



RECEIVED
MAY 12 1980

July 3, 1979

Douglas Sandy
P.O. Box 315
Sandy, OR 97055

902 ABERNETHY ROAD WINSTON W. KURTH
OREGON CITY, OREGON 97045 Assistant Director
(503) 655-8521 DON D. BROADSWORD
Operations Director
DAVID J. ABRAHAM
Utilities Director
DAVID R. SEIGNEUR
JOHN C. McINTYRE Planning Director
Director RICHARD L. DOPP
Development
Services
Administrator

Re: Proposed removal and crushing of aggregate

Dear Mr. Sandy:

The written material you have recently submitted to our office has been reviewed by Dominic Mancini, Ron Stangel and myself. What follows is the Planning Division staff's judgement as to what use the aggregate on your property can be put without benefit of a conditional use. Please be advised the Planning Division staff's judgement on this matter can be appealed by any party to the hearings officer as an interpretation of the Zoning Ordinance.

Regarding your inquiry about the upgrading of the existing private road serving your property and that of your relatives, as well as your proposal to construct additional private roads serving the immediate properties, Section 32.3E of the Transitional Timber District section of the Zoning Ordinance states that "construction of roads and bridges and the quarrying and processing of rock for forest management purposes" is a principal use permitted. It is the staff's judgement that you can remove and crush aggregate on your property for the upgrading and construction of the aforementioned private roads. I want to emphasize that this removal and crushing must only be for your private use. The rock crusher cannot be operated for any commercial purpose.

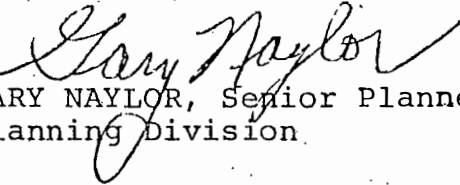
The Transitional Timber zoning district, under principal uses permitted, lists a wide range of agricultural uses under current employment of land for general farm use. The excavation of an area for the purpose of constructing a pond for the raising and harvesting of fish would be permitted within this zoning district. The removal of unprocessed material (i.e., materials that have not been washed, screened, crushed, etc.) for the sole purpose of excavating ponds for the agricultural raising of fish is allowed within the Transitional Timber District. This unprocessed material may be removed to other locations on the property or off the property. This material could be removed and hauled by yourself or others, however, you cannot receive any form of payment for this material. Any form of payment would constitute a commercial mining operation needing approval of a conditional use.



Douglas Sandy
July 3, 1979
Page 2

Please be advised our response only relates to the requirements of the Clackamas County Zoning Ordinance and you must secure whatever permits are needed from other agencies. If you have any questions or would like to discuss this matter further, please do not hesitate to contact our office.

Sincerely,



GARY NAYLOR, Senior Planner
Planning Division

GN:sk

RECEIVED

MAY 12 1980

GEOLOGY



May 9, 1980

Douglas Sandy
39001 S.E. Serban Road
P.O. Box 315
Sandy, OR 97055

902 ABERNETHY ROAD WINSTON W. KURTH
OREGON CITY, OREGON 97045 Assistant Director
(503) 655-8521 DON D. BROADSWORD
Operations Director
DAVID J. ABRAHAM
Utilities Director
DAVID R. SEIGNEUR
Planning Director
JOHN C. McINTYRE RICHARD L. DOPP
Director Development
Services
Administrator

Subject: File No. 415-80-SM

Dear Doug:


I have reviewed your application for annual renewal of a Surface Mining Permit to include discussions with Ron Stangel of the Planning Division and Paul Lawson of the State Department of Geology and Mineral Industries. Given the scope of your mining operation determined by the county's July 3, 1979 letter and the information contained within your renewal application, the proposed use of your property does not come under the requirements of Clackamas County's Surface Mining Ordinance. Specifically, that does not apply to excavation by a land owner or tenant primarily for the purpose of constructing or maintaining an access road, farming, operating a cemetery, or on site construction. If the nature of your proposal changes in any way, it may come under a Conditional Use and Surface Mining Permit.

Enclosed is your Grant of Total Exemption from the requirements of the Surface Mining Ordinance. We are also refunding your application fee of \$195.00 since your Surface Mining Permit does not need to be renewed.

A copy of this letter, your Total Exemption and the county's July 3, 1979 letter is being sent to the State Department of Geology and Mineral Industries. They will review this material with respect to a refund of your reclamation bond.

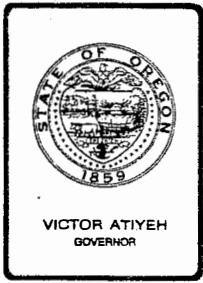
If you have any questions or would like to discuss this matter further, please do not hesitate to contact me.

Sincerely,


Gary Naylor, Senior Planner
Planning Division

GN/eb
Enclosure





Department of Geology and Mineral Industries

1129 S.E. SANTIAM ROAD, ALBANY, OREGON 97321 PHONE (503) 967-2039

March 19, 1980

Wells-Reed-Wood-West Company
415 Morgan Building
Portland, Oregon 97205

Dear Mr. Reed:

This acknowledges receipt of your notice of cancellation or non-renewal of Bond No. 156 17 18 effective 5-01-80 concerning K. Douglas Sandy, P. O. Box 315, Sandy, OR 97055.

Sincerely,

Paul F. Lawson
Acting Supervisor
Mined Land Reclamation

PFL/bjd

BEFORE THE DIVISION OF STATE LANDS
OF THE STATE OF OREGON

RECEIVED
SEP 23 1979
DEPT OF GEOLOGY
& MINERAL INDUSTRIES

In the Matter of the Application)
of the Clackamas Soil and Water)
Conservation District to Construct)
Erosion Control Facilities on the)
Banks of the Sandy River Near)
Sandy, Oregon)

FINDINGS OF FACT
OPINION
ULTIMATE FINDINGS OF FACT
CONCLUSIONS OF LAW
ORDER

This matter came on for hearing on July 27, 1979, at Oregon City, Oregon, before Delbert Weaver, Hearings Officer, sitting for the Director of the Division of State Lands. William S. Cox, Director of the Division of State Lands, was not present but has reviewed and considered the record before entering this Order.

Applicant, Clackamas Soil and Water Conservation District, was represented at the hearing by its Chairman, Neal Thompson. Petitioners, Douglas and Floy Sandy, were represented by Timothy V. Ramis. Clarence R. Kruger, Assistant Attorney General, represented the State of Oregon.

The purpose of the hearing was to consider the objections of Douglas and Floy Sandy to the issuance of Division of State Lands permits numbers SP 1393 and SP 1624. Specifically, Petitioners object to the part of SP 1393 which authorizes work to be performed at "Site 1" located directly across from their property on the Sandy River.

Under permit SP 1393 Applicant is authorized to construct five "jetties" on the left bank of the Sandy River to protect properties owned by Frances Marsh, Richard Surface, and Ted Pietz from erosion during high river flows.

Under permit SP 1624, Applicant is authorized to construct seven "rock deflectors" on the left bank of the Sandy River immediately upstream of the five jetties authorized under SP 1393. The "deflectors" are to protect properties owned by Frances Marsh, Douglas Selig, and Steven Norell.

All rulings of the Hearings Officer have been reviewed and found to be proper and correct. Specifically, the ruling relating to access is correct.

General condition one of permits SP 1393 and SP 1624 states:

1. This permit does not authorize trespass on the lands of others. The permit holder shall obtain all necessary access permits or rights of way before entering lands owned by another.

The Division of State Lands has no obligation to consider the access needs of Applicant at all. The removal-fill law speaks only to the environmental and natural resource impacts. Obtaining permission to enter upon private lands to perform work authorized by permit is the responsibility of the permittee.

FINDINGS OF FACT

1. The Division of State Lands issued SP 1393 on November 29, 1978. This permit (State's Exhibit No. 10) authorized work at several sites on two rivers, including construction of five "jetties" on the east bank of the Sandy River across from Petitioners' property.

2. The Division of State Lands issued SP 1624 on July 5, 1979. This permit (State's Exhibit No. 1) authorized seven "deflectors" on the east bank of the Sandy River just upstream of the five jetties authorized by SP 1393.

3. These projects were planned and designed by the staff of the Soil Conservation Service of the U. S. Department of Agriculture. The work is to repair damage resulting from a particularly high stream flow period in December 1977.

4. Each of the jetties (SP 1393) will contain about 60 cubic yards of rock. Each will be "keyed" into the existing bank approximately five feet to prevent water from flanking structures. The jetties will not extend into the water except at high flows when such extension will be about 10 feet. The drawings which accompanied the permit applications (State's Exhibits 1, 10, and 16) are typical sections and are not intended to show the actual dimensions of the proposed structures (Testimony of Ed Olmsted).

5. Deflectors (SP 1624) are neither jetties nor riprap (stone or rock blanket); a deflector is a "rough spot" on the river bank. Deflectors serve to keep the fast water that causes erosion just far enough away from the bank so erosion will not occur. Deflectors are keyed into the bank in the same manner as jetties (Testimony of Ed Olmsted).

6. The project authorized by SP 1393 has been approved by Clackamas County and is consistent with the Comprehensive Plan.

7. The project authorized by SP 1624 had not been considered by Clackamas County at the time of the hearing on this matter.

8. Petitioners Douglas and Floy Sandy own and occupy land lying across the Sandy River from the proposed projects. Petitioners own about 1,200 feet of Sandy River frontage.

9. A portion of petitioners' river frontage is a sand and gravel beach. The beach is used for recreational purposes by the Sandy family, their guests, and to some extent, by some uninvited members of the public.

10. The Sandy River supports populations of resident and anadromous fish.

11. The Sandy River is used for recreation purposes by fishermen, swimmers, sunbathers, and boaters.

OPINION

There are two kinds of bank protection and stabilization facilities -- structural and non-structural.

Non-structural techniques include bank sloping and revegetation which are most often used in areas of less severe erosion or to protect low value lands. These techniques are quite easy to use and should be "standard operating procedures" for every person who owns land along a stream or river.

Structural methods involve construction of revetments, jetties, deflectors, groins, and various other structures to protect land from loss through erosion. Such methods offer more certain protection against erosion; are more expensive; more disruptive to adjacent lands and waters; and more controversial. Often, the associated impacts are more severe and more unpredictable. "Owners liability" is frequently more determinable. Structural techniques often require professional design, and, because of cost, are usually associated with structures or high value lands.

Based on knowledge, experience, and policy, the state and federal resource agencies recommend the use of jetties and deflectors whenever the use of such structures is engineeringly sound.

It is the policy of the Division of State Lands to authorize structural protection only in instances where non-structural methods will not work properly or adequately or where structures are endangered. It is our opinion that structural means of protection are appropriate in this instance because of the homes and residential property involved. It is also our opinion that jetties and deflectors are the most effective and appropriate means of providing bank protection to the subject area. Bank line and in-stream disruption will be minimal.

In this case, jetties and deflectors have the following advantages and benefits over riprap revetments:

1. lower cost because less rock is used
2. less destruction of riparian vegetation essential to fish and wildlife
3. less alteration of current and flow patterns because jetties and deflectors do not have as great a tendency as revetments to "direct" flow against the other side of the stream
4. the cost of constructing jetties and deflectors is consistent with the nature of the structures and property involved

Petitioners Douglas and Floy Sandy object to the construction of the proposed facilities on the grounds that the structures will force the main current against their river bank, thereby causing loss or damage to their property through erosion. During her testimony Floy Sandy described instances where, in her opinion, jetties and other shore protection devices had been installed with adverse effects. Petitioners' concern about the project appears to stem from such knowledge; however, no evidence was received to support Petitioners' position that the structures would damage their property through erosion.

The Sandys' concerns can probably never be completely allayed because there is always some degree of uncertainty in dealing with rivers. If the jetties and deflectors are installed -- and work as anticipated -- no damage should occur to the Sandys' property. In that case, the only impact would be esthetic in that the structures would be visible from the Sandy property. Esthetics are not a primary issue for consideration under the removal-fill law.

Issuance of permits SP 1393 and SP 1624 is affirmed.

ULTIMATE FINDINGS OF FACT

1. The projects, as permitted under SP 1393 and SP 1624, will not unreasonably interfere with navigation, fishing, or public recreation.

2. The proposed projects conform to sound policies of conservation in that the proposed bank treatment is not excessive relative to the structures and property protected. Fishery and wildlife resources will not be adversely affected to an unreasonable degree.

3. The proposed projects will not interfere with or endanger public health or safety.

4. The proposed projects will not cause erosion of Petitioners' property if the structures are properly installed.

5. The proposed projects are in conformance with existing public uses of the area in that stream bank protection is an appropriate activity at this location and will not unreasonably interfere with other public uses.

6. The project permitted under SP 1393 is consistent with the duly enacted land use plan for the area. The SP 1624 project has not yet been reviewed by County officials but is similar to the SP 1393 project.

7. SP 1393 and SP 1624 do not authorize trespass upon private lands, including lands under the Sandy River.

CONCLUSIONS OF LAW


The projects as permitted under SP 1393 and SP 1624 are consistent with ORS 541.605 through 541.695.

ORDER

The issuance of SP 1393 and SP 1624 is affirmed subject only to the approval of Clackamas County Planning officials for the work to be done under SP 1624.

Dated this 25th day of September, 1979.

DIVISION OF STATE LANDS


William S. Cox, Director

NOTICE: You are entitled to judicial review of this Order. Judicial review may be obtained by filing a petition for review within 60 days from the service of this Order. Judicial review is pursuant to the provisions of ORS Chapter 183.

TO Stan
DATE 7/26/79 TIME 7:33

WHILE YOU WERE OUT

Doug Sandy CALLED
OF _____
PHONE 668-4784

TELEPHONED	<input checked="" type="checkbox"/>	IN PERSON TO SEE YOU	
PLEASE CALL		WANTS TO SEE YOU	
WILL CALL AGAIN		RETURNED YOUR CALL	<input checked="" type="checkbox"/>

MESSAGE No message

TAKEN BY JA

TO Stan
DATE 7/25/79 TIME 10:35

WHILE YOU WERE OUT

Doug Sandy CALLED
OF _____
PHONE _____

TELEPHONED	<input checked="" type="checkbox"/>	IN PERSON TO SEE YOU	
PLEASE CALL	<input checked="" type="checkbox"/>	WANTS TO SEE YOU	
WILL CALL AGAIN		RETURNED YOUR CALL	

MESSAGE important
that he gets hold
of you.

TAKEN BY _____

- called returned 4:30 P.

TO Stan ^{7/25/79} ~~not home~~
DATE 7/24/79 TIME 1:47

WHILE YOU WERE OUT

Doug Sandy CALLED
OF _____
PHONE 668-4784

TELEPHONED	<input checked="" type="checkbox"/>	IN PERSON TO SEE YOU	
PLEASE CALL	<input checked="" type="checkbox"/>	WANTS TO SEE YOU	
WILL CALL AGAIN		RETURNED YOUR CALL	

MESSAGE He needed Paul
for a hearing on
Friday but Paul
won't be here. He
asked if either you or Paul
has a background in
hydrology.

TAKEN BY VS

TO

Star

DATE

7/26/79

TIME

11:20

WHILE YOU WERE OUT

Dag Sandy

CALLED

OF

PHONE

TELEPHONED

✓

IN PERSON TO SEE YOU

PLEASE CALL

WANTS TO SEE YOU

WILL CALL AGAIN

RETURNED YOUR CALL

MESSAGE

Wants you to call
 Mr. Tim Ramis, Attorney
 222-4402 or Ed Sullivan
 if Ramis isn't in. Ramis
 will explain about a
 letter Sandy wants you

TAKEN BY



To write to the P.S.L.
stating what authority
Paul has as ~~far~~ far
as hydrology goes.





STATE OF OREGON

INTEROFFICE MEMO

TO: File

DATE: July 26, 1979

FROM: Standley L. Ausmus

SUBJECT: Doug Sandy file #03-0109

After several calls from Mr. Sandy on July 24, 25, and 26 to Paul and myself none of which were returned because of our absences from the office on those dates I called Mr. Tim Ramis, attorney for Mr. Sandy (222-4402) at Mr. Sandy's request.

Mr. Ramis' request was that we prepare a letter specifying or detailing Mr. Lawson's expertise in the field of hydrology to support his statements on the water project permit review form dated May 22, 1979 for Division of State Lands permit #SP-1393. Mr. Ramis wanted these supportive statements for use in the hearing Friday, July 27.

I advised Mr. Ramis that Mr. Lawson was not a professional hydrologist, but that he is a professional geologist with an extensive background in natural resources and conservation fields. I stated further that he is an experienced field observer and the review comments which he forwarded to the Division of State Lands on June 4, 1979 were his own best judgement based upon his experience in the field. Beyond these statements I declined to provide a written document and advised Mr. Ramis that Paul's review comments could stand on their own merits as a part of the normal agency review process.

I advised Mr. Ramis that the agency having jurisdiction, in this case the Division of State Lands, would be the agency with the decision making authority and these comments were submitted as part of the review solicitation. I further advised that I would not permit this office to be involved in an interagency conflict in this matter. He stated that he appreciated that position and would accept it.



PFL.

Board turns down request for mining

OREGON CITY — The Clackamas County Board of Commissioners have denied a request for a rock and gravel mining operation near Dodge Park in the Sandy area.

Commissioners rejected the proposal, submitted earlier this year by Douglas Sandy, for a conditional use permit to allow "surface mining" of rock and gravel on Sandy's own property, a proposal which met stiff opposition from residents of the area during a series of meetings before the county hearings officer.

Residents complained that the mining facility would be too noisy, would harm wildlife and cause too much rock dust and traffic in the area.

DIVISION OF STATE LANDS
1445 State Street
Salem, Oregon 97310
Phone: 378-3059

RECEIVED

JUN 18 1979

Date: June 14, 1979

DEPT OF GEOLOGY
& MINERAL INDUSTRIES
WATERWAY PROJECT
PERMIT REVIEW

Corps Public Notice No. 071-OYA-4-003370 Div. of State Lands No. SP 1624

Applicant: Clackamas Soil & Water Conservation District

Please return your comments to the Division of State Lands by: June 25, 1979

Application involves: () Coastal Zone () Fill () Riprap () Easement
() Removal () Structure () Lease

We have reviewed the above Corps Notice/Permit Application and offer the following comments:

- () A _____ permit is required by this agency.
- () We do not believe the project would have an adverse effect.
- () We believe the effects of this project, although measurable, would be acceptable.
- () We believe the project would be acceptable if methods of construction were altered as listed below.
- () We would attend a conference with the applicant to seek project alternatives.
- () The project is unacceptable as proposed (explained).
- () We have no comment.

