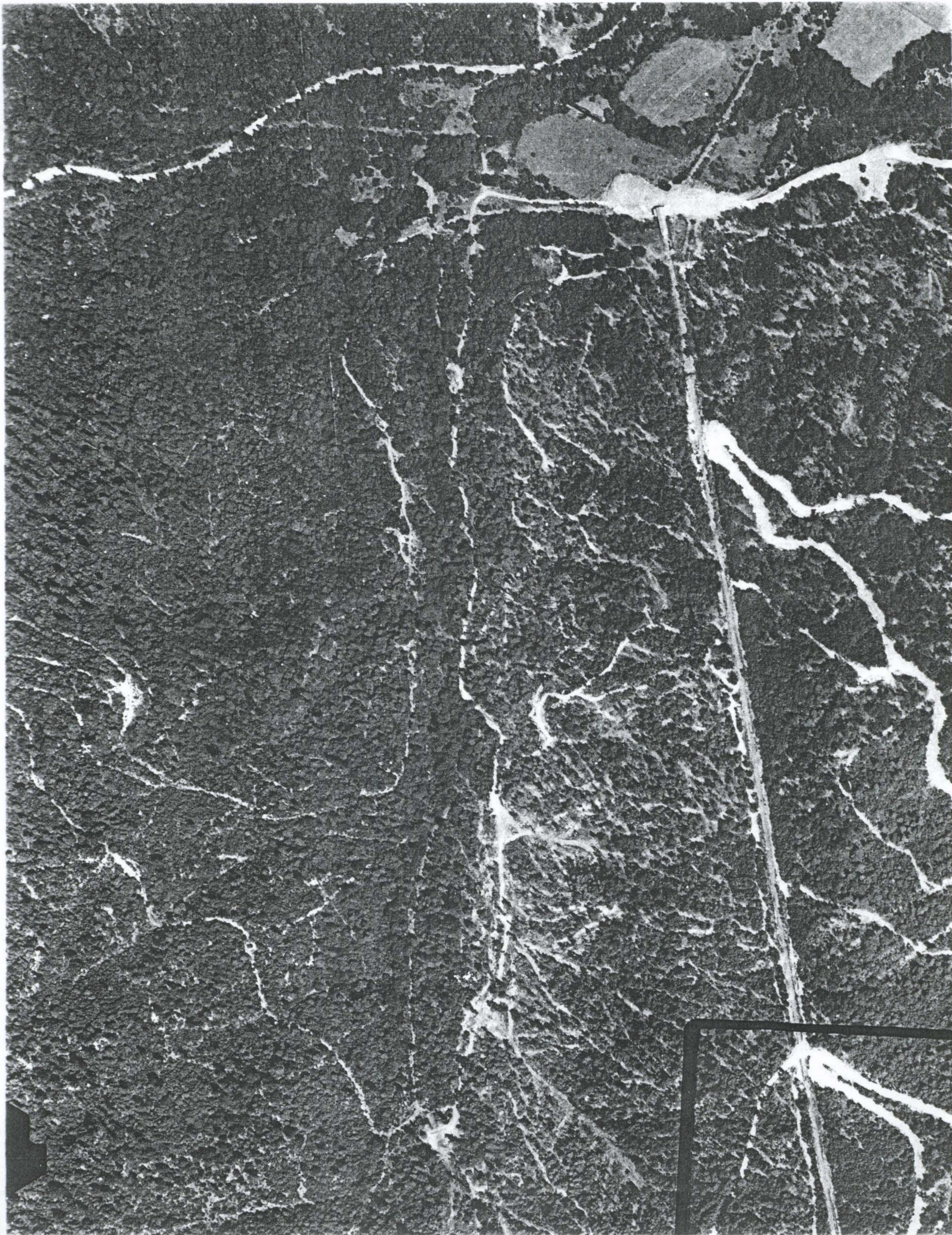
9-23-99

Post-It™ brand fax transmittal memo 7671 # of pages ▶ 10

To John Renz	From Kathleen
Co. So Co Planning	Co. DOGAMI
Dept.	Phone # 476-2496
Fax # 474-5422	Fax # 474-3158