Comments:

The observations submitted relative to SP 1393 are also applicable to this proposal.

Paul F. Lawson
Paul F. Lawson
Field Representative
MLRD, DOGAMI

Agency Geology

By _____

Date June 21, 1979



DEPARTMENT OF THE ARMY
PORTLAND DISTRICT, CORPS OF ENGINEERS
P. O. BOX 2946
PORTLAND, OREGON 97208

NPPND-RF-1

11 June 1979

PUBLIC NOTICE
071-OYA-4-003370
BANK PROTECTION

SANDY RIVER - MILE 20.4 - IN CLACKAMAS COUNTY, NEAR SANDY, OREGON

Interested parties are hereby notified that application has been made for a Department of the Army permit for work in navigable waters of this Engineer District under the provisions of Section 404 of the Clean Water Act of 1977 (P.L. 95-217).

Name of Applicant: Clackamas Soil & Water Conservation District,
256 Warner Milne Road, Oregon City, Oregon 97045, telephone (503) 657-1141.

Character and Purpose of Work: To construct seven rock deflectors along approximately 800 linear feet of bankline as shown on the attached drawings marked 003370 (Sandy River-Bank Protection). The rock deflectors will require the total placement of approximately 1,206 cubic yards of angular rock riprap. The quantity breakdown for each respective deflector is shown on Sheet 4 of 4. The rock will be obtained from a nearby quarry, and trucked in to the proposed construction site. The purpose of the rock deflectors is to provide erosion-control for the bankline.

Additional Information: Additional information may be obtained from Ed Olmsted (SCS) Clackamas Soil & Water Conservation District, 256 Warner Milne Road, Oregon City, Oregon 97045, phone (503) 657-1141, or Ron Marg, Permit Coordinator, U. S. Army Corps of Engineers, P. O. Box 2946, Portland, Oregon 97208, phone (503) 221-6995.

The requested permit, if issued, will be subject in part to the following conditions:

- aa. All construction debris will be disposed of on land in such a manner that it cannot enter into the waterway.
- bb. Care will be taken to prevent any petroleum products, chemicals or other deleterious materials from entering the water.
- cc. Slope of the riprap, bank, or excavation, etc., will be no steeper than 1-1/2 feet horizontal to 1 foot vertical.

(Cont'd on Page 1a)

NPPND-RF-1
071-OYA-4-003370

Special Conditions Cont'd.

dd. Only clean, durable riprap will be used.

ee. All areas along the bank disturbed or newly created by the construction activity will be seeded, sodded, revegetated, or given some other equivalent type of protection against subsequent erosion.

ff. When the District Engineer has been notified by a fishery agency that a filling activity is adversely affecting fish or wildlife resources or the harvest thereof, and when the District Engineer subsequently directs remedial measures, the permittee will comply with such directions as may be received to suspend or modify the activity, to the extent required to mitigate or eliminate the adverse effect.

Endangered Species. Preliminary determinations indicate that the proposed activity will not affect an endangered species, or their critical habitat designated as endangered or threatened, pursuant to the Endangered Species Act of 1973 (87 Stat. 844). Formal consultation pursuant to Section 7 of the Act with the Department of the Interior is not required for this proposed activity.

The latest published version of the National Register of Historic Places has been consulted. It has been determined that the property described is not a registered property, nor is it listed in the latest published version of the Register as being eligible for inclusion therein. This District is not aware of the presence of any cultural resources at the proposed work site.

Additional Requirements: A permit for the proposed work will not be issued until certification, as required under Section 401 of the Clean Water Act of 1977 (P.L. 95-217), has been received from the Oregon State Department of Environmental Quality. State law requires that leases, easements or permits be obtained for certain works or activity in the described waters. These State requirements must be met where applicable, and the Department of the Army permit must be obtained before any work waterward of the ordinary high water line may be accomplished. Other local governmental agencies may also have ordinances or requirements which must be satisfied before the work is accomplished.

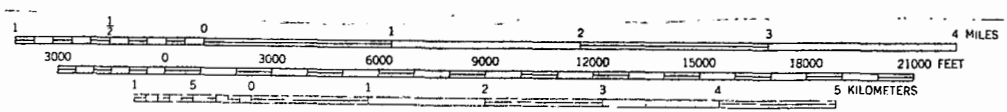
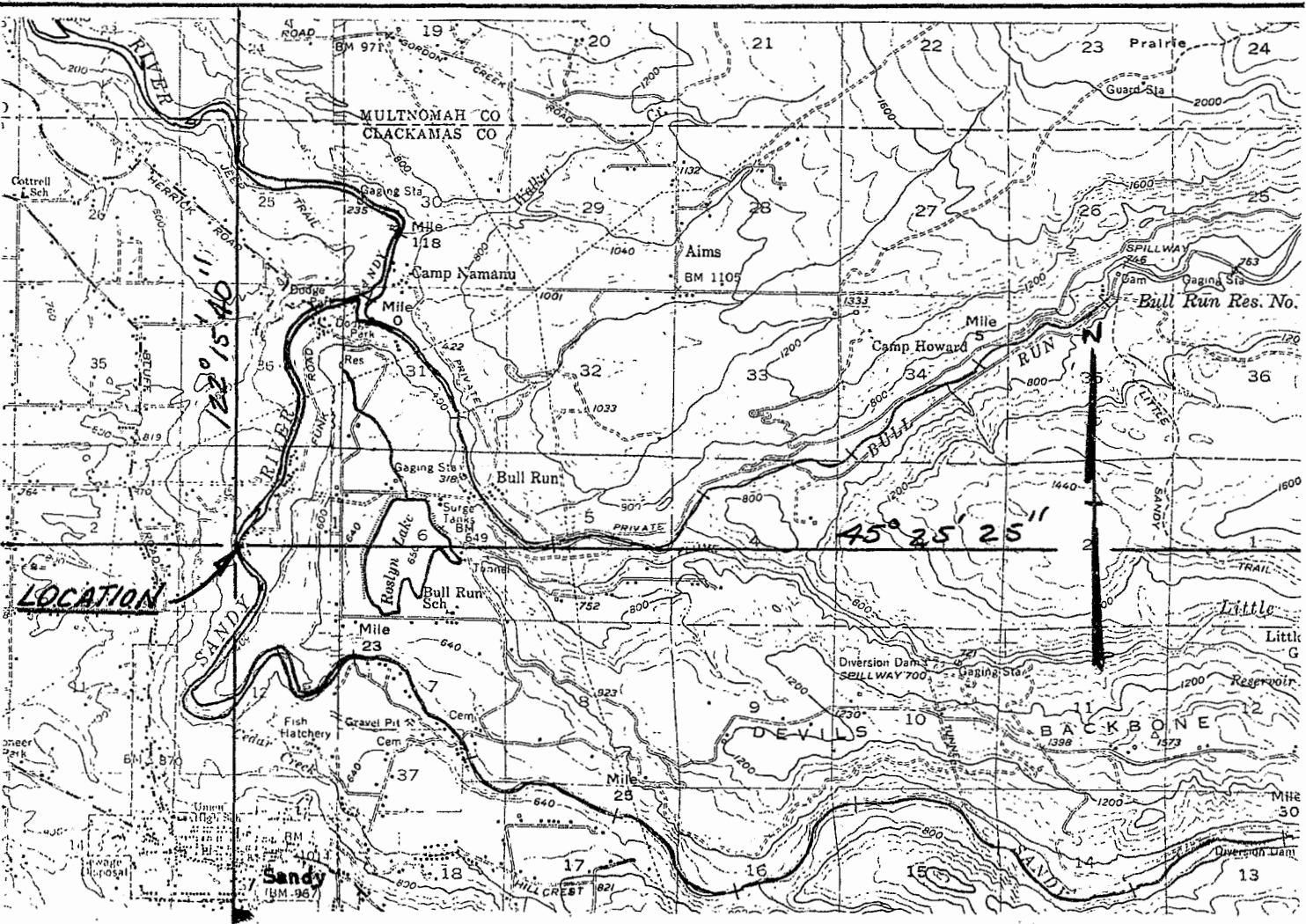
Public Hearing: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Interested parties are requested to submit in writing any comments or objections they may have to the proposed work. The decision whether to issue a permit will be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among these are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use, navigation, recreation, water supply, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people. In addition, the impact of the activity on the public interest will be evaluated by EPA guidelines, under authority of Section 404(b) of the Clean Water Act. No permit will be granted unless it is found to be in the public interest.

A preliminary determination has been made that an environmental impact statement is not currently required for the proposed work.

Replies to this notice should be mailed to reach this office not later than 26 June 1979.


J. HEINEMAN
Chief, Navigation Division



Sheet 1 of 4

Proposed Bank Protection
in Sandy River

at River Mile 20.4

County of Clackamas State Or.
Clackamas Soil & Water
Application by Conservation Dist.

Date 23 May 1979

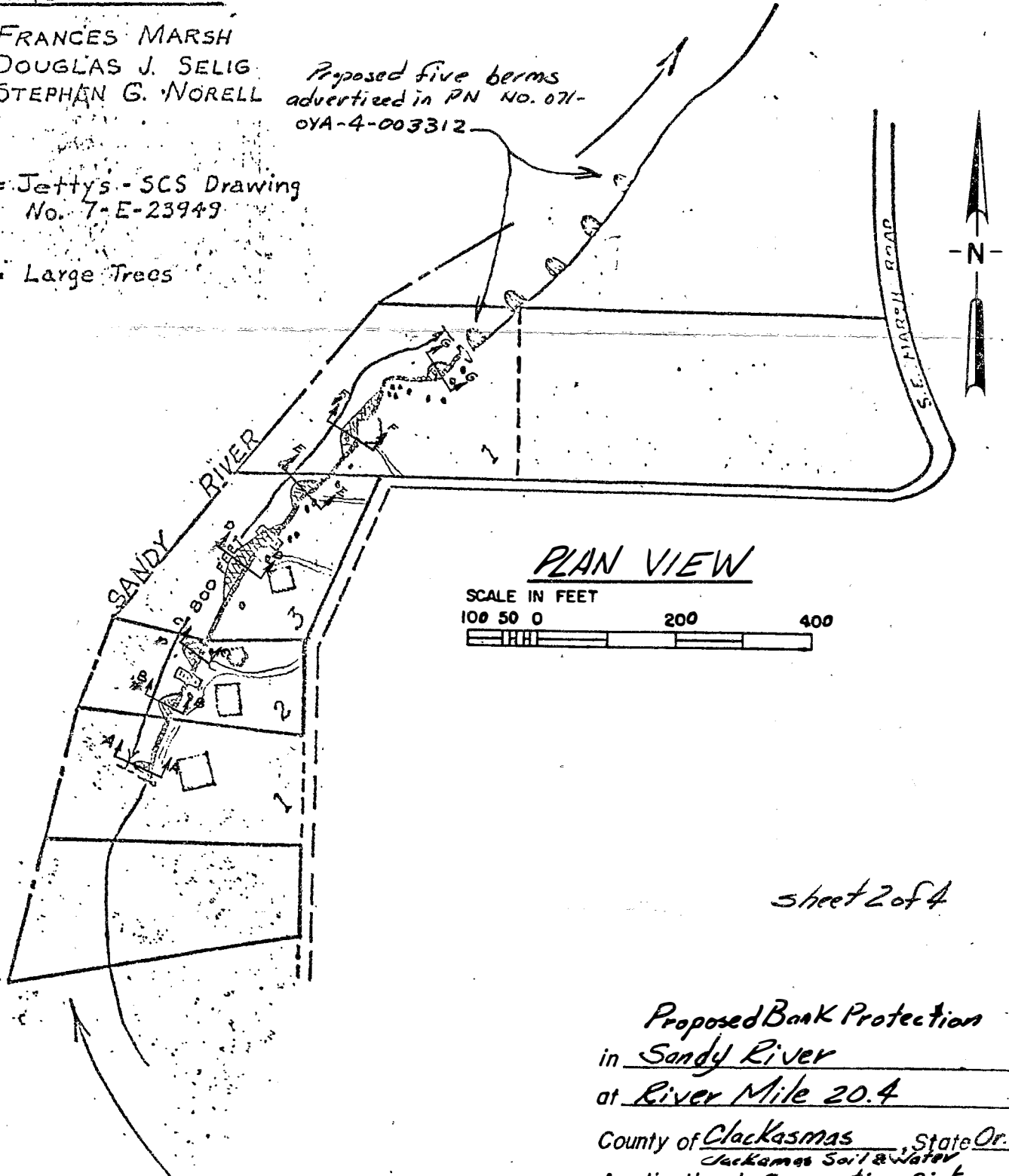
LANDOWNERS

- 1. FRANCES MARSH
- 2. DOUGLAS J. SELIG
- 3. STEPHAN G. NORELL

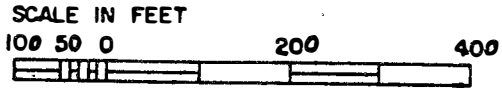
Proposed five berms
advertised in PN No. 071-
0YA-4-003312

Δ = Jettys - SCS Drawing
No. 7-E-23949

• = Large Trees



PLAN VIEW

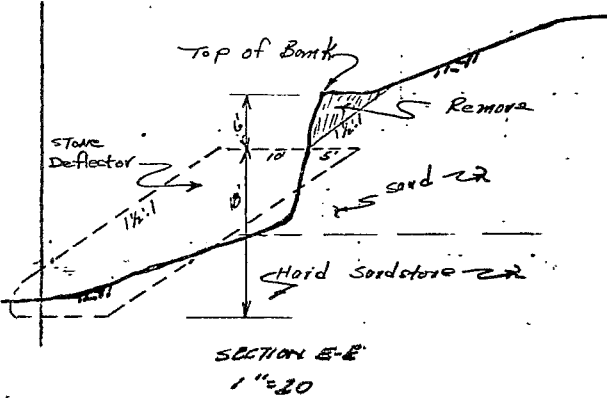
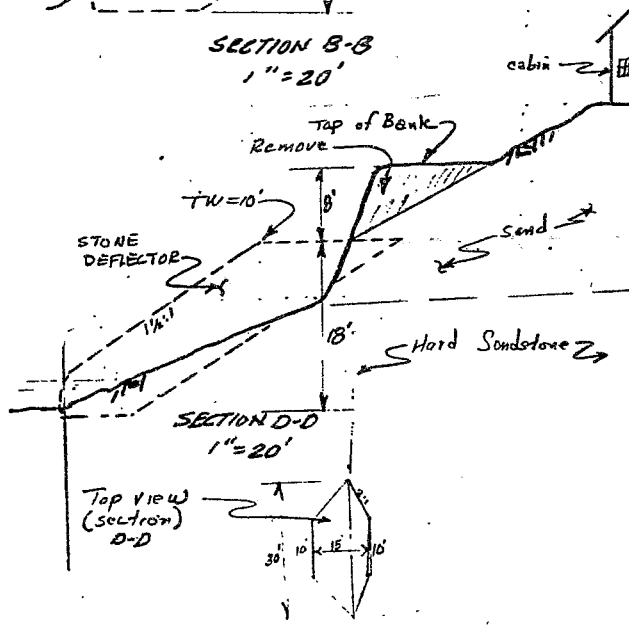
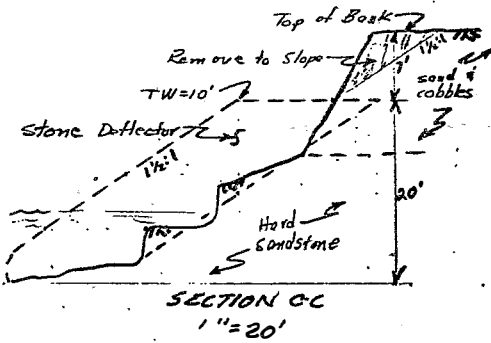
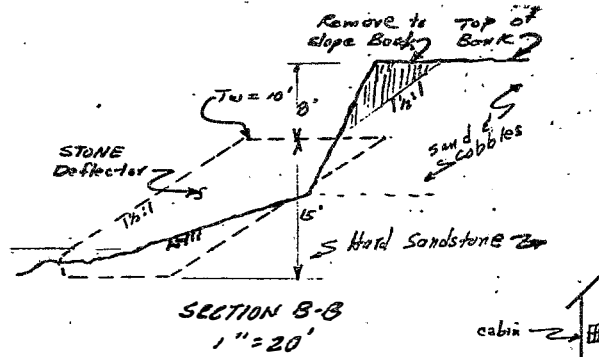
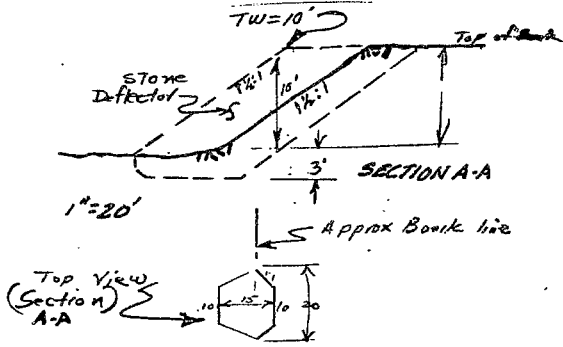


sheet 2 of 4

Proposed Bank Protection
in Sandy River
at River Mile 20.4

County of Clackamas State Or.
Jackamas Soil & Water
Application by Conservation Dist.