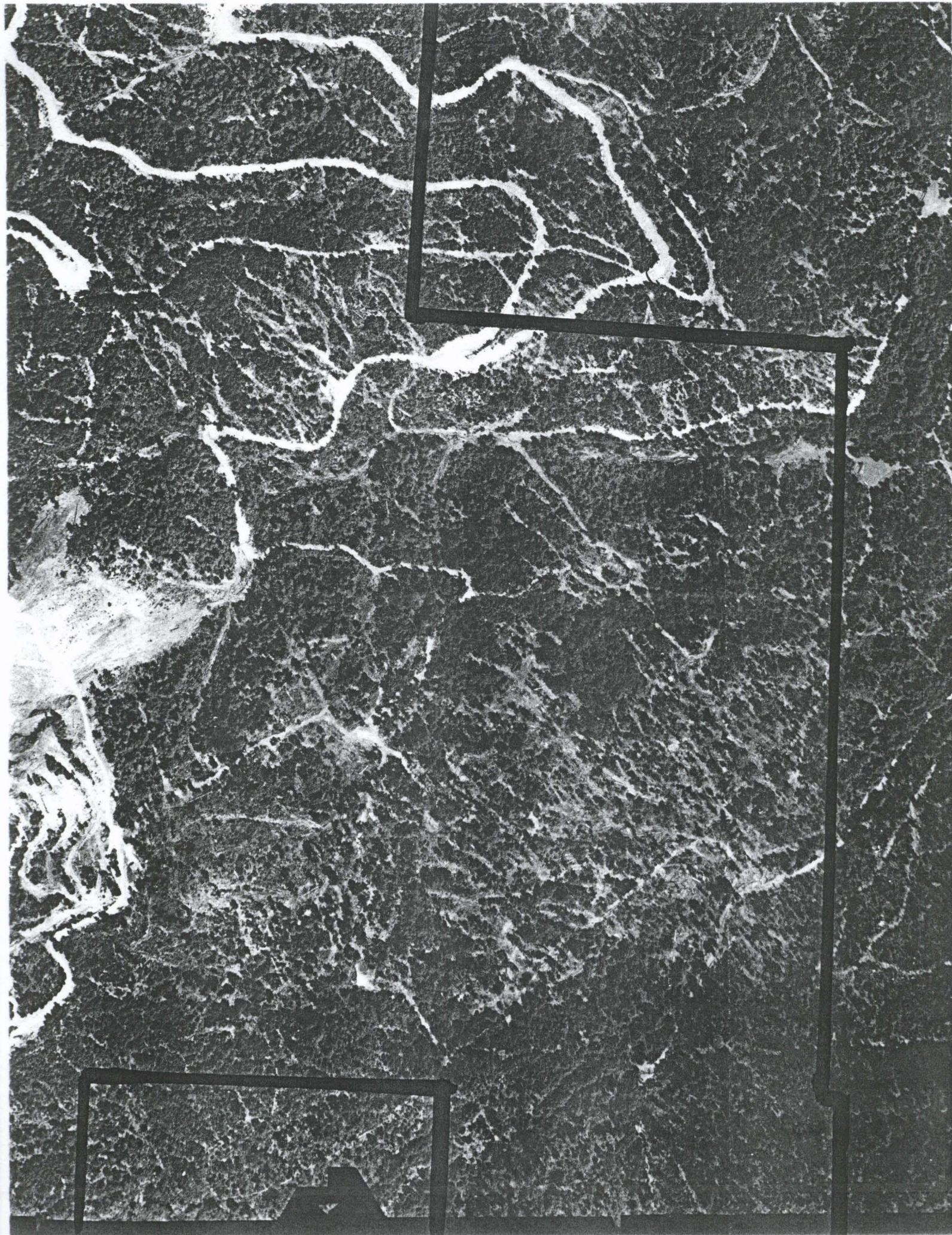




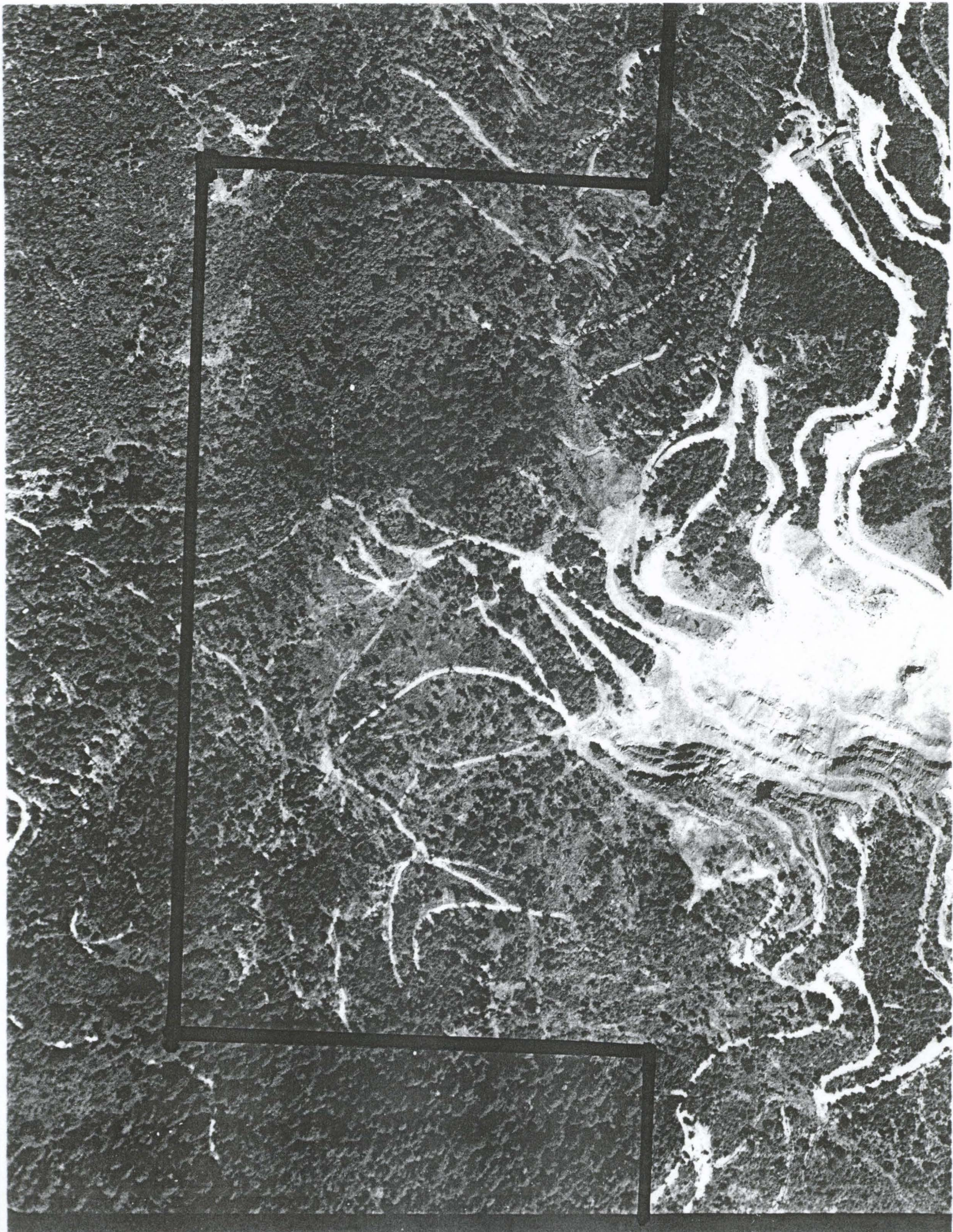


SDC10 T87S D5..