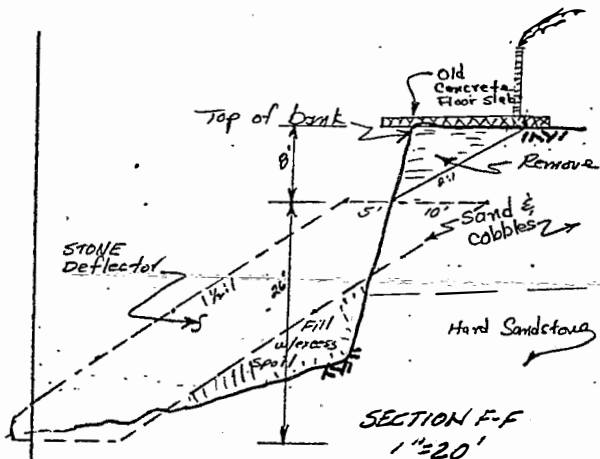
Date 23 May 1979



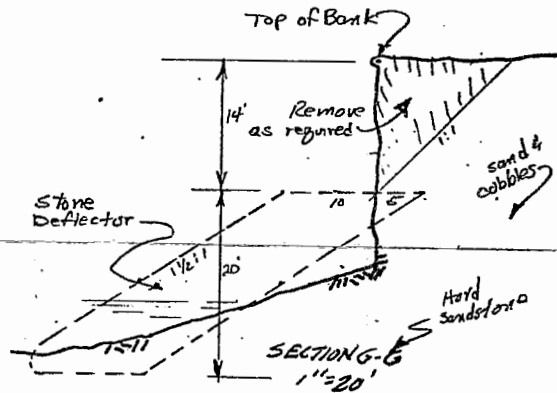
NOTE: Area of section surface in horizontal plane of Sections B-B, C-C & E-E are same as section A-A above.

Sheet 3 of 4

Proposed Bank Protection
in Sandy River
at River Mile 20.4
County of Clackamas, State of Or.
Jackames Soil & Water
Application by Conservation Dist.
Date 23 May 1979



Area of section surface in horizontal plane approx. same as on SECTION D-D



Area of section surface in horizontal plane same as on SECTION A-A

<u>SECTION</u>	<u>C.Y.</u>
A-A	108
B-B	125
C-C	167
D-D	200
E-E	150
F-F	289
G-G	<u>167</u>
TOTAL	1206 C.Y.

Sheet 4 of 4

Proposed Bank Protection
in Sandy River
at River Mile 20.4

County of Clackamas, State Or.
Clackamas Soil & Water
Application by Conservation Dist.

Date 23 May 1979



Department of Environmental Quality

~~1234 S.W. MORRISON STREET, PORTLAND, OREGON 97205~~ Telephone (503) 229- 5358
P.O. Box 1760, Portland, OR. 97207

Public Notice

The following shall constitute public notice by the State of Oregon that the Department of Environmental Quality, pursuant to the requirements of Section 401 of the Clean Water Act of 1977, PL-95-217, has been requested to certify that there is reasonable assurance that the project described in Corps of Engineers public Notice No. 071-OYA-4-003370 will not violate applicable water quality standards. Comments regarding possible water quality effects of the proposed project shall be sent within 30 days to the Department of Environmental Quality, P.O. Box 1760, Portland, OR. 97207; 522 S.W. 5th Avenue, Portland, OR. 97204.

DIVISION OF STATE LANDS
1445 State Street
Salem, Oregon 97310
Phone: 378-3059

JUN - 6 1979

DEPT OF GEOLOGY
& MINERAL INDUS.

Date: May 31, 1979

WATERWAY PROJECT
PERMIT REVIEW

Corps Public Notice No. _____ Div. of State Lands No. SP 1624

Applicant: Clackamas County Soil & Water Conservation District

Please return your comments to the Division of State Lands by: June 20, 1979

Application involves: () Coastal Zone () Fill () Riprap () Easement
() Removal () Structure () Lease

We have reviewed the above Corps Notice/Permit Application and offer the following comments:

- () A _____ permit is required by this agency.
- () We do not believe the project would have an adverse effect.
- () We believe the effects of this project, although measurable, would be acceptable.
- () We believe the project would be acceptable if methods of construction were altered as listed below.
- () We would attend a conference with the applicant to seek project alternatives.
- () The project is unacceptable as proposed (explained).
- () We have no comment.

Comments:

The observations submitted relative to SP 1393 are also applicable to this proposal.

Paul F. Lawson
Paul F. Lawson
Field Representative
MLRD, DOGAMI

Agency Clackamas

By _____

Date June 21, 1979

Send to:

Division of State Lands
1445 State Street
Salem, Oregon 97310

FOR DIVISION USE

Please return by _____
Date Received _____
Per it No. SP 1624
Waterway _____
County _____

APPLICATION FOR REMOVAL OR FILL PERMIT
(ORS Chapter 541.605 et seq.)

Please Print

1. Applicant's Name Clackamas County Soil & Water Conservation District
Address 256 Warner Milne Rd Phone 657-1111
City Oregon City State Oregon Zip Code 97045

2. Project Supervisor's Name _____ Phone _____

3. Property Owner's Name See attached list
Address _____ Phone _____
City _____ State _____ Zip Code _____

4. Waterway affected by project Sandy River Tributary of Columbia
County Clackamas ^{River} Mile 20.3 Section 1 Township 2 S Range 4 E
Local name for project location See attached map

5. Purpose(s) of project Emergency watershed protection

6. Describe your proposed operation (Attach additional sheet if necessary):
Rock deflectors using angular rock rip rap on a 1 1/2 : 1 slope as shown on preliminary plans

7. When will project start? July 1979 Be completed? September 1979

8. Project will be: Re oval _____ Fill _____ Combination _____ Riprap X

9. Fill will consist of: rock _____ gravel _____ sand _____ silt _____ other _____

Removal will consist of: rock _____ gravel _____ sand _____ silt _____ other X
1206

10. Amount of Fill (cu.yds.) annually _____ total project _____

Amount of Removal (cu. yds.) annually _____ total project _____

11. Where will you place surplus aterials? _____

12. What steps do you plan to take to restore the area to its natural condition?

Signed Neal R. Thompson Title Chairman Date May 18-1979

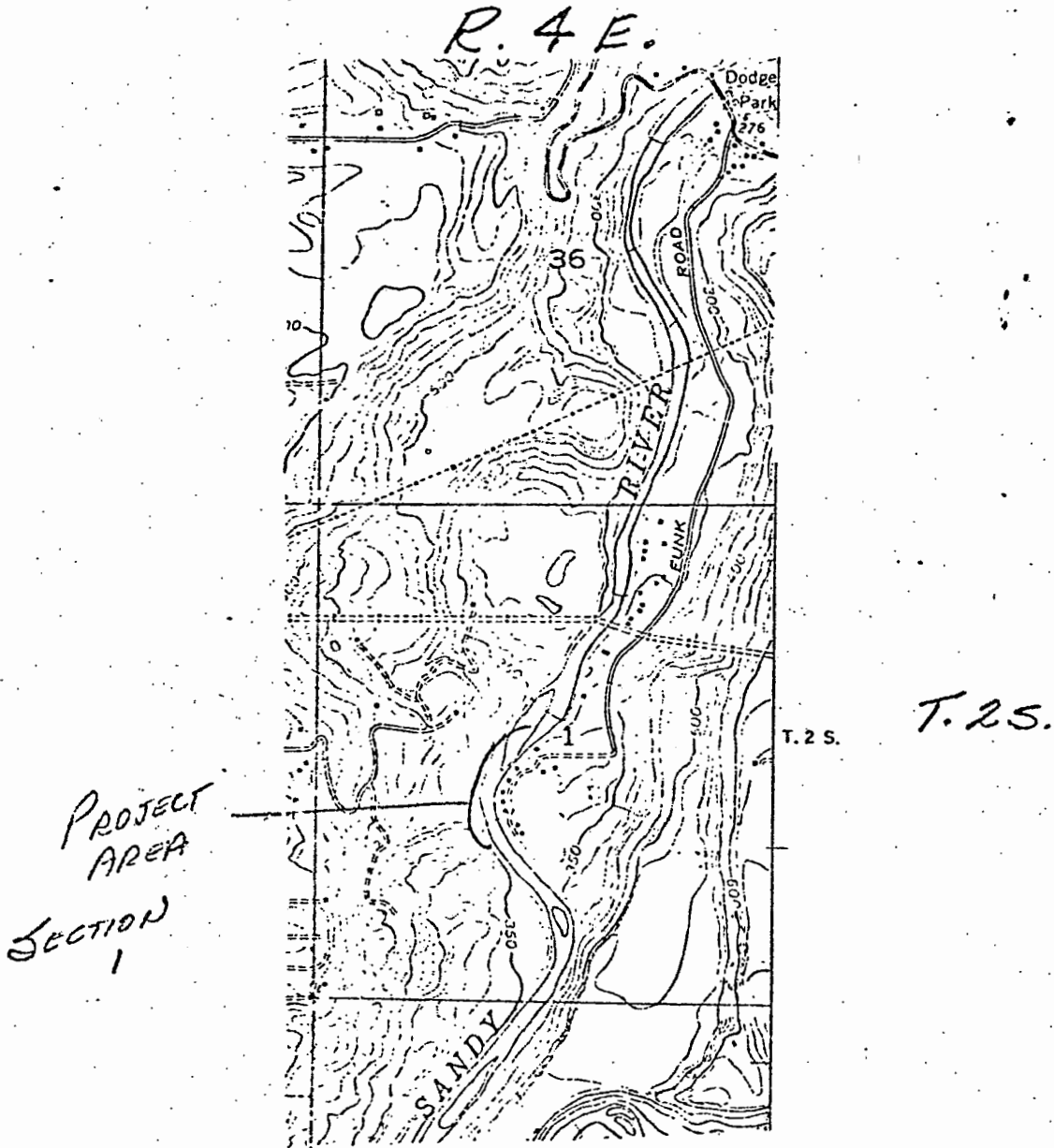
CONTINUED ON BACK OF SHEET

RECEIVED
MAY 24 1979
DIVISION OF STATE LANDS

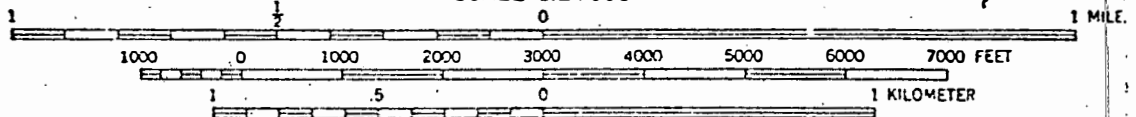
UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

SANDY QUADRANGLE
OREGON

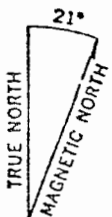
7.5 MINUTE SERIES (TOPOGRAPHIC)



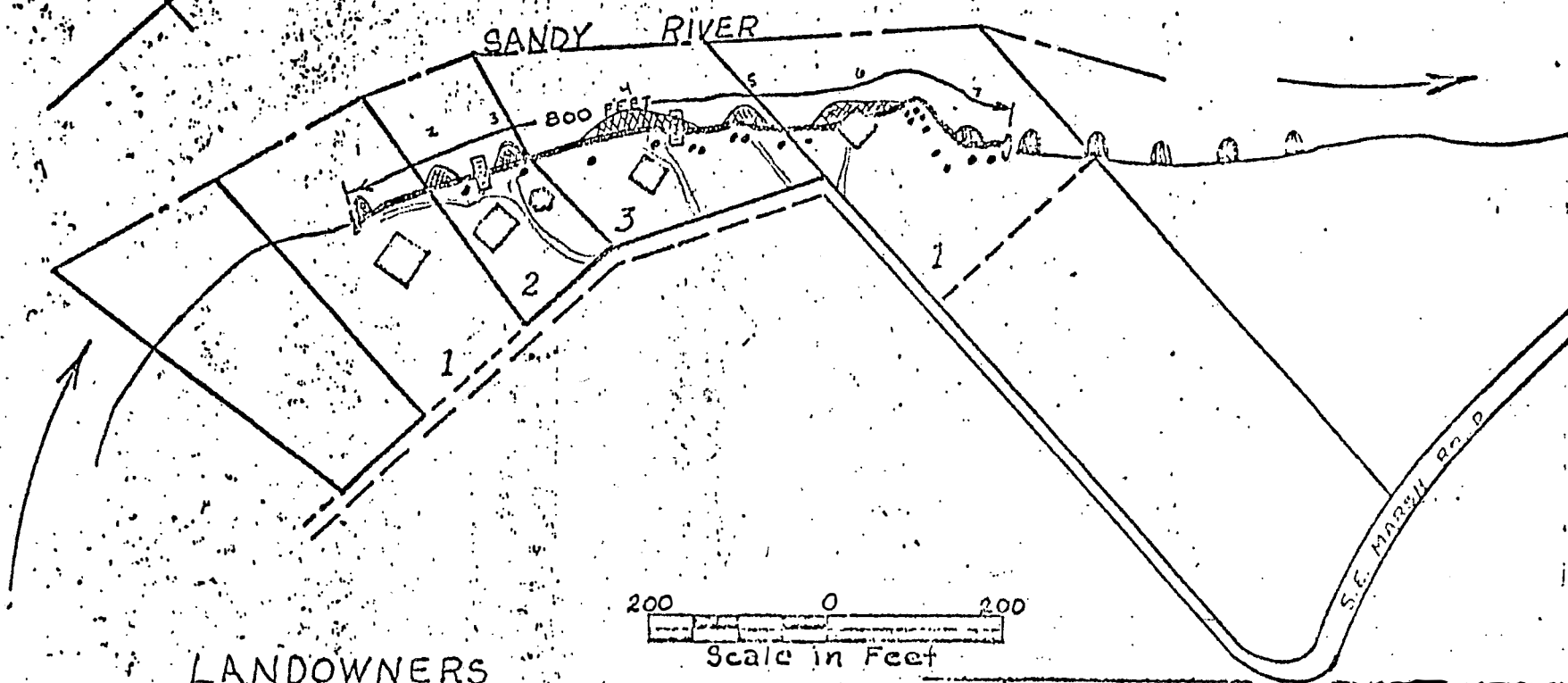
SCALE 1:24 000



CONTOUR INTERVAL 10 FEET
DATUM IS MEAN SEA LEVEL



APPROXIMATE MEAN
DECLINATION, 1961

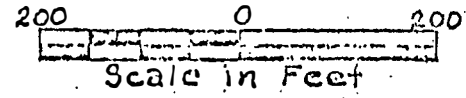


LANDOWNERS

- 1. FRANCES MARSH
- 2. DOUGLAS J. SELIG
- 3. STEPHAN G. NORELL

A = Jettys - SCS Drawing
No. 7-E-23949

• = Large Trees



CLACKAMAS COUNTY EMERGENCY 216-2 SANDY RIVER PLAN			
U.S. DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE			
Designed	R.J.P.	DATE	1-79
Drawn	R.J.P.	DATE	1-79
Traced		Checked	
Checked		Approved by	
		Title	
		Drawing No.	
		No. 1	
		of 2	

OREGON

Clackamas 216-2

R.J.P. 16 Apr 79

Sandy River Design & Quantities

1 7

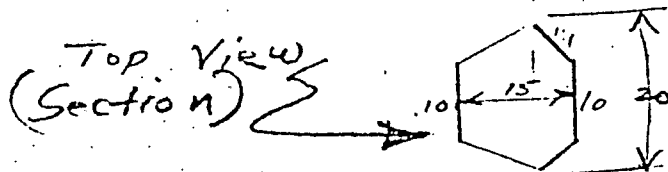
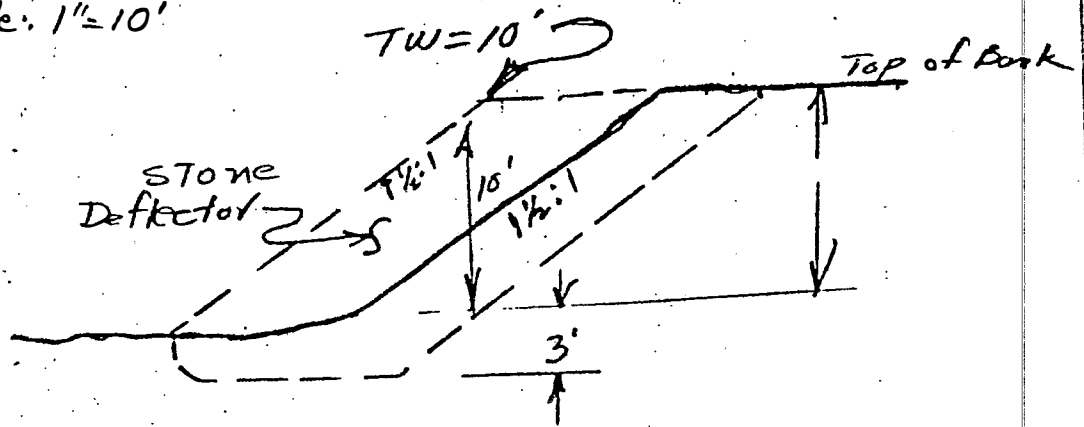
Given: X Sections @ Rock Deflector Sites 1 thru 7 w/stationing (U.S. to D.S.) and land ownership indicated.

Find: Proposed design & rock quantities @ ea. site.

Solution:

Site #1 sta. 0+33 Frances Marsh

Scale: 1"=10'



$$A = 10 \times 15 + \frac{(5 \times 15)^2}{2}$$

$$= 225 \text{ ft}^2$$

$$\text{Rock Vol.} = \frac{(225)(10+3)}{27} = \underline{\underline{108 \text{ C.Y.}}}$$

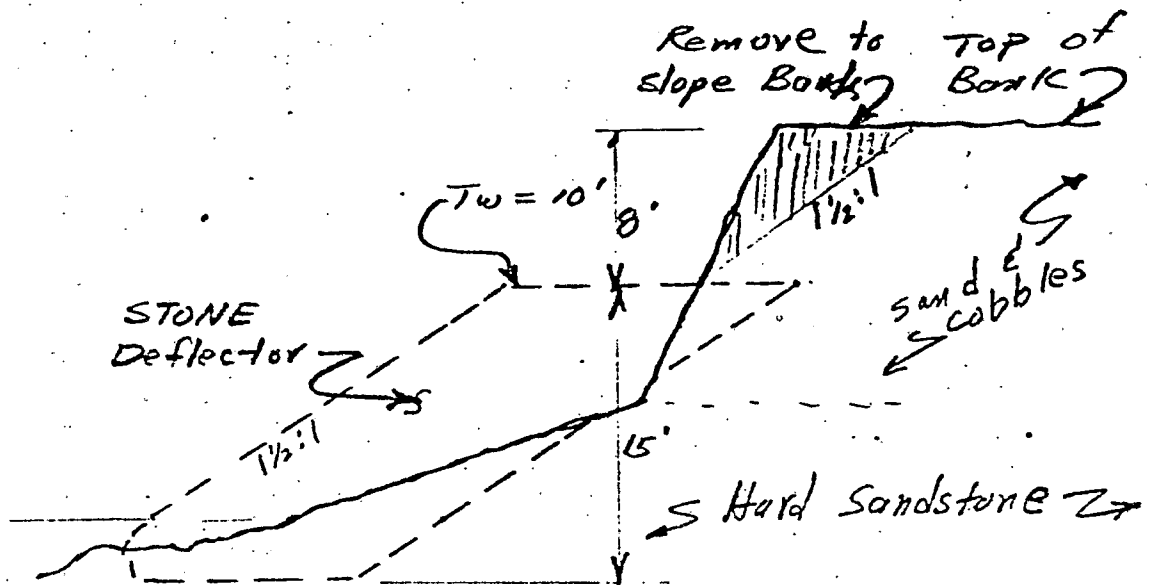
OREGON
R.J.P 16 Apr 79

Clackamas 216-2

2 7

Site # 2 Sta. 1+21 on F. Marsh &
D.J. Selig PL

Scale: 1" = 10'



Area of Section Surface in horizontal
plane same as on Site # 1 i.e. 225 ft²

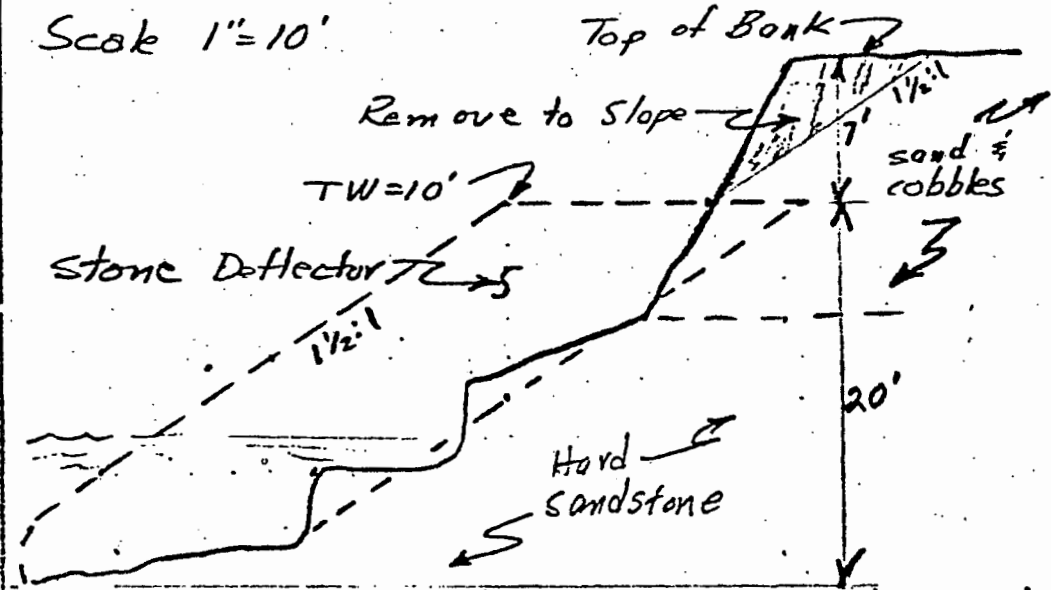
$$\text{Rock Vol.} = (225 \times 15) \div 27 = \underline{\underline{125 \text{ c.y.}}}$$

OREGON
R.J.P. 17 Apr 79

Clockamas 216-2

3 7

Site #3 Sta. 2+00 on Douglas Selig



Remove large stump & debris @ this site

Area of section surface in horizontal plane same as on site #1, i.e., 225 ft²

$$\text{Vol of Rock} = (225 \times 20) \div 27 = \underline{\underline{167 \text{ c.y.}}}$$

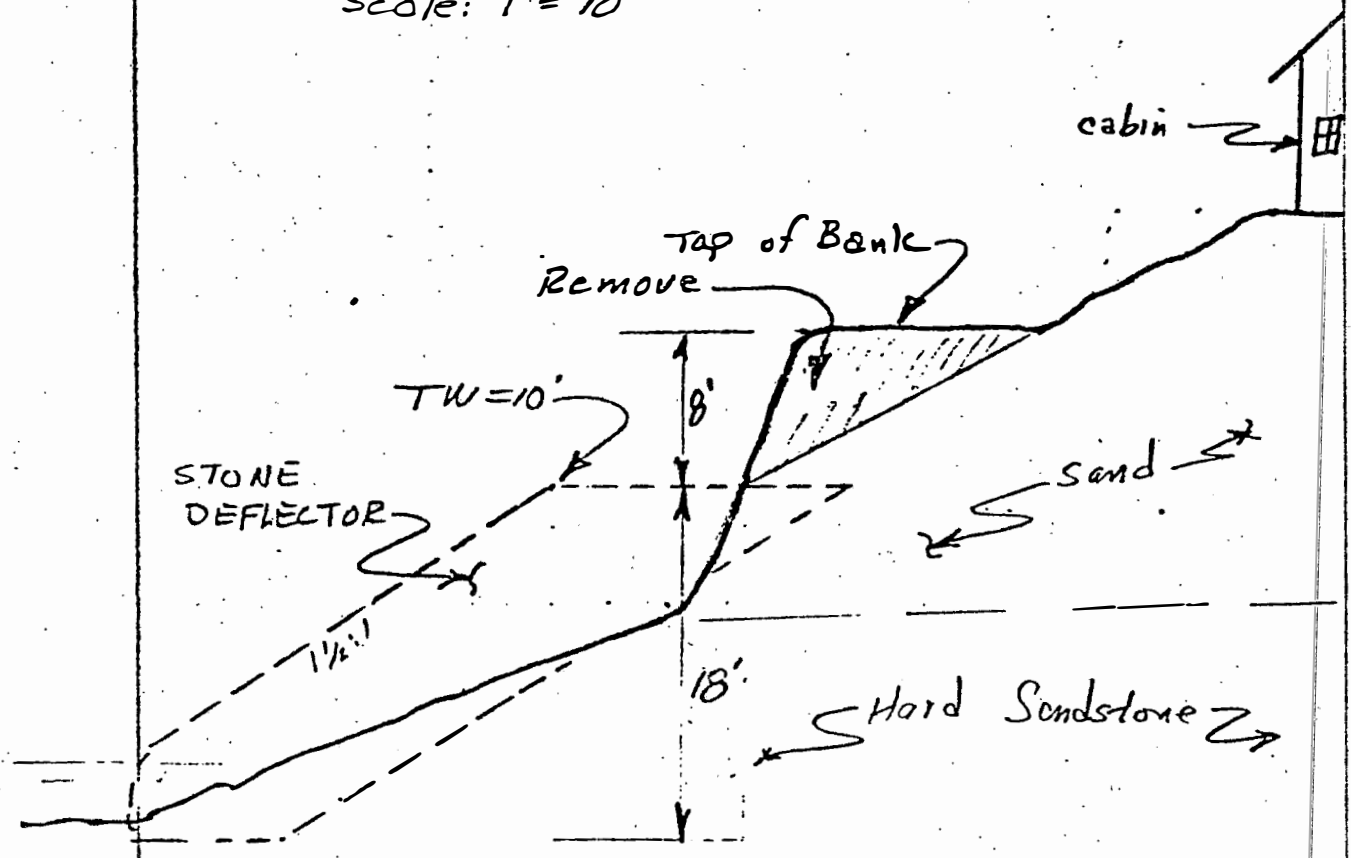
OREGON
R.J.P. 17 Apr 79

Clackamas 216-2

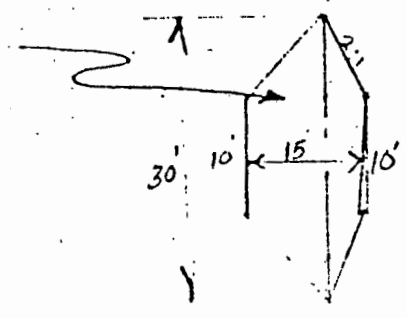
4 7

Site #.4 Sta. 3+10 on Stephan G. Novell

Scale: 1" = 10'



Top view (section)



$$A = 10 \times 15 + \frac{(10 \times 15)}{2} = 300 \text{ ft}^2$$

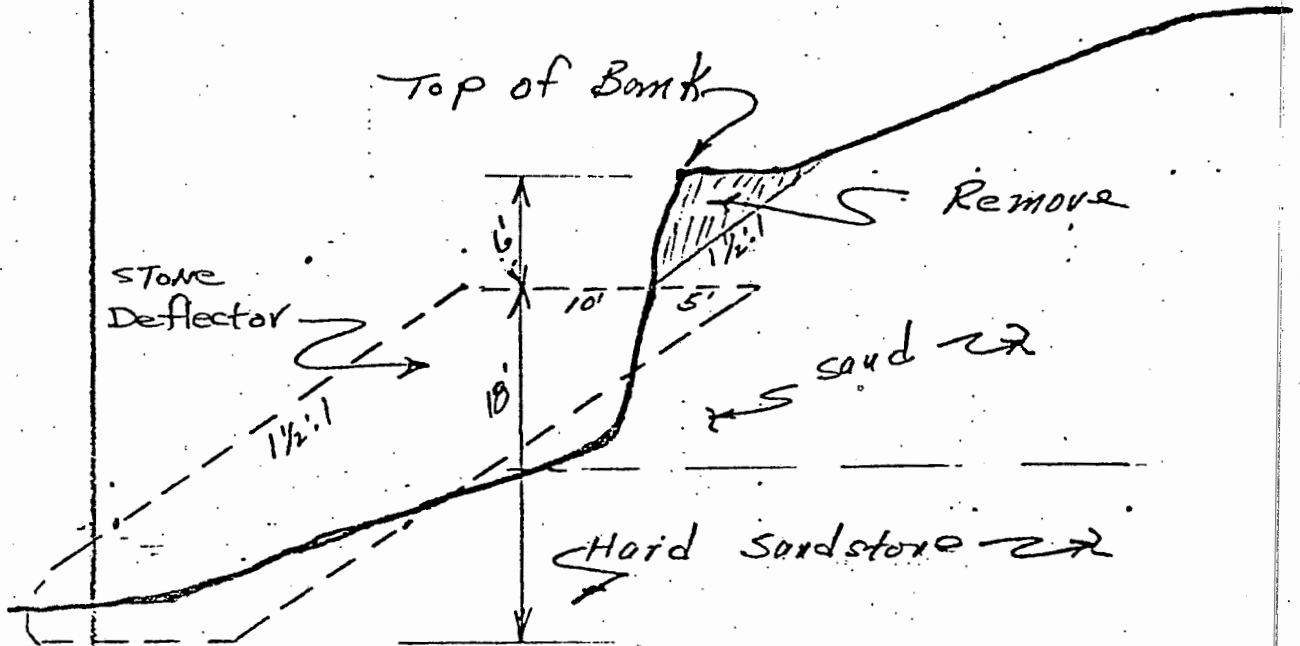
$$\text{Rock Vol.} = \frac{300 \times 18}{27} = \underline{\underline{200 \text{ c.y.}}}$$

OREGON
R.J.P. 17 Apr 79

Clackamas 216-2

5 7

Site #5 Sta. 4+55 on Stephan Norell



Area of section surface in horizontal plane same as on Site #1, i.e., 225 ft²

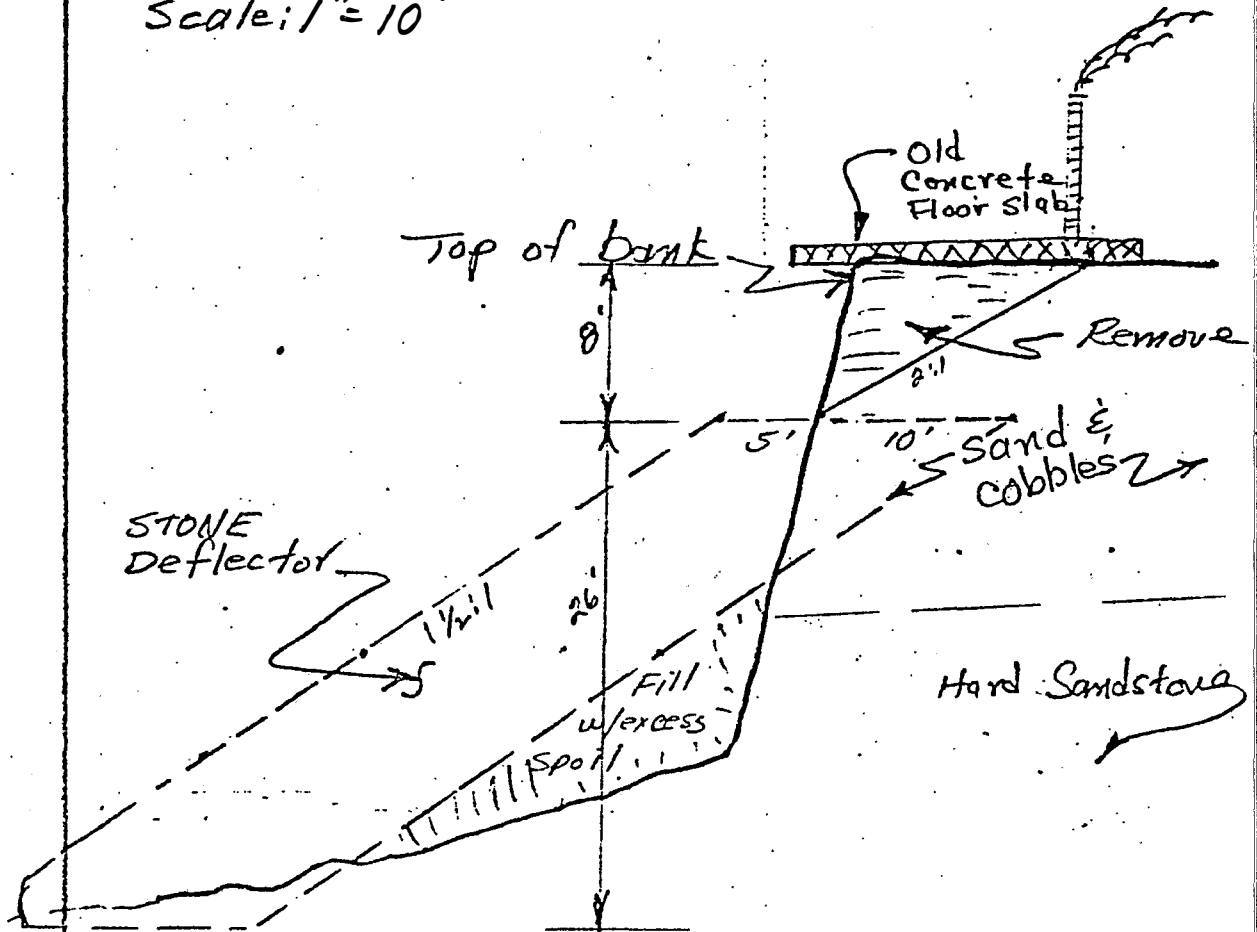
$$\text{Vol. of Rock} = \frac{225 \times 18}{27} = \underline{\underline{150 \text{ c.y.}}}$$

OREGON
R.J.P. 18 Apr 79

Clackamas 216-2

6 7

Site #6 Sta 6+00 on Frances Marsh
Scale: 1" = 10'



Area of section surface in horizontal
plane approx. same as on site #4

$$\therefore \text{Area} \approx 300 \text{ ft}^2$$

$$\text{Rock Vol.} = \frac{300 \times 26}{27} = 289 \text{ cy}$$

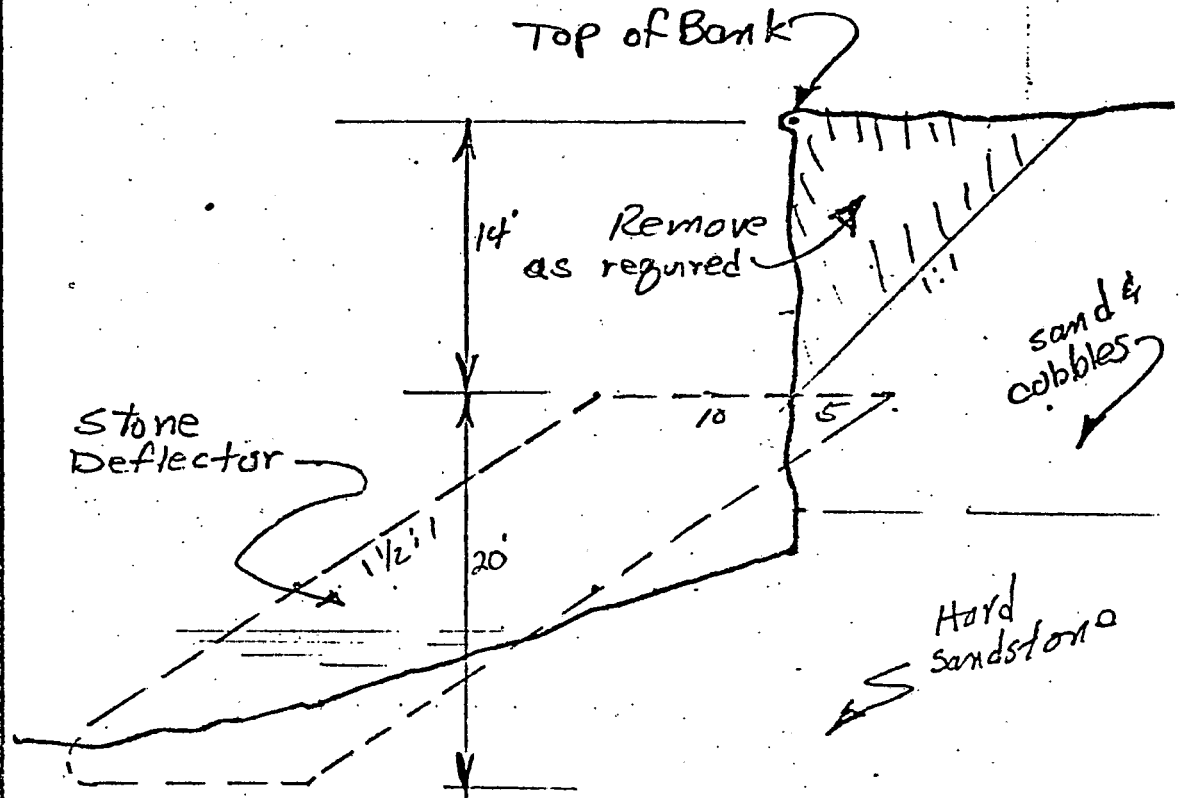
OREGON
R.J.P. 18 Nov 79

Clackamas 216-2

7 7

Site # 7 Sta 7+50 on Frances Marsh

scale 1" = 10'



Area of section surface in horizontal plane same as on site #1, i.e., 225 ft²

$$\text{Vol of Rock} = \frac{(225)(20)}{27} = \underline{\underline{167 \text{ cy.}}}$$

BOARD OF COUNTY COMMISSIONERS
906 Main Street, Second Floor
Oregon City, OR 97045

RECEIVED

JUN -4 1979

DEPT OF GEOLOGY
& MINERAL INDUS.