# Department of Geology and Mineral Industries

1534 QUEEN AVE. SE, ALBANY, OREGON 97321

PHONE (503) 967-2039

## REPORT OF ON-SITE INSPECTION

Campman Calcite  
PO Box 1225  
Sutherlin, OR 97479

ID No. 17-0107

S19&30, T37S, R6W  
Marble Mountain Quarry  
Josephine County

DATE OF INSPECTION: November 8, 1991

This inspection was made to confirm that a Grant of Limited Exemption could be issued for this site. The present bulk sampling program is small enough that a permit from this department is not required. The limited exemption will be issued upon receipt of an aerial photograph documenting the extent of the quarry in 1972.

I was accompanied on this inspection by Brice Campman and Steve Mountainspring, representing Campman Calcite; David Haight, ODFW; Bruce Bartow, Josephine County Planning Director; and Tom Wiley, DOGAMI.

The site in question, known as the Marble Mountain Quarry, produced large amounts of high quality limestone prior to closing of the operation in 1967.

The current access to this quarry from Wilderville is via Fish Hatchery, Cheney Creek, and Marble Mountain Roads. A present plan is to construct a new access road which will tie into the Cheney Creek Road and eventually be extended directly to Highway 199.

An examination of the site shows that much of the area disturbed by mining prior to 1967 is unreclaimed with little or no vegetation on it. However, the peripheries of the site have revegetated to the extent that they are considered to be naturally reclaimed. Any

Page 1 of 2

cc: DEQ - Medford  
Josephine County Planning Dept.  
David Haight - ODFW  
Tom Wiley - DOGAMI, Grants Pass

Inspected by Allen H. Throop

Signature *Allen H. Throop*

Reclamationist

Title

AHT/dm:11/13/91

MINED LAND RECLAMATION

mining in those areas, or in areas not previously mined, must be covered under a full surface mining permit if more than one acre or more than 5,000 cubic yards per year are removed from those areas.

According to Mr. Campman, a 1986? photograph will be submitted. It should be accompanied by a 1972 photograph which should be available from State Forestry. Once the aerial photos are received, DOGAMI will make an overlay outlining the area acceptable as exempt from reclamation. If the outline is agreeable to Campman Calcite, the perimeter should be permanently marked in the field to avoid any future disputes.

Recently, approximately 900 tons of material was blasted from an intermediate bench and crushed. This material is to be used for a bulk sample to determine if the limestone is suitable for an intended consumer's use. A sample of this order of magnitude is common practice in the minerals industry to fully characterize the material and to duplicate as close as possible actual operating conditions in the consumer's facilities. This activity, therefore, falls under the broad definition of exploration or prospecting as defined in OAR 632-33-10 as opposed to a mining operation.

The 900 tons have yet to be removed from the site. From strictly a natural resource protection viewpoint, removing the material via the existing haul roads, rather than constructing 1,300 feet of new road would seem prudent. New road construction would severely disrupt vegetation and soils on perhaps half an acre which is not justified for this very small bulk sample. The present access road was used in the last five years for removal of timber from the property and should be more than adequate for trucking this limestone sample.

As mentioned above, prior to the time the quarry is expanded, a new reclamation plan will be required for that expansion area. Such a plan would include plans to remove the vegetation and topsoil, establish stable final slopes and revegetate the mine area. A bond would be required to guarantee completion of reclamation.

As long as operations stay within the area over which the Department has agreed a Grant of Limited Exemption is appropriate, no reclamation is required.

Access to a limestone cave on the site was buried a few years ago. Apparently it had been heavily vandalized prior to sealing off the access to it.

The cooperation of all other parties in meeting me on this site is appreciated.



## JOSEPHINE COUNTY PLANNING OFFICE



Wm. Bruce Bartow  
~~COMMUNITY DEVELOPMENT~~  
PLANNING DIRECTOR

510 N.W. 4th ST., GRANTS PASS, OR 97526

# TRANSMITTAL

To: *OGAMI*

Date: *11-19-91*

Content:

*Appeal to  
Planning  
Director's  
Decision*

From: PLANNING

The attached land use application will be considered before the  
PLANNING COMMISSION on *12-19-91*. It  
would be appreciated if your comments regarding this application  
are submitted to our office in time for their inclusion in the  
staff report. Please have these comments to our office by

*12-9-91*.

Thank you!