HEARING - May 7, 1979 - 9:00 a.m.

Attendance:

Commissioner Skoko
Commissioner Schumacher
Commissioner Groener
Dominic Mancini, Planning Staff
Beth Blount, County Counsel
Winston Kurth, DES

DECISION - Douglas Sandy
39001 SE Serban Road
Sandy, OR 97055 CU-141-78

Request: Develop approximately 10 acres with a mining operation to include removal, screening, washing and crushing

Location: Northeast end of Servan Road approximately 1 mile northeast of its intersection with Bluff Road, Sandy area

History: This matter was heard by the Board on April 23, 1979 and continued until today for decision only. In the interim, the Board will view the property

Commissioner Skoko: The Board has visited the site and in addition to that we have a request from Douglas Sandy, through his attorney, that additional evidence be allowed to be presented at this time.

Commissioner Groener: Mr. Chairman, the question I have - the problem is, as I understood, is that this was set for decision only at 9 a.m. Is that correct?

Commissioner Skoko: Yes, however; in your absence . . .

Commissioner Groener: The point is, if you are going to accept additional testimony at any time, it seems to me that would have to reopen the hearing in all fairness - and allow rebuttal time and we would then be going into next week or the following week. That would be my position.

Commissioner Schumacher: The motion, as I understand it, is based on the affidavits of one of our staff members and someone else - Mr. Sandy and Mr. Kato, who is with the Planning staff. The motion is that we reconsider - admitting the rock material resource study for Clackamas County. I think this is based on the fact that one of the findings, one of the conclusions made by the Hearings Officer was that was that this particular action would be detrimental to

the Comprehensive Plan and especially in the absence of a study available for mineral resources called for in the Plan, our Comprehensive Plan - and his parting line, his bottom is - especially since reasonable sites are unknown, so I think one of the material rationale given by the Hearings Officer was the absence of the study. I think what they are asking for is that this Board be allowed to read this study, or that they be allowed to introduce it.

Commissioner Groener: Has to consider the equity here. I can't consider having Mr. Sullivan here without having Mr. Brockley here. Seems to me that we have raised that issue enough. If you are going to argue it, I would ask that it not be argued now and that we reset this so that the lawyer for the opposition have the opportunity to hear it and respond.

Mr. Sullivan: Mr. Chairman, we don't intend to argue the motion. (Motion has been served upon Mr. Brockley last Thursday.)

Discussion regarding setting a new time for consideration of the motion, and if any weight has been placed on that portion of the Hearings Officer in considering a decision on this matter. Commissioner Skoko stated that he did not believe the request was of any significance at this time based upon previous history of the general area, terrain adjacent to and about the Sandy River. In addition to that, there are various other sources of aggregate available in the area. Commissioner Schumacher we do something about the motion, approve or deny it.

Commissioner Groener: Mr. Chairman, I move denial of the motion.

Commissioner Schumacher: Second.

Commissioner Groener: Aye
Commissioner Schumacher: Aye
Commissioner Skoko: Aye

Commissioner Groener: Mr. Chairman, I move we uphold the decision of the Hearings Officer.

Commissioner Schumacher: Second.

Commissioner Groener: Under explanation, my consideration after visiting the site - frankly did not concentrate on the area that I'm sure Mr. Sullivan and the Courts are going to be concerned with that - and that is the aggregate study of our Comp Plan - mineral resources study and just where it's located. I visited that site - and I know I'm not as knowledgeable as Mr. Sandy or Mr. Sullivan, but I'll tell you something, if I lived in that area I was frankly amazed at the beauty. I was born and raised in this County and hadn't been on that road in that area, and down in that area - went across the river and visited that site, several homes on there and the thing I thought about this morning - what if I lived in the area. And that's the criteria I try to use. If I lived in that

area, would I want a rock crusher going, even if it's for a time limited in one of the most pristine areas, now only in this County but in the State of Oregon. That's how I based it. I think the Hearings Officer made the right decision.

Commissioner Schumacher: I'm convinced, of course, that the Hearings Officer made the wrong decision but the outcome is going to be the same and because I am still of the opinion that our Zoning Ordinance does not allow a rock crusher as a conditional use. I would not vote for the motion because of the rationale given by the Hearings Officer but I would deny it based on the fact that a rock crusher is not permitted.

Commissioner Groener: Aye

Commissioner Schumacher: No.

Commissioner Skoko: No. I'm ready for another motion.

Commissioner Schumacher: I am going to move that the Hearings Officer be overruled and that the Conditional Use be denied because a rock crusher is not a conditional use in Clackamas County.

Commissioner Groener: Second for discussion. Just a question of Bob. I realize this is a historical stance. I would appreciate - I really haven't been briefed on that. I think you are talking the Rock Creek Sand and Gravel case.

Commissioner Schumacher: I don't think it's a conditional. I think our Zoning Ordinance is absent - is silent on that subject. For instance it states, if memory serves me correctly, that what you can have is quarrying operations and other similar types pits, which I'm certain the scribes probably intended something more than that. If you look at the case law on the subject, as far as asking if a crusher is a portion of the use of quarrying, you will find there are more cases saying that it isn't that that it is. Simply saying that you have a quarrying operation to automatically get the companion use of a rock crusher, and perhaps a pug mill and few other things that go with them, I say is not covered in our zoning ordinance. I don't think it's covered in our Comprehensive Plan, though the plan comes closer in its wording to indicating because they talk about screening, but they do not designate the rock crusher as part of the conditional use. Now I realize that that is going to have to be tested sometime but I don't believe that it is.

Commissioner Groener: Mr. Chairman, I support the motion, but just again in case this ends up in court, and that's the only leg I have to stand on, I'm not going to allow that. My reason for supporting this motion for the record that it is incompatible in my opinion with the overall Comprehensive Plan for Clackamas County for that area, that the Hearings Officer was correct in his interpretation, and that this almost pristine wilderness area was totally incongruous with a rock crusher operation.

Commissioner Skoko: I will have to explain my position. I am of the opinion that I can more logically support Commissioner Schumacher's motion based on past history of events in Clackamas County. We did visit the site - and I also am of the opinion to a degree of the reasons that Mr. Groener suggested - on the opposite bank of the Sandy there are numerous homes that in my opinion could be adversely effected by the noise from the crushing operation. However, crushing operation currently, according to our past history, is precluded in that particular location so I would have to support Commissioner Schumacher's motion.

Commissioner Schumacher: Aye

Commissioner Groener: Aye

Commissioner Skoko: Aye. This concludes the Sandy matter at this particular time.



902 ABERNETHY ROAD
OREGON CITY, OREGON 97045
(503) 655-8521

WINSTON W. KURTH
Assistant Director
DON D. BROADSWORD
Operations Director
DAVID J. ABRAHAM
Utilities Director
DAVID R. SEIGNEUR
Planning Director
RICHARD L. DOPP
Development
Services
Administrator

JOHN C. McINTYRE
Director

FINDING AND DECISION OF THE HEARINGS OFFICER

File No.: CU-141-78

Applicant: K. Douglas Sandy, 39001 S.E. Serbin Road, P. O. Box 315, Sandy, Oregon 97055.

Proposal: To develop approximately 10 acres of the subject property with a mining operation to include removal, screening, washing, and crushing of material. The material would then be stockpiled on the site, and be transported for commercial use. There would be approximately **Redacted** of material removed, and the end result would be an approximately 10 acre man-made lake for commercial fish raising.

Date Application Filed: November 15, 1978

Decision Rendered: February 6, 1979

Last Date to Appeal: February 21, 1979

Planning Department Recommendation: Approval, subject to conditions.

Staff Representative:

Gary Naylor

Public Hearing: A public hearing was held in Courtroom No. 4, Clackamas County Courthouse, Oregon City, Oregon, on January 18, 1979, at 7:00 o'clock p.m., at which time the matter was continued for decision only until January 29, 1979, at 7:00 o'clock p.m., at the same location. On January 29, 1979, at 7:00 o'clock p.m. in Courtroom No. 4, Clackamas County Courthouse, Oregon City, Oregon, the matter was further continued until February 6, 1979, at 7:00 o'clock p.m., for decision only, at the same location, at which time an oral decision was rendered.

*Sent to PC members
2/26/79*



Speaking in Support of Request:

1. Jim Goodwin, Attorney at Law, P. O. Box B, West Linn, Oregon;
2. Till Forman, 25621 S.E. Highway 224, Boring, Oregon;
3. Bruce Erickson, 39330 Proctor Blvd., Sandy, Oregon;
4. Frances W. Marsh, 13505 S.E. Marsh Road, Sandy, Oregon;
5. Ron Anderson, 12110 S.E. Virginia Court, Sandy, Oregon;
6. Orren Denhart, 12500 S.E. Virginia Court, Sandy, Oregon;
7. Asa Way, 38501 S.E. Serbin Road, Sandy, Oregon;
8. Ron Dusek, Attorney at Law, P. O. Box B, West Linn, Oregon.

Community Organization Response: The Cottrell Neighborhood Group was timely notified of this request, and recommended approval. The SCAN and Bull-Run neighborhood groups were timely notified of this request, but did not respond.

Speaking in Opposition to Request:

1. Sid Brockley, Lawyer, 816 7th Street, Oregon City, Oregon;
2. Roberta Bishop, 38651 S.E. Serbin Road, Sandy, Oregon;
3. Dewey Zweigart, 38180 S.E. Serbin Road, Sandy, Oregon;
4. Lee Houston, 13132 S.E. Marsh Road, Sandy, Oregon;
5. James Snyder, 12940 S.E. Marsh Road, Sandy, Oregon;
6. Joan Surface, 13373 S.E. Marsh Road, Sandy, Oregon;
7. John Berg, 12939 S.E. Marsh Road, Sandy, Oregon;
8. Harold Amidon, 12345 S.E. Marsh Road, Sandy, Oregon;
9. Dwight Baum, 13075 S.E. Marsh Road, Sandy, Oregon;
10. Janet Nerison, 12120 S.E. Marsh Road, Sandy, Oregon;

11. Teddy Peetz, 13333 S.E. Marsh Road, Sandy, Oregon;
12. Joseph Wesheein, 12442 S.E. Lusted Road, Sandy, Oregon;
13. Sue Dority, 13150 S.E. Marsh Road, Sandy, Oregon;
14. Sherri Huston, 13231 S.E. Marsh Road, Sandy, Oregon;
15. Earl McCormick, 12871 S.E. Marsh Road, Sandy, Oregon;
16. Pat Jacoby, 21 N.E. 43d Avenue, Portland, Oregon;
17. Cindy Peetz, 13333 S.E. Marsh Road, Sandy, Oregon;
18. Charles Toynbe, 12979 S.E. Marsh Road, Sandy, Oregon;
19. Chris Beeler, 13434 S.E. Marsh Road, Sandy, Oregon;
20. Gale Peterson, 16262 Bluff Road, Sandy, Oregon;
21. Larry Fisher, 222 S.W. Harrison Street, Portland, Oregon;
22. Judith McCormick, 12851 S.E. Marsh Road, Sandy, Oregon.

FINDINGS:

A. Subject Property:

1. Description: Part of Tax Lot 1900, Section 1, T2S, R4E, W.M., and part of Tax Lot 400, Section 36, T1S, R4E, W.M., Clackamas County, Oregon.
2. Location: Off the northeast end of Serbin Road, approximately 1 mile northeast of its intersection with Bluff Road, Sandy Area.
3. Zone: TT-20, Transitional Timber.
4. Comprehensive Plan Designation: Forest.
5. Site Description: The subject property is approximately 54.89 acres in size. The northwestern corner of the property is part of the plateau-like area above the immediate valley formed by the Sandy River. Most of the western and northern portion of the property slopes very steeply downward to the immediate valley

of the Sandy River. The proposed site is within the eastern and central portions of the property that are part of a relatively level bench of land above the immediate bank of the Sandy River. This area also includes the applicant's residence and several outbuildings.

The extreme western and northwestern portions of the property are underlain by a Bull Run Silt Loam soils type with a 3-15% slope, a Class VIe agricultural capability, and a Class I forest suitability. The steeply sloping western and northern portions of the property are underlain by the Ascoff Stony Loam soils type, with a 60-80% slope, a Class VIIe agricultural capability, and a Class I forest suitability. The relatively level eastern portion of the property is underlain by the Camas Gravelly Sandy Loam soils type, with a Class IVw agricultural capability, and an unknown forest suitability, except for a narrow strip that is a wet area along the base of the steeply sloping portion of the property. Said wet area is underlain by a Wapato Silty Clay Loam soils type, with a Class IIIw agricultural capability, and a Class IV or less forest suitability.

The western and northern upland and sloping portions of the property are covered with mixed hardwoods and softwoods. Most of the lower, eastern portion of the property has been cleared of timber and the surface material has been removed from much of the proposed mining site. However, there are some areas within this portion of the property that are covered primarily with hardwoods, and there is a narrow, arc-shaped wet area in grasses.

A geologic map of the area identifies the proposed site as part of a localized area of Estacada formation described as cobble, gravel and bouldery cobble gravel with minor amounts of mud flow deposits; weathered to a depth of about 10 feet; 1/4 inch rinds maximum decomposition; as much as 100 feet thick along the Sandy River; 30-50 feet along the Clackamas River and Clear Creek.

6. History: The subject property is within an area that was originally zoned RA-1, Rural (Agricultural) Single Family Residential on December 14, 1967, and re-zoned Transitional Timber on July 31, 1978. The applicant began clearing and draining the proposed site in the early 1970's, and his records show the first commercial sale of fill material was in 1972. He has sold fill material at an ever increasing rate since that time. A large portion of the approximately 10 acres of the subject property proposed for the mining operation have already been cleared, and the

surface material has been removed. Equipment on the property has included a dragline, 2 bulldozers, and 2 front end loaders and a first stage screening plant owned by E.L.T.E., Inc.

B. Vicinity Information: The subject property is within an area of large properties and scattered residences on the west side of the Sandy River. This area extending eastward from Bluff Road to the Sandy River is predominantly wooded, and slopes downward to the river over several benches and escarpments. Some 2,000 feet east of the subject site, an across the Sandy River is a residential area developed with small lots along Marsh Road. Dodge Park is not far removed to the northeast from the subject property and is heavily used by the public for recreation activities.

C. Service Considerations: The subject property is served by well, spring, septic tank and drainfield. The applicant has indicated that chemical toilets would be sufficient for the mining operation.

CONCLUSIONS:

A. The TT-20 Zoning District in which the subject property is located permits the proposed commercial mining and processing of rock and rock products upon approval as a conditional use, and upon a finding by the Hearings Officer that the proposal meets the site requirements set forth in Section 8.7 of the Clackamas County Zoning Ordinance, will not be detrimental to the general Comprehensive Plan for Clackamas County or to surrounding properties, and is not in conflict with LCDC Goals 3 and 4. The applicant is required to establish each of those criteria by preponderance of the evidence.

B. This request complies with each of the site requirements set forth in Section 8.7 of the Zoning Ordinance. The minimum lot area is in excess of 4 acres, the mining site is at least 1,500 feet from any residential district, the production and excavation would not be within 50 feet from any property line, the mine pit would have no slope steeper than 1 foot horizontal to 1 foot vertical, and conditions of approval could assure that the exterior boundaries of the property would be enclosed by a sight-obscuring fence, except for areas of access and egress.

One issue raised by the opponents is that the site would be closer than 1,500 feet from a Residential District. The Hearings

Officer finds this not to be so. The term "Residential District" refers to a zoning district and not to a residential use of land. The mining site is within 1,500 feet of the RA-1 Zoning District to the south, but it is the conclusion of the Hearings Officer that the RA-1 Zoning District is not a "Residential District" as that term is used in Section 8.7 of the Zoning Ordinance.

C. This request is not in conflict with LCDC Goals 3 or 4, and is found to be overall in compliance with the LCDC Goals which are applicable. Regarding Goal 3, the agricultural lands goal, the site is found not to be generally suitable for agricultural production, given its poor soils, the fact that the property is not within an agricultural area, and the previous use of the property. The intended final use would appear to be a good agricultural use of the property. Regarding Goal 4, the forest land goal, the proposed mining site has either been cleared of timber, or is covered with hardwoods which are not considered of commercial quality, and allowing this request would seem to result in no loss of commercial forest land. The request would appear to further the economy of the state goal by permitting the use of a non-renewable resource needed for development.

D. The applicant has not, however, established that the request does not conflict with the Comprehensive Plan for Clackamas County. This request is found to be in conflict with the following provisions of the Comprehensive Plan:

1. Relating to Extractive Industries:

- a. It is in conflict with the general statement that development of mineral resources should be compatible with surrounding uses; and,
- b. That extractive industries should have direct access to a secondary arterial road or higher, as access is only to an extension of Serbin Road, which is not a secondary arterial road or higher classification.

2. Relating to Waters, the Plan recognizes that the County's surface waters constitute an immeasurable natural resource. The Sandy River is listed as one which should be protected from further contamination, disruption or development. Although the Hearings Officer does not find from the evidence any real threat of pollution of the Sandy River, a major contribution of that river is recreation opportunity and aesthetic benefits. Dodge

Park is not far removed from the property and is heavily used by the public. It is found that the noise and dust which would be caused by this request for up to 10 years would adversely affect the recreational and aesthetic qualities of the Sandy River in that area.

3. Relating to Residential Areas, the Plan states the goal of protecting residential liveability. The homes across the Sandy River, some 2,000 feet from the proposed mining site, constitute a Residential Area which would be adversely affected by this request. Noise, dust and vibration from trucks have adversely affected additional homes along Serbin Road and its extension.

Although this request complies with other provisions of the Comprehensive Plan, it is found to be in conflict overall, especially in light of the absence at this date of a study of available mineral resources called for by the Plan. It cannot be said at this time that the need for rock products in the Sandy Area outweighs the detriment to the surrounding properties when the evidence available does not establish what the reasonable alternatives are.

E. The applicant has not established that this request will not be detrimental to surrounding properties. The evidence presented establishes that noise, dust and vibrations will occur as a result of the proposed operation, which will adversely affect properties in the area. Rock crushers are noisy, even though regulated by DEQ. Rock crushing and processing does create dust which may be held in the Sandy River Valley by inversion effects. This detriment is not overcome by evidence of benefit to the community, again especially, as reasonable alternative sites are not known.

DECISION: Denial.

DATED this 15th day of February, 1979.

Richard A. Best
HEARINGS OFFICER

Copy mailed to Applicant
this 15th day of February, 1979.

Richard A. Best
HEARINGS OFFICER

DIVISION OF STATE LANDS
1445 State Street
Salem, Oregon 97310
Phone: 378-3059

D. Sandy File
03-0709

Date: May 22, 1979

WATERWAY PROJECT
PERMIT REVIEW

Corps Public Notice No. 071-OYA-4-003312 Div. of State Lands No. SP 1393

Applicant: Clackamas Soil & Water Conservation District

Please return your comments to the Division of State Lands by: ASAP

Application involves: () Coastal Zone () Fill () Riprap () Easement

() Removal () Structure () Lease
State Permit Has been issued. Corps Public Notice received today. Please respond as soon as possible as the SCS would like to start project as soon as possible.

We have reviewed the above Corps Notice/Permit Application and offer the following comments:

- () A _____ permit is required by this agency.
- () We do not believe the project would have an adverse effect.
- () We believe the effects of this project, although measurable, would be acceptable.
- () We believe the project would be acceptable if methods of construction were altered as listed below.
- () We would attend a conference with the applicant to seek project alternatives.
- () The project is unacceptable as proposed (explained).
- () We have no comment.

Comments:

When stream velocities increase to the extent that the proposed "berms" are needed for the protection of the east bank, it is our opinion that they will alter the flow so that the opposite point bar will be attacked. The west bank can also be expected to erode.

It is our understanding that the deed to the property (Doug Sandy) opposite the proposed work site specifies ownership to the middle of the Sandy River. If erosion begins on this property after installation of these "berms," it seems the owner could well have a strong case for damages against all participating in the installation.

Once erosion begins, additional downstream changes are to be anticipated.

It would seem that gabions would provide adequate protection while minimizing the risk of change to the far bank and bar.

Agency Ecology By Paul F. Lawson Date June 4, 1979
Field Representative
MRD, DBGAMI



DEPARTMENT OF THE ARMY
PORTLAND DISTRICT, CORPS OF ENGINEERS
P. O. BOX 2946
PORTLAND, OREGON 97208

NPPND-RF-1

18 May 1979

PUBLIC NOTICE
071-OYA-4-003312
BANK PROTECTION
SANDY RIVER - MILE 20.2 - IN CLACKAMAS COUNTY, NEAR SANDY, OREGON

Interested parties are hereby notified that application has been made for a Department of the Army permit for work in navigable waters of this Engineer District under the provisions of Section 404 of the Clean Water Act of 1977 (P.L. 95-217).

Name of Applicant: Clackamas Soil & Water Conservation District, 256 Warner Milne Road, Oregon City, Oregon 97045, telephone (503) 657-1141.

Character and Purpose of Work: Construct five erosion-control berms along 300 linear feet of bankline as shown on the attached drawings marked 003312(Sandy River-Bank Protection). The berm will require placement of approximately 60 cubic yards of rock per berm, or 300 cubic yards total. The rock will be obtained from a nearby quarry, and trucked in to the site.

Additional Information: Additional information may be obtained from Ed Olmsted (SCS) Clackamas Soil & Water Conservation District, 256 Warner Milne Road, Oregon City, OR 97045, phone (503) 657-1141, or Roy Loghry, Permit Coordinator, U.S. Army Corps of Engineers, P.O. Box 2946, Portland, Oregon 97208, phone (503) 221-6995.

The requested permit, if issued, will be subject in part to the following conditions:

- aa. All construction debris will be disposed of on land in such a manner that it cannot enter into the waterway.
- bb. Care will be taken to prevent any petroleum products, chemicals or other deleterious materials from entering the water.
- cc. Slope of the riprap, bank, or excavation, etc., will be no steeper than 1½ feet horizontal to 1 foot vertical.
- dd. Only clean, durable riprap will be used.
- ee. All areas along the bank disturbed or newly created by the construction activity will be seeded, sodded, revegetated, or given some other equivalent type of protection against subsequent erosion.

(Cont'd on page 1a)

RECEIVED
MAY 24 1979
PORTLAND DISTRICT
CORPS OF ENGINEERS

NPPND-RF-1
071-OYA-4-003312

18 May 1979

Special Conditions Cont'd.

ff. When the District Engineer has been notified by a fishery agency that a filling activity is adversely affecting fish or wildlife resources or the harvest thereof, and when the District Engineer subsequently directs remedial measures, the permittee will comply with such directions as may be received to suspend or modify the activity, to the extent required to mitigate or eliminate the adverse effect.

Endangered Species. Preliminary determinations indicate that the proposed activity will not affect an endangered species, or their critical habitat designated as endangered or threatened, pursuant to the Endangered Species Act of 1973 (87 Stat. 844). Formal consultation pursuant to Section 7 of the Act with the Department of the Interior is not required for this proposed activity.

18 May 1979

The latest published version of the National Register of Historic Places has been consulted. It has been determined that the property described is not a registered property, nor is it listed in the latest published version of the Register as being eligible for inclusion therein. This District is not aware of the presence of any cultural resources at the proposed work site.


Additional Requirements: A permit for the proposed work will not be issued until certification, as required under Section 401 of the Clean Water Act of 1977 (P.L. 95-217), has been received from the Oregon State Department of Environmental Quality. State law requires that leases, easements or permits be obtained for certain works or activity in the described waters. These State requirements must be met where applicable, and the Department of the Army permit must be obtained before any work waterward of the ordinary high water line may be accomplished. Other local governmental agencies may also have ordinances or requirements which must be satisfied before the work is accomplished.

Public Hearing: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

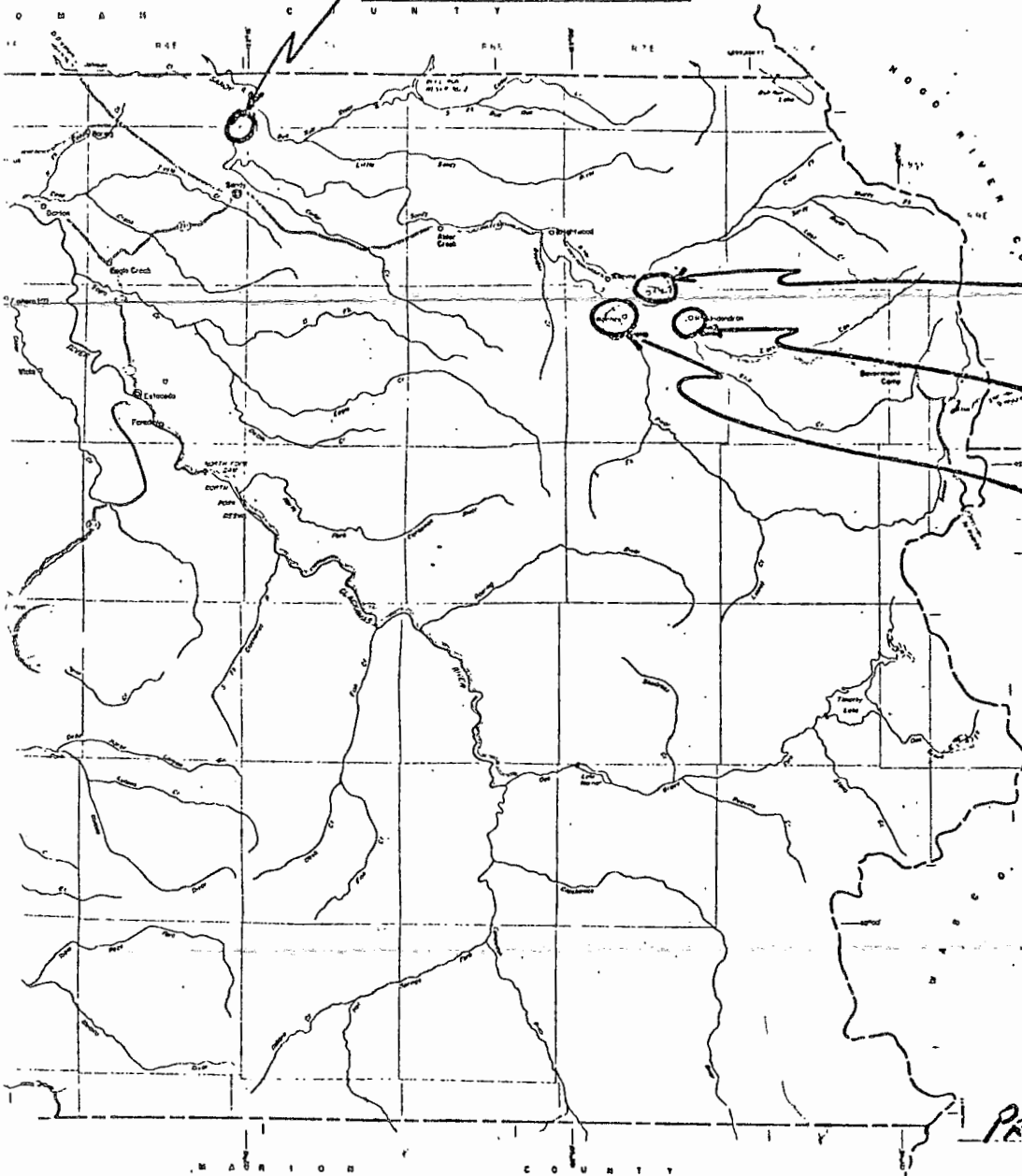
Interested parties are requested to submit in writing any comments or objections they may have to the proposed work. The decision whether to issue a permit will be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among these are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use, navigation, recreation, water supply, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people. In addition, the impact of the activity on the public interest will be evaluated by EPA guidelines, under authority of Section 404(b) of the Clean Water Act. No permit will be granted unless it is found to be in the public interest.

A preliminary determination has been made that an environmental impact statement is not currently required for the proposed work.

Replies to this notice should be mailed to reach this office not later than 11 June 1979.


J. HEINEMAN
Chief, Navigation Division

SANDY RIVER PROTECT AREA
216-1 & 216-2



ZIGZAG PROTECT AREA 216-1

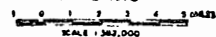
RHODODENDRON PROTECT AREA

SALMON RIVER PROTECT AREA 216-2

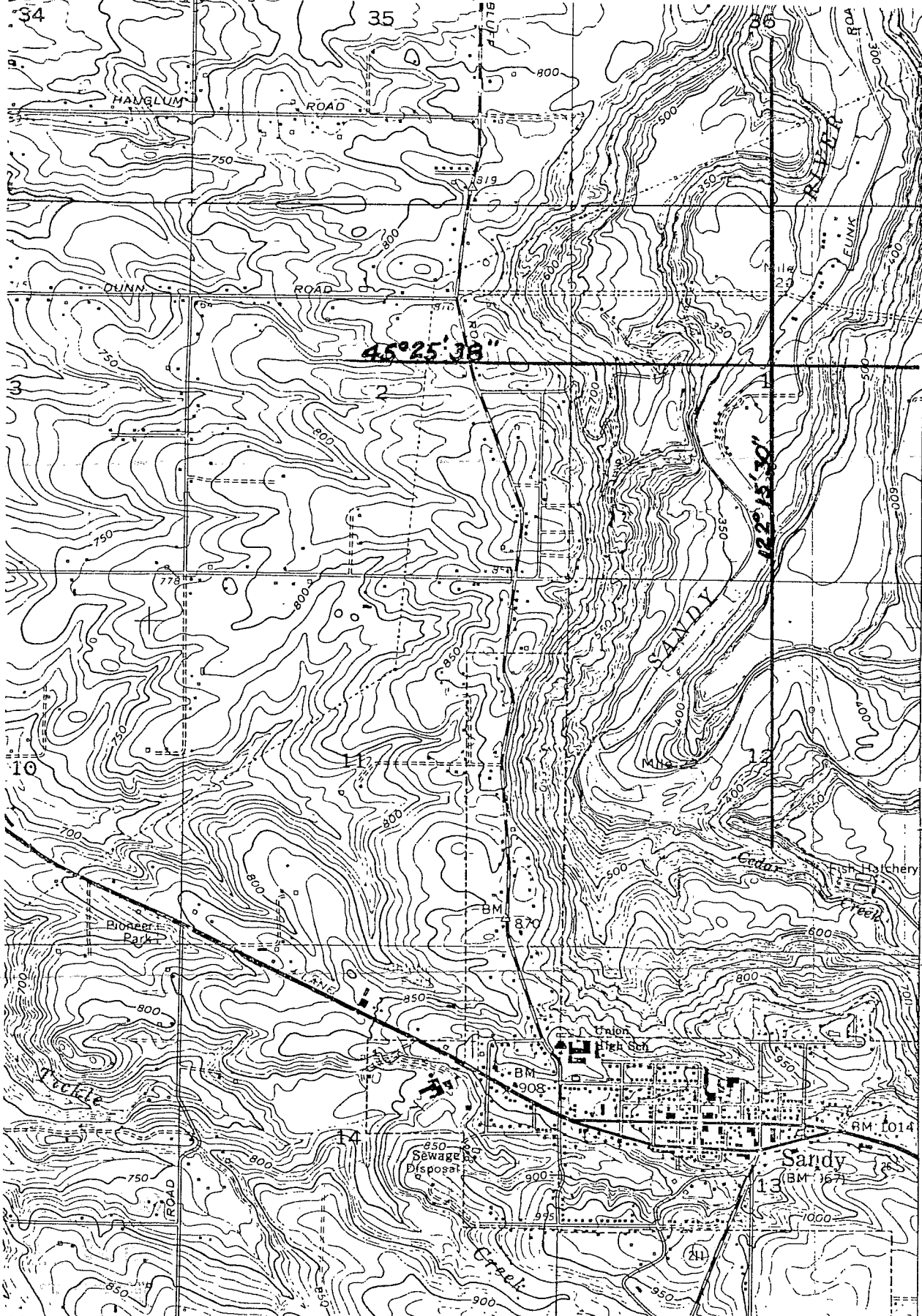
PROJECT 5278
"216"

CLACKAMAS COUNTY
OREGON

APRIL 1973



003312(Sandy Riv Bank Protection)

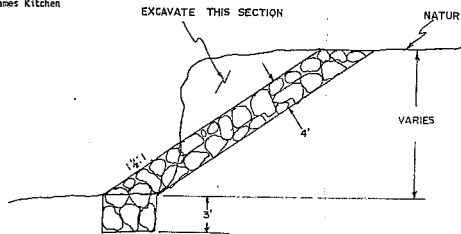


Sandy River Mile 20.2.

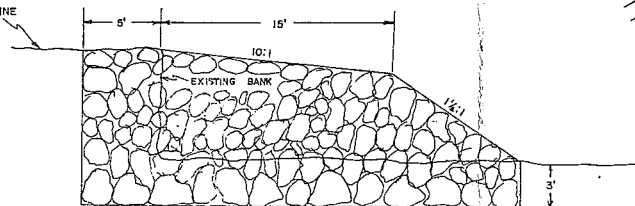


SANDY AREA

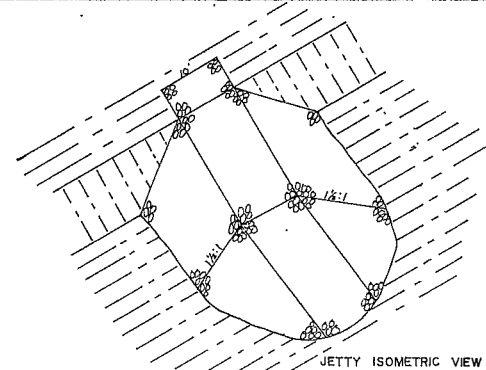
1. Frances Marsh
2. Richard Surface
3. Ted Peetz
4. Lee Houston
5. Paul Belker
6. Harry Gramps
7. Dwight Baum
8. Dwight Baum
9. Portland General Electric
10. James Kitchen



TYPICAL RIPRAP SECTION
SITES 2,3



TYPICAL JETTY SECTION
SITE 1

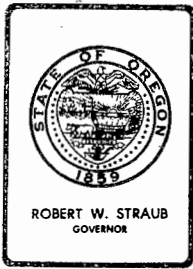


JETTY ISOMETRIC VIEW

SANDY AREA

CLACKAMAS COUNTY STREAMBANK PROTECTION EMERGENCY WATERSHED PROTECTION			
<small>SECTION 216 CLACKAMAS COUNTY, OREGON</small>			
U. S. DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE			
Designed <i>P.W.R.</i>	DATE <i>6-78</i>	Approved by <i>[Signature]</i>	DATE <i>6-78</i>
Drawn <i>P.W.C.</i>	DATE <i>6-78</i>	Title <i>Area 50,00000</i>	
Traced	Sheet <i>2</i>	Drawing NO	
Checked	of <i>4</i>	7-E-23949	

DRAWINGS ON THIS SHEET NOT TO SCALE

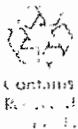


Department of Environmental Quality

~~1234 S.W. MORRISON STREET, PORTLAND, OREGON 97205~~ Telephone (503) 229- 5358
P.O. Box 1760, Portland, OR. 97207

Public Notice

The following shall constitute public notice by the State of Oregon that the Department of Environmental Quality, pursuant to the requirements of Section 401 of the Clean Water Act of 1977, PL-95-217, has been requested to certify that there is reasonable assurance that the project described in Corps of Engineers public Notice No. 071-OYA-4-003312 will not violate applicable water quality standards. Comments regarding possible water quality effects of the proposed project shall be sent within 30 days to the Department of Environmental Quality, P.O. Box 1760, Portland, OR. 97207; 522 S.W. 5th Avenue, Portland, OR. 97204.