RURAL JOSEPHINE COUNTY  
APPEAL  
Application Form

Fee \$50.00

Paid 50.00 10/14/91

JOSEPHINE COUNTY ZONING ORDINANCE SECTIONS: 15.232

\*\*\*\*\*

LEGAL: TWIN 37, RNG 6, SEC    , QS    , Tax Lot 1000,1001  
: TWIN    , RNG    , SEC    , QS    , Tax Lot    

PROPERTY LOCATION: Off Marble Mtn. Road

EXISTING ZONING: FC COMP PLAN: F

PARCEL: ACRES 642 WIDTH     DEPTH    

OTHER INFORMATION/APPLICATIONS SUBMITTED: None

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*\*\*\*\*

OWNER(S): Campman Calcite Company TELE:    

MAILING ADDRESS: P. O. Box 850 Winchester, Oregon 97595

APPLICANT: Henry Zimbalist TELE: 476-2251

MAILING ADDRESS: 4201 Fish Hatchery Road Grants Pass, OR 97527

ATTORNEY/REPRESENTATIVE: Duane Wm. Schultz

MAILING ADDRESS: 245 NW 'B' Street Grants Pass, OR 97526

\_\_\_\_\_  
Owner/Applicant

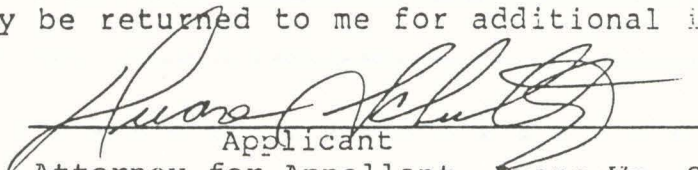
\_\_\_\_\_  
Representative  
(Power of Attorney)

\_\_\_\_\_  
Attorney



I, Duane Wm. Schultz Attorney for Appellant, have filed an application for Appeal of Planning Director decision with the Josephine County Planning Office to be considered for scheduling before the appropriate review bodies. My signature below affirms that I have discussed my application with \_\_\_\_\_, of the Planning Department staff, and that I understand the following:

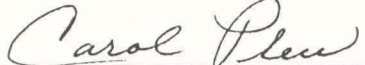
1. That although the Planning Department staff may have rendered an opinion and may prepare a staff report concerning the legal criteria relevant to an application of this nature, I have the ultimate burden of addressing and submitting evidence relative to my application and this responsibility exists independent from any such statements or reports by the Planning Office or staff.
2. That I may retain legal counsel to assist me in the presentation of my application and that it may be in my best interest to do so.
3. That if I have any questions or require additional information I may contact the Planning Department staff and discuss the application with them, but that such discussions and/or information will not include legal advice, and shall not become binding upon the County in any respect.
4. That this notarized statement will be appended to the staff report presented to the hearings body and that it will be forwarded to the Citizen Advisory Committee for the area in which the subject property is located.
5. That if the development proposed is located within the Urban Growth Boundary it is subject to any laws and ordinances that may also apply.
6. That the application may be returned to me for additional information before scheduling.

  
Applicant  
Attorney for Appellant, Duane Wm. Schultz

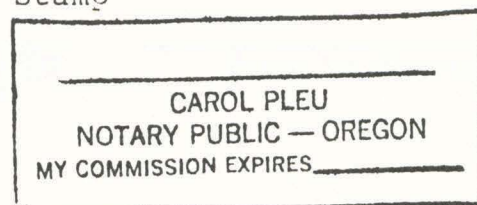
**NOTARIZATION REQUIRED FOR PUBLIC HEARING ITEMS ONLY**

STATE OF OREGON                    )  
  ) ss.  
County of Josephine            )

On this 14<sup>th</sup> day of October, 1991, personally came before me, a Notary Public in and for said County and State, the above named, Duane Wm. Schultz, who executed the written instrument and acknowledged to me that he ~~she~~ executed the same freely and voluntarily.

  
Notary Public, State of Oregon  
My Commission Expires: 2-15-92

Notary Stamp



Applicant wants to use the road for government officials, visitors and office personnel. They say this request for safety reasons.

The Site Review Committee recommends restricting use to emergency vehicles only.

#### Hours of Operation

The neighborhood asks there be no use of the quarry on weekends or holidays, and that weekday use of the quarry be restricted to the hours of 8:00 a.m. to 4:30 p.m.

Applicant wants to be able to work double shifts during the week, utilizing the hours of 6:00 a.m. to 10:00 p.m. as specified in Section 14.137.f of the JCZO. They say 16 hour weekdays and 8 hour weekend days are the standard for mining operations. They are willing to limit weekend activity by prohibiting blasting both days and crushing on Sundays, and these impacts should be off-set by lower, night-time DEQ noise levels.

The Site Review Committee adopts DEQ and MSHA (Mine Safety & Health Administration) regulations concerning sound and blasting issues. Specifically, no blasting, crushing or rock hauling is recommended on weekends or recognized national holidays.

#### Blasting

Neighbors want blasting to be limited to one pre-determined time each week, with a specified duration.

Applicant says blasting schedules must be more flexible and it is willing to provide notice at least 48 hours in advance of all blasting. Applicant is also willing to provide written notice of the schedule to anyone requesting it, besides posting it at identified public places.

The Site Review Committee recommends blasting be governed by DEQ and MSHA regulations. In addition notice of blasting schedules must provided at least 48 hours in advance to anyone requesting written notice, and posted in two public places.

#### Enforcement

Opposition wants the permit to be automatically reviewed by the Planning Commission at the end of one year to see if conditions have been met. If any conditions have not been met then the Commission will be granted authority to revoke the permit or establish a time certain for compliance. They also want the Planning Director to have the authority to call a public hearing to revoke the permit anytime he thinks conditions are not being met.