Contains
Recycled
Material

Sandy, OR
Post #
(Cir. W. 3,600)

APR 19 1979

Allen's P. C. B. Est. 1888

Board to review mining decision

The Clackamas County Board of Commissioners will review a request by Doug Sandy of Sandy for a conditional use permit to develop 10 acres of land for a mining operation. The hearing will be at 9 a.m. April 23 at the county courthouse.

Sandy is appealing the decision of Clackamas County Hearings Officer Richard Crist who denied his application earlier this year. Crist rejected the permit on the grounds that such an operation might have adverse effects on the environment as well as Sandy's neighbors.

The 10 acres, located near the Sandy River off Serban

Road, would be the site of the operation which would include removal, screening, washing and crushing of rocks.

Sandy has said he hopes to run the mining operation for a maximum of 10 years, replacing it with a troutfarm when enough of the rock has been removed.

The commissioners have been studying a transcript of Sandy's hearing with Crist and testimony at Monday's hearing will, for the most part, be restricted to the transcript.

New evidence may be heard with the consent of the commissioners, but it is discouraged, according to a spokesman from the commissioners' office.

Received May 3 1979

mail these ^{Back} to

Wells, Reed, Wood, West Co.

attn: Mr. Fred C. Reed

415 Morgan Bldg.

Portland, Ore.

97205

Prepare one form with

Doug Sady's Permit No.

& legal description.

Sent
4/27/79

Sandy, OR
Post
(Cir. W. 3,600)

JAN 25 1979 Stan

Allen's P. C. B. Est. 1888

5018 Mining decision is pos

by MARK FLOYD

A five-hour hearing on Douglas Sandy's mining operation off Serban Road drew a crowd of more than 60 people with considerable conflicting and confusing testimony at the county courthouse Thursday night.

Clackamas County Hearings Officer Richard Crist conducted the meeting and will render a decision Jan. 29 after reviewing the evidence.

Sandy's application was for a conditional use permit to develop 10 acres of his property near Dodge Park. He hopes to conduct a mining operation which would include removal, screening, washing and crushing of rock over the next 10 years until approximately 260,000 yards of material has been removed.

The end result would be a man-made lake which would be used for commercial fish-raising, Sandy said.

Several of Sandy's neighbors opposed

to the mining operation, argued it would create noise, dust and possibly water pollution.

Many of those and other neighbors were on hand at the hearing to present their arguments before Crist. The hearing opened with Gary Naylor of the Clackamas County Planning Department offering information that his staff had collected from an on-site inspection and consultation with several local agencies.

The staff of the county's planning department recommended approval of Sandy's application but suggested several operational guidelines to minimize the environmental threat and possible inconvenience to the neighbors.

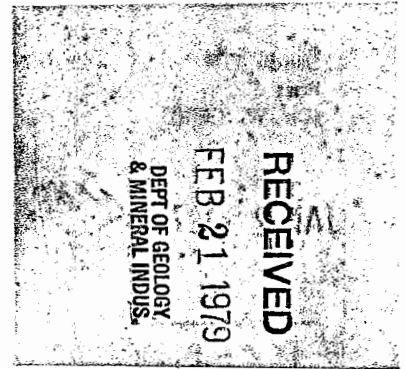
The stipulations include restricting all operations to within the 10-acre site, limiting the hours of operation from 8 a.m. to 5 p.m. Monday through Friday and requiring Sandy to maintain the roads his trucks would use.

"The staff feels that any adverse effects upon the neighborhood can be mitigated through the imposition and adherence to conditions placed on the mining operations," Naylor said.

Sandy's attorney, Jim Goodwin, then presented his client's case. He introduced several exhibits which showed that Sandy had abided by the necessary steps in applying for the permit and that several of the agencies, including the Fish and Wildlife Department, had indicated that they were not opposed to the operation.

However, approval of the regulating agencies doesn't necessarily guarantee a safe environment, countered attorney Sid Brockley who represented a number of the opposing property owners.

"This development is going to change the area," Brockley said. "Instead of having a quiet rushing river, we're going to have to hear a rock crusher and trucks."



poned until Monday

"There is also the hazard of seepage and leaking to the river below and the effect it will have on the wildlife," Brockley added. "Is it worth it in terms of social cost to remove a little bit of rock and disturb a whole area?"

The attorney questioned whether the plan would fit in with the area's comprehensive plan and whether it would violate any zoning ordinance. He also indicated that he felt Sandy would be inclined to continue the operation after the proposed amount of material had been removed.

"The thing that bothers me most is that after 260,000 yards, it seems logical to go ahead and expand to take out another 260,000 yards," Brockley said. "We've already seen the Sandys operate without a permit."

Goodwin testified in defense of the accusation that Sandy didn't need a permit until he removed 2,500 yards of material and that he applied for one when he approached that mark.

Emotions continued to run at a high pitch as several neighbors testified at the hearing, some in favor of Sandy's proposal; most were against.

"I'm at the end of the (Marsh) road and I have 10 cabins that I lease to business people," Mrs. Leland Marsh said. "I've had the same renters for 10 to 28 years and I contacted all of them and not one has complained about the Sandy place."

Lee Houston had several complaints, however. Houston, who lives directly across the river from the Sandy property, said that the access road to the mine site is within easy viewing distance of his house.

"The road is clearly visible from my house and yard," Houston said. "The visual screen (of trees) that Mr. Goodwin referred to is in part correct and in part incorrect — I didn't move out there to see trucks.

"When we have an east wind in Multnomah County, it blows right over the valley," Houston continued. "There is very little wind down there and the canyon walls reflect the noise a great deal.

"This has become more of a moral issue than an economic one," he added. "It's been pointed out the economic need, but it (the operation) isn't necessary in a residential section."

Another Marsh Road resident echoed Houston's sentiments about the noise.

"None of us actually know what this rock crusher will sound like," Joan Surface said, "but I wish you could come out here and see what this area looks like.

"It's like a barrel," she added. "It can't be minimized the way sound travels. There was a continuous rumble when they were operating their cat—it was like something was under the house."

Douglas Sandy

Sandy, OR
Post
(Cir. W. 3,600)

FEB 1 1979

Allen's P. C. B. Est. 1888

Mining decision is reset

The decision on Douglas Sandy's application for a conditional use permit to conduct a mining operation has been postponed for another week.

Clackamas County Hearings Officer Richard Crist announced at Monday night's hearing that he had been unable to conduct an on-site inspection of the Sandy property and postponed the decision until Feb. 6.

The decision will be rendered at the beginning of the 7 p.m. hearing at the courthouse in Oregon City.

NOTICE OF APPLICATION

DEC - 5 1978

DEPT OF GEOLOGY
& MINERAL INDUS.

TO: Dept. of Geology

DATE 12/4/78

FROM: Clackamas County Planning Department
902 Abernethy Road
Oregon City, OR 97045

655-8521

FILE NUMBER: CU-141-78

The Planning Department would like your comments on the attached application. Please indicate any information or recommendations which would assist the County in acting on this application. Comments received within two weeks will be included with the Planning Department report to the hearings body.

If more information is needed, please call the Planning Department.

Recommendation: Recommend approval.

Applicant has complied with requirements of Oregon State law relative to the Mined Land Reclamation Act, except for submission of security which is pending approval of the conditional use permit.

A quality rock source such as this is needed in this area as reflected in comments received from the City of Sandy and the Soil and Water Conservation Commission. This department concurs.

It is approximately 1600 feet or 500 yards plus from the crusher site to houses across the Sandy River. It is nearly as far from the nearest point on the haul road to them.

The ultimate beneficial use of the site is expected to enhance the area's value to wildlife and will upgrade the esthetics of the community.

Paul F. Lawson
Signature

Field Representative, Mined Land Reclamation Position

Return to: Clackamas County Planning Department, 902 Abernethy Road, Oregon City, OR 97045

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Position

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OR 97045

On-site - Doug Sandy Oct 25, 1978

Pat Kealey	ORE DEPT FISH & WILDLIFE	657-2041
Doug Sandy	Prop Owner	668-4784
Till Fosman	CONTRACTOR	637-3011
Jimi Newkirk	Ore. Dept. Fish-Wildlife	397-2064
BRUCE W. ERICKSON	CONSULTING ENGINEER	668-5935
Ronald H Wixon	DRR	229-6020
Campbell Hunt	Asheles County Planning	2 655-8491
Larry Taylor	C.C. PLANNING	"
PAUL J. LAWSON	MLRD, DOGAMI	967-2039



D. Sandy 03-0109 on-site Conference
Oct 25, 1978

Send cc with cc of attendance
list to

one each
Oregon Dept of Fish & Wildlife ✓
attn: Mr. Pat Keeley
ATTN: Mrs. JIM HEWKIN

Mr Doug Sandy ✓
3900 SE SERBIN Road
Sandy Or 97055

Cleghorn Co Planning ✓
attn: Gary Taylor

D, E, Q ✓
attn: Richard H. Wixom

U.S. Fish & Wildlife Service ✓
attn: Edwin F. Roby

Mr. Till FORMAN ✓
25701 SE Hwy 224
BORING OR 97009

Bruce W. ERICKSON ✓
39330 Proctor Blvd
Sandy Or 97055

668-4784

Sent copies of inspection Report + attendance
list to all above on 11/28/78

- Paul
- file - 'Denny Sandy'

~~AA~~ L

Portland, OR
Oregon Journal
(Cir. D. 106,918)

MAR 13 1979

Stan

Allen's P. C. B Est. 1888

Man plans appeal of mining denial

5012
OREGON CITY — A Sandy man plans to appeal a Clackamas County Hearings Officer's decision denying him a conditional use permit to operate a rock crusher on his property off Serban Road in Sandy.

Hearings Officer Richard Crist denied the permit to Douglas Sandy who wants to mine gravel from the 10-acre site. Sandy then plans to use the hole made from the gravel excavation for a fish farming lake.

Sandy's attorney, Ron Dusek of West Linn, said Crist's decision to appeal to the county commission was contrary to the evidence presented at a hearing earlier this month.

"Basically he wants to conduct fish farming," Dusek said. He added Sandy has taken gravel from the site before but needs a rock crusher to get larger pieces out.

Neighbors objected to the operation saying it would create dust and noise. Objections were also raised about the operation's proximity to Dodge Park and the danger of seepage into the Sandy River.

Sandy would remove approximately 260,000 cubic yards of gravel from the site which is located off the northeast end of Serban Road about a mile from the intersection with Bluff Road. The screening, washing and crushing would be conducted on site.

metro
briefs

NOTICE OF APPLICATION

DEC - 5 1978

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& MINERAL INDUS.

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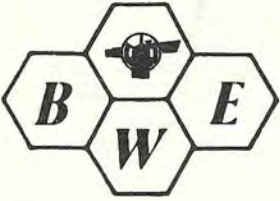
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Paul F. Lawson
Signature

Field Representative, Mined Land Reclamation
Position

Return to: Clackamas County Planning Department, 902 Abernethy Road, Oregon City,
OR 97045



Bruce W. Erickson

Consulting Engineer

39330 PROCTOR BLVD. • P.O. BOX 520 • SANDY, ORE. 97055
TELEPHONE (503) 668-5935

P-80-78

November 28, 1978

RECEIVED

NOV 29 1978

DEPT OF GEOLOGY
& MINERAL INDUS.

Oregon State
Department of Geology and Mineral Industries
1129 S. Santiam Road
Albany, Oregon 97321

Attention: Mr. Paul F. Lawson
Field Representative
Mined Land Reclamation

Gentlemen:

Subject: Surfacing Mining Permit - Mr. Doug Sandy
Application No. 03-0109

As requested on subject project, attached hereto are two sets of Conditional Use Application Plans, showing the proposed surfacing mining site plan and the proposed reclamation plan for subject property. These plans have been submitted to Clackamas County, along with the Conditional Use application, for their review and approval.

If any additional information is needed regarding subject project, please let us know.

Very truly yours,

BRUCE W. ERICKSON, CONSULTING ENGINEER

Bruce W. Erickson, P.E.
Owner and Principal Engineer

BWE:nke
Attachments
cc: Mr. Doug Sandy

NOV 15 1978

CLACKAMAS COUNTY PLANNING COMMISSION
940 Warner-Milne Road
Oregon City, Oregon 97045

ZONE CHANGE

CONDITIONAL USE

Proposed Use: _____

Proposed Use: Surface Mining & Processing

Present Zone: _____

Present Zone: TTD

Development Pattern: _____

Development Pattern: Rural

File No. CU-141-78
Receipt No. 8822 Fee \$200.00
Date Received 11-15-78
Hearing Date 12-28-78
Staff Member A.J.

Name of Applicant K. Douglas Sandy Phone: Office 668-4784
Home 668-4784

Mailing Address 39001 S.E. Serbin Road, P.O. Box 315, Sandy, Oregon 97055

Applicant is: Legal Owner Contract Buyer Option Holder Agent

LEGAL DESCRIPTION OF THE PROPERTY INVOLVED IN THIS APPLICATION
(IF METES AND BOUNDS DESCRIPTION, INDICATE ON A SEPARATE SHEET)

Location Approx. 2.5 miles North of Sandy, Or Lot Size 1,770 x 1,450 Tax Lot 4000 & 1900, Lot -
Block -, Subdivision -, Sec. 36 & 1, T 1S, 2S R 4E, Total Land Area 54.89 Ac.
1 4E 36 4000 2 4E 1 1900
39001 S.E. Serbin Rd., Sandy, Oregon 97

Signature of Legal Owner _____ Address _____
Conditional Use for Surface Mining & Processing Operation of Sand and Aggregate Resources on Subject Property.

1. What is Requested: Conditional Use for Surface Mining & Processing Operation of Sand and Aggregate Resources on Subject Property.
2. Proposed Use(s) and sequence of construction Existing sand and gravel resources on subject property will be mined, screened, washed and crushed on site for commercial use, and hauled to local areas. Conditional Use being requested for a ten-year operational period. See supplementary data attached hereto.
3. Anticipated Timetable for Project: Start Spring, 1979 Finish Spring, 1989
4. Present use of this property: Existing residential homesite, with prior limited surface mining operation.
5. Will Fill or Removal be required to develop this site: Yes XXX No _____ How much? Redacted
6. State specific reasons for this request and its effects on the surrounding area: Applicant wishes to construct ponds for aquiculture use (raising of fish) to supply commercial users. The primary aim of the surfacing mining operation is to finance the construction of the ponds. It is believed that the small scale operation being proposed for the ten-year period would not have any detrimental effects on surrounding properties. See supplementary data attached hereto.
7. Method of sewage disposal: On site desposal Water Supply Private springs on site
8. Has County Health Department approved this request: Yes No Not Consulted
9. How will surface water be taken care of? By natural drainage and the construction of ponds.
10. Total Off-street parking spaces (paved 10' x 20') proposed: N/A
11. Total employees and/or occupants: Present 5 Proposed 5

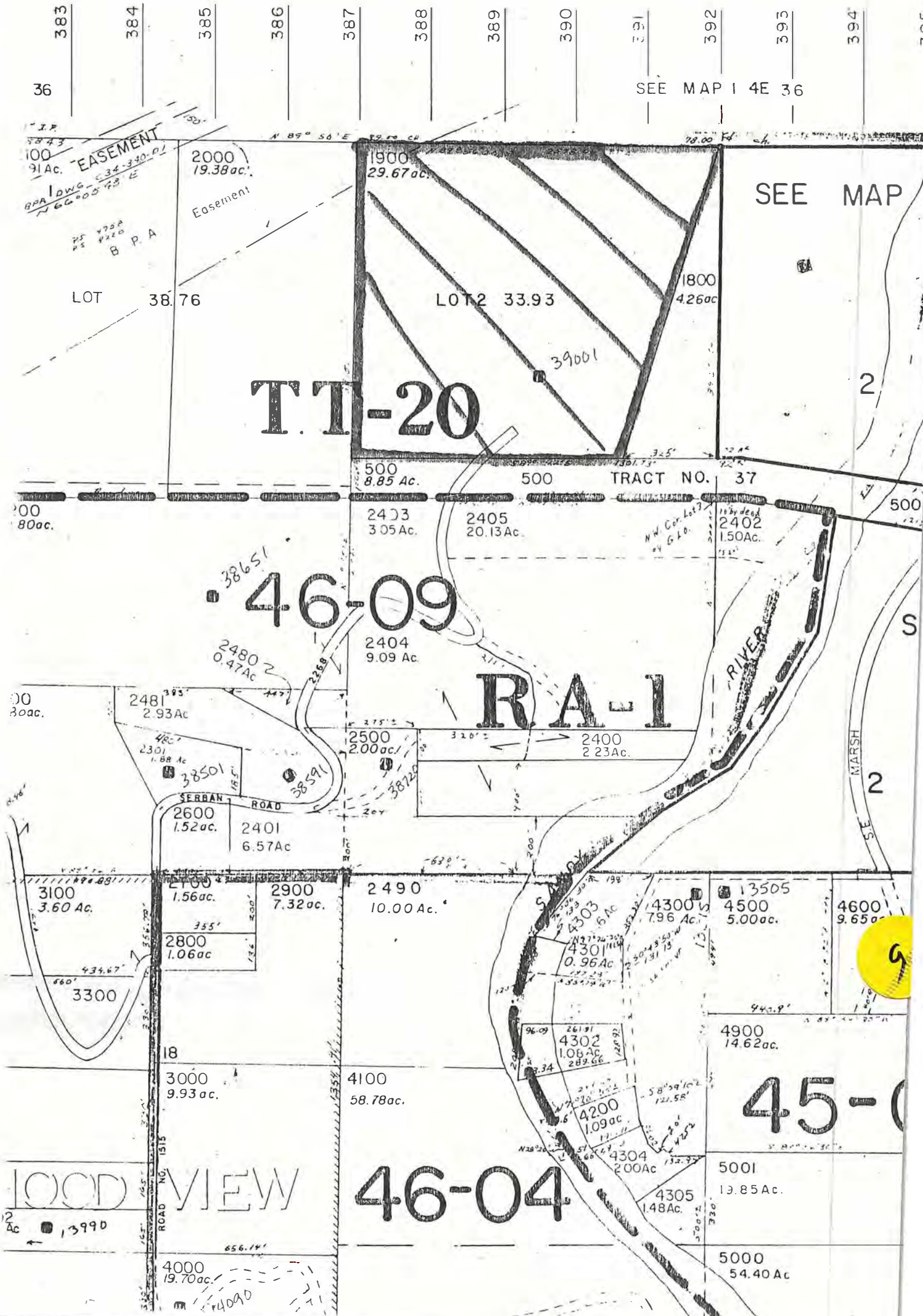
I hereby certify the statements contained herein, along with the evidence submitted, are in all respects true and correct to the best of my knowledge and belief.