Exhibit "A"

Statement on Appeal

On October 2, 1991 Mr. Bartow, Planning Director, issued a letter to area property owners informing them that he had . . . . "determined that the Campman request shall be sent to public Hearing pursuant to Section 15.230(4).

While Petitioners appreciate that the matter will be determined in a public Hearing, they hereby appeal the Planning Director's determination that the Hearing should be heard pursuant to the Administrative Permit criteria and procedures rather than the Conditional Use criteria and procedures. Petitioners hereby contend that the subject request should be processed, heard, and decided as a new application for a Conditional Use Permit and that the old 1977 Permit should be deemed either abandoned or revoked, and that all criteria be applicable pursuant to the 1991 County Zoning Ordinance and other applicable State and Federal standards and regulations.

  
DUANE WM. SCHULTZ, Attorney for  
Petitioners

12-20 million ton - value is driven by the market demand.

24. All applicable Local State and Federal requirements and regulations shall be met.

*if 4-6 million tons more and sample was inconclusive.*  
\*25. Prior to any material hauling, the owner of the quarry shall:

Employ a traffic engineer to conduct a study of traffic capacity and necessary road construction over the haul route. The engineer shall determine in conjunction with the existing traffic the safe number of material transport truck trips permitted on Cheney Creek Road and Fish Hatchery Road. The scope of the study shall be determined in cooperation with the Public Works Dept. The traffic engineer shall study the aforementioned structural integrity of the road to determine the load carrying capacity and road safety, and shall recommend improvements to the roadway structure as needed to provide for load carrying capacity and road safety. The study shall describe any limitations on average daily traffic count or peak loads and any structural improvements that may be necessary to comply with applicable laws and regulations.

The Traffic Study Report and recommended improvements shall be reviewed and approved by the Public Works Department prior to implementing any improvements. The recommended road improvements shall be completed by the owner.

26. Material transport trucks shall not exceed the legal load limit on any County Road and shall operate during daylight hours only.

*Op - no provision for monitoring*  
\*27. Failure to comply with all the conditions of this permit will give cause for revoking the permit in accordance with provisions of Sec. 15.215 of the Josephine County Zoning Ordinance.

---

#### ATTACHMENTS

---

CAMPMAN'S AMENDED REQUEST . . . . . EXHIBIT "A"  
PRELIMINARY SITE REVIEW CONDITIONS OF 4/20/92 . . . . EXHIBIT "B"  
CAMPMAN'S RESPONSE TO PRELIM. CONDITIONS . . . . . EXHIBIT "C"  
DUANE SCHULTZ'S RESPONSE TO PRELIM. CONDITIONS . . . EXHIBIT "D"

---



# Marble Mtn. Quarry History

Telephone Conversation with Mr. J. R. Ritter of Gold Hill — Giving some of the history of the Marble Mountain Quarry —

Beaver Portland Cement Co. acquired the Marble Mtn quarry in 1921 or 1922 and began production the latter part of 1923. J. R. Ritter <sup>of Gold Hill</sup> joined the company in 1924 and the cement plant at Gold Hill received its limestone from Marble Mountain from that time on, shipments of about 10 rail cars per day via the C and O C RR to Grant Pass and then by Southern Pacific rail lines to Gold Hill.

In 1950 the bridge over the Applegate washed out for the last time and trucks were contracted to haul the limestone to Gold Hill — This type of transportation continued until 1967 when the plant at Gold Hill shut down.

## Marble Mtn Quarry History

Telephone conversation with Mr. J.R. Ritter of Gold Hill, Oregon (855-1035)

Beaver Portland Cement Company acquired the Marble Mtn quarry in 1921 or 1922 and began production the latter part of 1923. J.R. Ritter of Gold Hill joined the company in 1924, and the cement plant at Gold Hill received its limestone from Marble Mountain from that time on, shipments of about 10 rail cars per day via the C and O C Railroad to Grants Pass and then by Southern Pacific rail lines to Gold Hill.

In 1950 the bridge over the Applegate washed out for the last time and trucks were contracted to haul the limestone to Gold Hill. This type of transportation continued until 1967 when the plant at Gold Hill shut down.



In 1991, the current owner (and applicant) contacted the Planning Office to get a permit for the resumption of mining, to include the operation of a rock crusher at the site. Because the Zoning Ordinance does not contain a "sundown" provision calling for revocation of permits because of non-use, the Planning Director recognized the 1977 permit and required owner to submit a new site review application.

Notice of the site review request was given to the neighborhood. This resulted in many letters in opposition. This opposition resulted in research into the title history and legal status of Marble Mountain Road. This research seems to indicate that, while the road has been used by the public for many years, no formal dedication or court order has been obtained sanctioning it, and adjacent landowners now object to the improvements required by the 1977 permit.

Given the magnitude of this issue, as well as the scope and impact of the operation itself, and extreme neighborhood opposition, the Planning Director referred the site review application to the Planning Commission for review and decision. This is the matter presently before the Commission with this application.

---

#### SITE REVIEW

---

On 5 October 1991, the Site Review Committee met and made the following comments concerning requirements and recommendations for the operation and activity for Marble Mountain Limestone Quarry. (Those underlined items are to be completed prior to the issuance of a development permit.)

1. Applicant shall obtain the appropriate easements and or permits, for the construction use and maintenance of the proposed temporary and permanent haul roads, prior to issuance of a Development Permit.
2. Applicant shall provide the County Planning Office copies of the easements for review prior to issuance of a Development Permit.
3. The use of the Marble Mountain/Cheney Creek Road system is limited to the 900-ton sample of approximately 36 truck loads and is limited to a two week period. Applicant shall give notice to the County Planning Office prior to the use of this road system.
4. A road Approach permit shall be obtained from Oregon Department of Transportation for access to Redwood Hwy.

5. A road dust abatement plan shall be approved by the County prior to issuance of a permit.
6. An erosion control plan for the permanent haul road shall be submitted and approved by County Public Works and State Fish and Wildlife prior to issuance of a Development Permit.
7. Any work done on state right-of-way of the Redwood Hwy. shall be done under permit issued by the Oregon Department of Transportation. Necessary permits may be obtained at the District Office at 2692 North Pacific Highway in Medford, Oregon 97501.
8. Approval shall be obtained from Department of Environmental Quality for the restrooms.
9. No surface or subsurface discharge of hazardous waste shall occur on this property.
10. Adequate security shall be provided to prevent unauthorized entry into hazardous areas.
11. Any access or service road, while used for the mining shall be maintained in a dust-free condition by the operator, for a distance of 200 feet from public roads or streets or residences located on adjoining property. If the mining is the primary cause of road dust on an unpaved public road, that road shall be dust-free for 200 feet from such residences. If more than one mining operation uses the same road, all operators shall be jointly responsible for dust abatement as previously described.
12. Safe parking shall be available on site for employees, customers and visitors to the mining site.
13. Erosion control and reclamation of the site shall be accomplished in accordance with the standards of this Regulation, and any applicable permit from the Oregon State Department of Geology and Mineral Industries and the Department of Environmental Quality.
14. Excavation shall be away from the property line a distance adequate to maintain a fence on the property line if needed, and such additional distance as is necessary to allow a normal safe angle of repose during the operation, and to provide the slopes identified in the operation plan pursuant to Section 14.130, the standards of this Regulation for the depth of final excavation.
15. The proposed development shall be compatible with and shall not adversely impact agricultural or forestry uses on any adjoining lands.



16. All State and Federal requirements and regulations shall be met.
17. All required submittals such as construction drawings; plans; signing; all as stated herein shall be approved prior to issuance of a Development Permit.

---

#### STAFF REVIEW AND ANALYSIS

---

The Marble Mountain quarry is listed in Josephine County's Aggregate Inventory of 1975 (Exhibit "N"), and also in the Comprehensive Plan (See Record, Page 57). This inventory catalogs the site as an important aggregate resource. In this context, the Planning Director believes the resource is intended to be protected and maintained for community-wide benefit.

The present application, however, proposes a very intense operation, involving continued heavy truck traffic, noise, dust and overall commotion in the vicinity of significant residential development.

The ambition of the Site Review process is to balance community-wide benefit against local inconveniences. The purpose of this hearing is to assure the planning process fully benefits from public testimony, agency input, and careful consideration of that information.

Different Agencies responding to the application are:

State Forestry - On equipment permits (Exhibit F)  
DEQ - Noise, and Dust levels shall be met (Exhibit G)  
DOT - On impact (Exhibit H)  
BLM - On road access (Exhibit I)  
Fish and Wildlife - On erosion and pollution (Exhibit J)  
DLCD - The quarry has the right to function (Exhibit L)  
DGAMI - On permits (Exhibit M)

Action to establish conditions for operation of the mine is contingent upon a Planning Commission decision to uphold the 1977 permit. If the original Special Use permit is valid, then the next step is to review the proposed site review conditions against the evidence and testimony obtained in the hearing. It needs to be determined what conditions are needed to assure the best possible protection for the neighborhood, while allowing the Marble Mountain quarry to be utilized as anticipated by the Comprehensive Plan.

OREGON DEPARTMENT OF GEOLOGY & MINERAL INDUSTRIES  
MINED LAND RECLAMATION

GRANT OF TOTAL EXEMPTION

Campman Calcite Co. Inc.  
PO Box 1225  
Sutherlin OR 97479

ID No.: 17-0107  
Site: Marble Mtn. Quarry  
Legal: S19,30,T37S,R6W  
County: Josephine

Pursuant to ORS 517.750 through 517.990 as amended, the above-named permittee is granted an exemption from the requirements for a reclamation plan and a bond for this site. The basis for granting this Total Exemption is shown below:

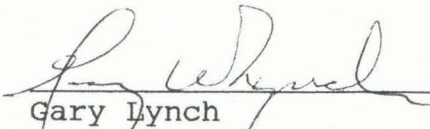
- ☐ 1. Access roads borrow pit or quarry (ORS 517.750(13)(b)).
- ☐ 2. On-site construction (ORS 517.750(13)(b)).
- ☒ 3. The site is less than one acre and a total of less than 5,000 cubic yards of mineral have been or will be removed per year (ORS 517.750(13)(b)).
- ☐ 4. The site has qualified for a Grant of Limited Exemption as defined by ORS 517.770, but annual production is less than 5,000 cubic yards.
- ☐ 5. Other.

Issuance of this Grant of Total Exemption is not a finding of compliance with state-wide planning goals or the acknowledged comprehensive plan. The applicant must receive land use approval from local government before using this exemption.

**PENALTIES**

It is the responsibility of the permittee to notify the department prior to expansion beyond the limits in existence as of the date of issue. Failure to do so places the permittee in the position of conducting a surface mining operation without a permit and subject to the penalties set forth in ORS 517.990(3) or (5).

Issued this 31 day of December, 1992.

  
Gary Lynch  
Supervisor

c: Josephine County Planning Department  
DEQ - Medford  
David Haight - ODFW Central Point  
Tom Wiley - DOGAMI G.P.

THIS GRANT OF TOTAL EXEMPTION EXPIRES November 30, 1993

TEPERMIT - CC



OREGON DEPARTMENT OF GEOLOGY & MINERAL INDUSTRIES  
MINED LAND RECLAMATION  
1534 Queen Avenue Southeast  
Albany, Oregon 97321  
(503) 967-2039

GRANT OF LIMITED EXEMPTION

Campman Calcite  
P O Box 1225  
Sutherlin, OR 97479

I.D. No. 17-0107  
Site:  
Legal: S19,30,T37S,R6W  
County: Josephine

Pursuant to ORS 517.750 through 517.990 as amended, the above named permittee is granted an exemption from the requirements for a reclamation plan and a bond for this site.

The Limited Exemption is granted because the land was affected by surface mining as of:

X July 1, 1972 (ORS 517.770(1)(a))

January 1, 1981 (ORS 517.770(1)(c))

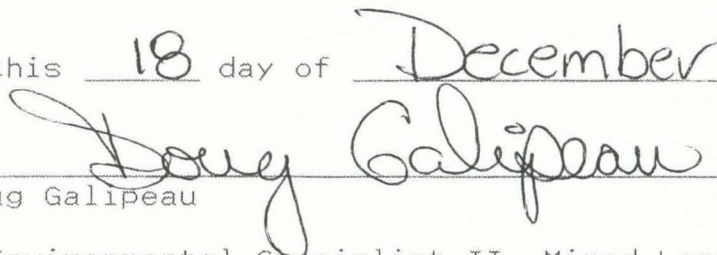
ISSUANCE OF THIS GRANT OF LIMITED EXEMPTION IS NOT A FINDING OF COMPLIANCE WITH STATEWIDE PLANNING GOALS OR THE ACKNOWLEDGED COMPREHENSIVE PLAN. THE APPLICANT MUST RECEIVE LAND USE APPROVAL FROM LOCAL GOVERNMENT BEFORE USING THIS EXEMPTION.

**PENALTIES:** IT IS THE RESPONSIBILITY OF THE PERMITTEE TO NOTIFY THE DEPARTMENT PRIOR TO EXPANSION BEYOND THE LIMITS IN EXISTENCE AS OF THE DATE SHOWN ABOVE. FAILURE TO DO SO PLACES THE PERMITTEE IN THE POSITION OF CONDUCTING A SURFACE MINING OPERATION WITHOUT A PERMIT AND SUBJECT TO THE PENALTIES SET FORTH IN ORS 517.990(3) AND (5).

This Grant of Limited Exemption expires on the last day of November , 1992.

Issued this 18 day of December, 1991.

By

  
Doug Galipeau

Title Environmental Specialist II, Mined Land Reclamation

SMLR-10 rev. 10/91

PROPOSED AGENDA

JOSEPHINE COUNTY PLANNING COMMISSION

HEARING ON MARBLE MOUNTAIN QUARRY

May 11, 1992

1. Preliminary Remarks by the Planning Commission
2. Staff Presentation
3. Applicant's Presentation
  - a. Brice Campman . . . . . 10 min.  
(applicant)
  - b. Richard Stevens . . . . . 5 min.  
(planning consultant)
  - c. R.L. Gantenbein, Jr., P.E. . . . . 5 min.  
(acoustics expert)
  - d. Mark Kelly, Austin Powder Co. . . . . 10 min.  
(explosives expert)
  - e. Dave Newton . . . . . 5 min.  
(stormwater expert)
  - f. Frank Hladky, DOGAMI . . . . . 5 min.  
(geologist)
  - g. Corky Leister, SOREDI . . . . . 5 min.  
(economics expert)
  - h. Other speakers from the floor . . . . . @ 3 min.
4. Opponents' Presentation
5. Rebuttal and Surrebuttal
6. Summary Statements
7. Deliberations on the conditions

Testimony  
not given



\*\*\*\*\*  
\* SPECIAL STAFF REPORT \*  
\*\*\*\*\*

---

To: Josephine County Planning Commission  
Agenda Item:

Prep. by MS  
Date: May 11, 1992

---

**GENERAL INFORMATION**

---

Applicant:	Campman Calcite Company (Brice Campman)
Requested Action:	Conditions for Operation of Marble Mountain Quarry
Purpose:	Allow the Expansion of the Mining Operation Pursuant to 1977 permit
Legal Representative:	Stephen Mountainspring, Attorney
Attorney for Opposition:	Duane Schultz
Location:	Terminus of Private Road at end Marble Mountain Road
Acreage:	640 Acres
Zoning:	Forest Commercial (FC)
Comprehensive Plan:	Forest
Legal Description:	37-06-00, Tax Lots 1000 & 1001

---

---

**SPECIAL REPORT**

---

This staff report is submitted at the direction of the Planning Commission following its decision to recognize the original 1977 Special Use Permit for the operation of the Marble Mountain Quarry and to proceed with site review issues.

Pursuant to Commission instructions the following events have occurred:

1. On April 8, 1992, Campman Calcite submitted a detailed written statement of the request to amend its original application. Copies were provided to all interested parties. The statement is attached as an Exhibit.

2. The Site Review Committee met and reviewed the request and published preliminary conditions on April 20th. Copies were provided to all interested parties. The preliminary conditions are attached as an Exhibit.
3. On April 23rd, a special site review meeting occurred to take public input concerning the preliminary conditions. Present from the Site Review Committee were Wray Maxwell, Bob Hart and Jerry Theis. Present for the applicant were Brice Campman, Stephen Mountain-spring and Richard Stevens. Present for the opposition were Duane Schultz, Cledyth Hopper, Jim Brock, Randy Sparacino, Rob Reynolds, and Lynn Peterson. Present from the Planning Staff were Michael Snider and Bruce Bartow. Written comments were submitted by Stephen Mountainspring and Duane Schultz, and are included as Exhibits.
4. On April 28th the Site Review Committee published the final draft of recommended conditions.

The purpose of this report is to bring the Commission up to date and identify the main conditions remaining in controversy.

---

#### FINAL RECOMMENDED CONDITIONS FROM THE SITE REVIEW COMMITTEE

---

\* = Conditions remaining in controversy

All requirements underlined above shall be approved prior to issuance of a Development Permit.

Property to be developed as per plot plan and as stated here below:

- \*1. A permanent haul route having direct access to Highway 199 as generally shown on the application, traversing BLM, Superior Lumber and other lands and entering onto the highway in Section 11, of Township 37 South, Range 07 West, shall be constructed and used exclusively beginning October 1, 1994 or Within 90 days of BLM authorization of road construction, which ever comes first.
- \*2. A temporary haul route over Cheney Creek Road and Fish Hatchery Road west to 199 at Wilderville may be used until the permanent haul road is constructed. However, in no case shall the temporary route be used after October 1, 1994.
3. Applicant shall obtain the appropriate easements and or permits for the construction, use and maintenance of the proposed temporary haul route.

*Have these conditions been crafted to mitigate the effects of mining or to prevent mining? 2. Contradict spirit of Act 5 to provide the wise use of these sub'l resources, from which all in this room have been & are benefiting.*

*Schultz  
"Opponents  
want  
reasonable  
conditions"  
New  
Road  
period*

*ignore BLM?*



4. Applicant shall provide the County Planning Office with copies of the BLM authorization and easements over private property for the temporary haul route prior to issuance of a Development Permit.

- \*5. The use of the Marble Mountain Road shall be limited to emergency vehicles. No use of this road for the transporting of employees or equipment to or from the quarry or vehicles used in the hauling operation shall be permitted.

6. Prior to the location or construction of the permanent haul route to Redwood Hwy., a road approach permit shall be obtained from Oregon Department of Transportation for access to Redwood Hwy.

7. A road dust abatement plan for the haul road from the quarry to Cheney Creek Rd. shall be approved by the County Public Works Dept. prior to issuance of a permit. A similar plan shall be required when the permanent haul road is established.

8. An erosion control plan for the haul road from the quarry to Cheney Creek Rd. shall be submitted and approved by County Public Works and State Fish and Wildlife prior to issuance of a Development Permit. A similar plan shall be required when the permanent haul road is established.

9. At the time the permanent haul route is established any work done on state right-of-way of the Redwood Hwy. shall be done under permit issued by the Oregon Department of Transportation. Necessary permits may be obtained at the District Office at 2692 North Pacific Highway in Medford, Oregon 97501.

- \*10. The statistical L50 noise levels shall not exceed 55 dba. between the hours of 7 A.M. and 8 P.M., and 50 dba. between 8 P.M. and 7 A.M., as measured at noise sensitive property using measurement standards described in OAR 340. The quarry operation shall meet all other sound regulations established by DEQ and MSHA.

- \*11. Blasting, drilling, crushing or rock hauling shall not occur on Saturdays or Sundays, or on recognized national holidays. Does not address response to law-timer.

- \*12. Blasting in the quarry shall occur in accordance with DEQ and MSHA regulations. Notice of blasting schedule shall be provided at least 48 hours prior to blasting, to any business impacted by blasting upon written request for notice. In addition, a public notice of the blasting schedules shall also be provided in two public places.

13. A major pump test is required if the proposal will result in the use of more than 1600 gallons per day of



groundwater. If less than 1600 gallons per day of water will be used for this development, a statement must be submitted to the Watermaster at the Water Resources Department, 101 NW A Street, attesting to the lesser use, along with a brief explanation of what the use will be.

- No night-time parking*
14. Any exterior lighting shall be shielded to direct light downward and not onto adjacent properties.
  15. No surface or subsurface discharge of hazardous waste in violation of applicable law or regulations shall occur on this property.
  16. Approval shall be obtained from Department of Environmental Quality for the restrooms.
  17. Any access or service road used for the mining shall be maintained in a dust-free condition by the operator for a distance of 500 feet from public roads or streets or residences located on adjoining properties. If the mining is the primary cause of road dust on an unpaved public road, that road shall be dust-free for 500 feet from such residences. If more than one mining operation uses the same road, all operators shall be jointly responsible for dust abatement as previously described.
  18. Erosion control and reclamation of the site shall be accomplished in accordance with the standards of the Josephine County Zoning Ordinance, and any applicable permit from the Oregon State Department of Geology and Mineral Industries and the Department of Environmental Quality.
  19. Safe parking shall be available on site for employees, customers and visitors to the mining site.
  20. Adequate security shall be provided to prevent unauthorized entry into hazardous areas per MSHA regulations.
  - Op didn't have property map*  
21. Excavation shall be away from property lines a distance adequate to maintain a fence on the property line if needed, and such additional distance as is necessary to allow a normal safe angle of repose during the operation, and to provide the slopes identified in the operation plan pursuant to Section 14.130.
  22. Applicant shall provide an accurate map showing the location and extent of the quarry operation in relation to property lines.
  23. The proposed development shall be compatible with and shall not adversely impact agricultural or forestry uses on any adjoining lands.