NOTE
Attach detailed, accurate site plans (minimum of three copies are required). Other statements, plans photos, data, etc., which would help to substantiate and clarify your request may also be submitted.

K. Douglas Sandy
Applicant's Signature
11/14/78
Date

SECTION 1 T.2S. R.4E. W.M.
CLACKAMAS COUNTY

1"=400'



FF-0

38301 MARY'S
ADDN
1967

2700
0.91A
38435

S.E. HUDSON RIVER

3500
9.55Ac

38252

3400
8.63Ac

38540

3000
22.66Ac

3600
10.00Ac

3300
11.09Ac

3200
10.00Ac

3100
10.00Ac

38630

3700
79.50Ac

107-04

EFU-20

3800
0.50Ac

CO. RD.

279

3900
40.00Ac

4003
4.78Ac

12110

4001
5.00Ac

4000
25.22Ac

BPA

4004
1.00Ac

4005
1.00Ac

4002
3.00Ac

178

122

772

12190

DEBRA LEE

SE VIRGINIA
CT.

1996

2

SEE MAP 2 4

2100

3000

4200

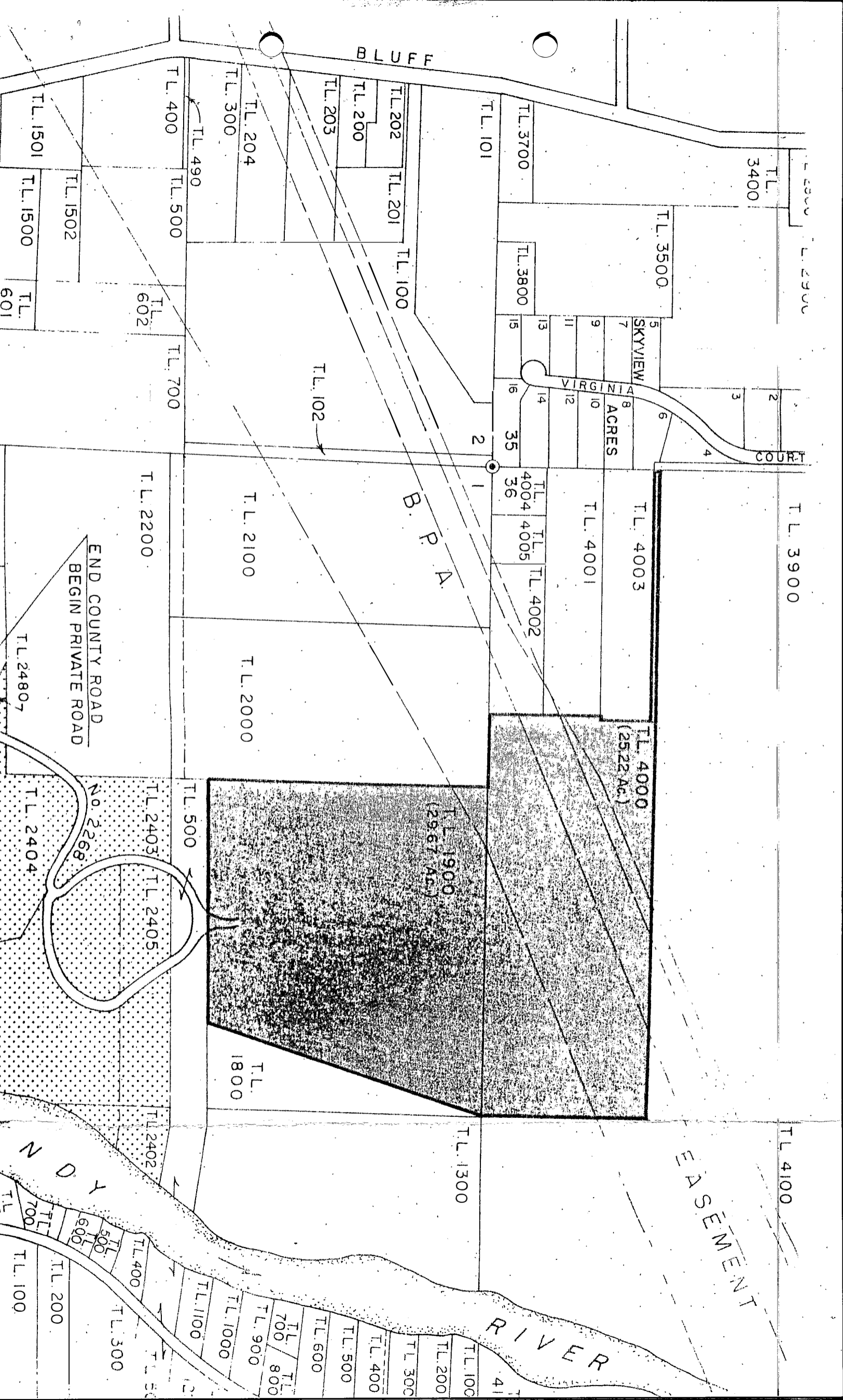
3700A

4100

34.00Ac

EAS

T.T.



BLUFF

TL 3400

TL 3500

5 SKYVIEW

8 ACRES

VIRGINIA COURT

TL 3900

TL 4003

TL 4001

TL 4000
(25.22 Ac.)

B.P.A.

TL 4004
TL 4005
TL 4002

TL 1900
(29.67 Ac.)

TL 2100

TL 2000

TL 2200

END COUNTY ROAD
BEGIN PRIVATE ROAD

TL 24807

No 2268

TL 2404

TL 1800

TL 4100

EASEMENT

RIVER

NODDY

TL 200

TL 100

TL 300

TL 1100

TL 1000

TL 900

TL 800

TL 600

TL 500

TL 400

TL 300

TL 200

TL 100

TL 41

SUPPLEMENT TO CONDITIONAL USE APPLICATION

A. Answer the following questions concerning your specific request. Use additional pages if necessary.

1. What, in detail, are you asking for?

The Applicant is requesting a 10-year Conditional Use Permit from Clackamas County for the purpose of conducting surface mining operations, including the processing of sand and gravel material, within Tax Lot 4000, Section 36, Township 1 South, Range 4 East, W.M., and Tax Lot 1900, Section 1, Township 2 South, Range 4 East, W.M. Both of these two parcels are adjacent to each other, and the Applicant and his wife are the legal owners of both. The location of the subject parcels are shown on Plan Sheet 1 of 4, of the Conditional Use Application Plans attached hereto.

The subject property has been owned by the Applicant's family since 1920. In the past, the Applicant has attempted to make a living from the property through agricultural means, crops, berries, etc. However, due to the soils, topography, drainage and the frequent flooding of portions of the property; this has not been either practical or profitable. Research by the Applicant has indicated that the property could best be utilized by constructing ponds suitable for aquiculture use, the raising of fish, for supplying commercial users. Also, soils analyses indicate that the material in the vicinity of the proposed fish ponds is marketable with proper screening, washing and crushing; and could be sold locally to finance construction of the proposed fish ponds. The Applicant has discussed this usage with the Soil Conservation Service, the State Fish and Wildlife Department, and the State Department of Geology and Mineral Industries, and all generally agree that the site is suitable for this proposed use.

The location of the proposed surface mining operation on the subject property is shown on Plan Sheet 3 of 4, of the Conditional Use Application Plans. The limits of the proposed surface mining operation, or pit, as shown on the plan sheet encompasses approximately 10-acres, of the 55-acre total site. This area is essentially flat lying, and much of the vegetation has been cleared away in prior years. There is little or no merchantable timber on the site affected. The presence of low swampy areas adjacent to the pit suggest that the water table may be high in this area. The pit would be excavated to a maximum depth of **Redacted** would involve the excavation of approximately **Redacted** of material. Side slopes of the excavated **Redacted** would be on a 3-foot horizontal to 1-foot vertical slope. Excavation will be accomplished by a front

end loader, or loader with ripper teeth, above water line; and below water line, a drag line will be used.

In order to insure that the excavated material is marketable, the processing equipment involved in the proposed operation will consist of the construction of 3-settling ponds (one as an alternate) for washing the material, a screening plant for segregating the material, and crusher equipment for processing the oversized material. The settling ponds necessary for the washing would be constructed in the general area shown on the plans. Washing of the materials will require approximately 100 gallons per minute, and on-site springs and ground water sources will be utilized to supply water to the settling ponds. Water from the ponds will be recycled for continuous use, with no uncontrolled run-off. The screening plant would consist of a feed bin, washing screens, a sand screw, and miscellaneous pumps and conveyors. The crushing equipment would consist of a feeder, primary jaw, secondary cone, secondary roll, and miscellaneous screens and conveyors. Both the screening plant and crusher equipment would be located either within the pit or immediately adjacent to it. Processed material would be stockpiled on site, in the general area shown on the plans. This equipment, as well as the excavation of the pit, would be operated only between the hours of 8:00 a.m. to 5:00 p.m. on Monday through Friday, excluding holidays.

Most of the material produced will be marketed locally in the Sandy area, and hauled from the site via Serbin Road to Bluff Road and the Sandy area. Three trucks would be utilized to haul the material, and they would operate between the hours of 8:00 a.m. to 5:00 p.m. on Monday through Saturday, excluding holidays. It is anticipated that the three trucks would average approximately 3-loads per hour, or 25-loads per day, depending upon the distance of the haul. It should also be pointed out that the seasons of the year will also effect the frequency of the hauls. In the winter months, it is anticipated that the demand for the material produced would be greatly reduced, and the frequency of hauls less.

The equipment for the proposed screening, washing and crushing operation along with a few key operators would be obtained from Elte, Inc., of Boring, Oregon, on a rental basis. However, the business and general operation of the plant and hauling would be controlled and worked by the Applicant and family members.

Upon completion of the surface mining operation, the excavated pit would be constructed into a fish storage lake as shown on Plan Sheet 4 of 4, of the Conditional Use Application Plans. In addition, a small fish rearing pond would be constructed, and the area surrounding the lakes landscaped. The actual depth and side slopes of the proposed fish lakes would be dependent upon the advice of the fisheries department at Oregon State University and the State Fish and Wildlife Department.

Replanting of the non-water areas, including types, amounts, fertilization and preparation, will be dependent upon the recommendations of the County Extension Agent.

Attached hereto is an on-site inspection report, dated September 5, 1978, received from the State Department of Geology and Mineral Industries, regarding the Applicants request for a State surface mining permit; and the Applicants application to the State Department of Environmental Quality for a water pollution control facilities permit for the proposed surfacing mining and processing operation.

2. Does your request conform to the Comprehensive Plan? Show in detail the compliance by referring to specific areas of the Comprehensive Plan text and map.

Currently, the subject property is zoned Transitional Timber District (TTD). This zoning would allow the Applicant to construct ponds for the raising of fish as proposed (Paragraph B, Subsection 34.3, Section 34 of the Clackamas County Zoning Ordinance Amendment, Court Order No. 74-1468, Dated September 6, 1974.) This zoning would also allow the County to grant a conditional use permit for operations conducted for mining and processing of aggregate and other mineral resources; provided it is compatible with timber use, does not interfere with accepted timber practices, and does not materially alter the stability of the overall land use pattern of the area (Item 13., Paragraph A, Subsection 34.4, Section 34 of the Clackamas County Zoning Ordinance Amendment, Court Order No. 74-1468, Dated September 6, 1974.)

The Clackamas County Comprehensive Plan, as amended, (Pages III-3 and III-4), recognizes that the development of extractive industries are economically necessary to our society; and that the use of these mineral resources should be guided by the principals of conservation, the consideration of compatibility with surrounding uses, and the reconditioning of those areas for other uses after extraction. It further states under the General Policies Section of Extractive Industries that "Extractive Industries shall be considered for location in areas known to have mineral deposits." Since soil investigations indicated that the material to be excavated for the proposed fish lake contains marketable sand and gravel deposits; it would appear logical that this material be processed and sold to the public, rather than wasted on-site.

Since there is little or no merchantable timber on the site to be affected, and since the soils and drainage of the lands involved do not lend itself to the production of merchantable timber; the uses being considered should not be in conflict with the timber aspects of the zoning ordinance. In addition, the site itself is somewhat secluded due to topography and the bordering of vegetation. The only residence in the immediate

vicinity of the proposed operation is that of the Applicant. Therefore, the proposed uses and operations should not materially alter the stability of the overall land use pattern of the area.

It should also be pointed out that the surface mining area, and subject property, are not located within the 100-year flood plain. The nearest water course is the Sandy River, which is approximately 800 feet east of the nearest portion of the area to be excavated, or mined. The proposed surface mining site is approximately 30 feet higher than the average water level of the Sandy River, and the proposed operations will in no way affect the Sandy River.

Also, attached hereto is a letter dated May 12, 1978, from the City of Sandy, regarding their comments on the Applicant's proposal.

3. Does your request conform to LCDC goals? Give specifics.

It is believed that this request conforms to LCDC goals and guidelines. In particular, LCDC Goal No. 3 - Agriculture Lands, LCDC Goal No. 4 - Forest Lands, and LCDC Goal No. 5 - Open Spaces, Scenic and Historic Areas, and Natural Resources. This proposal does not infringe upon productive agriculture or forest lands, and maintains the open space concept, while recognizing the importance of natural resources to our economy, in that they should not be wasted.

4. Is there a public need and benefit for your request? Give some data showing the basis for your assumptions in detail.

With the construction of new housing and services in the Sandy area, there is a great need for sand and gravel material in the area. Currently, this material is supplied to the area generally from Portland or Troutdale, and during this past summer has been in short supply. It is believed that the public, in the Sandy area, would benefit from this request, in that it would increase the available supply to the public and at a more economical price due to the shorter hauling involved.

5. Is there any other property in the general area of your request, which is zoned for the use you are requesting, but is not being used that way? Is the area presently served by a similar type use?

No other property in the general area is known to be zoned for the use requested, other than through the Conditional Use process.

Currently, the Sandy area is not served locally by a similar type use.

6. What are the present conditions in the neighborhood and how will your request change these?

The present conditions in the neighborhood is rural in nature. Land uses are generally residential with limited agriculture or timber production, due to topography and size of tracts. It is not anticipated that this request would change these conditions.

7. How will surrounding property values be maintained or increased? Show the basis for your assumptions in detail.

Since the site of the proposed request is somewhat secluded due to topography and the bordering vegetation, and since the surface mining operation would be limited to a 10-year period; this request should have no effect on surrounding property values as a whole. It could however increase the property values of Tax Lots 1800 and 1300 located immediately to the east of the site, since it would help the flooding problems currently being experienced on portions of this problem due to uncontrolled surface runoff on the Applicant's property. Also, the proposed fish lake when completed may influence the property values of Tax Lot 1800, since it would be located near the proposed lake.

8. Will the proposed use increase traffic in the area? If so, will an increase in traffic be detrimental to the adjoining properties?

As indicated before, most of the material produced will be marketed locally in the Sandy area, approximately 2.5 miles to the south. The main route for hauling the material to users would be via Serbin Road to Bluff Road and the Sandy area. As shown on Plan Sheet 1 of 4 of the plans, Serbin Road is partly a private road and partly a public road. The first approximately 0.4 of a mile from the site is private, and consists of a generally good gravel surface road. This section of the road has been improved recently by the Applicant to upgrade its condition, and would be maintained by the Applicant. The remaining 0.7 of a mile of Serbin Road, to Bluff Road, is a County maintained paved road. Bluff Road is considered a major arterial road, and is paved and well maintained. Serbin Road currently serves approximately ten residences, and the additional traffic of 3-trucks per hour on an average basis is not considered to have a detrimental effect on properties adjoining this road.

It should also be pointed out that the main reason that the Conditional Use Permit is requested for a 10-year period, is to minimize the surface mining operation and the amount or frequency of hauling material to users. Thereby, lessening the impact of increased traffic on Serbin Road.

The Applicant has stated also that he will coordinate and work with his neighbors, the adjoining properties to Serbin Road, and the schools regarding bus schedules, so as to minimize the impact of increased traffic due to his hauling operations.

9. Are public governmental services available (schools, fire and police protection, utilities, etc.) to serve you property? Please specify.

No governmental services would be required for this request, generally speaking.

No permanent buildings would be required, and sanitation would be provided by chemical toilets.

Electricity to provide power would be portable generator or, if practical, PGE has service passing through the proposed site.

With regards to fire protection, the attached letter dated May 10, 1978, from the Sandy Fire District No. 72, will comment on this matter.

Serban Rd.

Kelso Exp't

left (E) to Bluff Rd

left on Bluff to

Serban Rd Turn Rt.

1.1 miles

stay to left

Suggestion on Stan:

Set up on-site conference with Sandy and all

respondents including representative from Planning

Dept. Doug Sandy is going to hire legal counsel.

170,000

Zig Zag
Ph. J

classmate:

(Pestz)

Houston
Barn

~~Kitchen~~
See Houston

Surface

Neighbor:

Jim Kitchen

Sampling

Agencies & persons contacted for on-site conference 1:30 P, Oct 25, 1978 on Sandy site 03-0109 by Paul Hanson on Oct 22, 23, or 24. PH

DEQ - Dick Wikam

LCDC - Jim Claypoole - State Agency Coord.

Soil & Water Conservation ^{Comm} ~~Dist~~ - notified Oct. 23.

Water Resources Department Jake SZRAMEK

Fish and Wildlife Dept, OR JERRY MacCloud, BRENT FORSBERG / Gene Herb

U.S. Fish and Game ~~Gene Herb~~ EDWIN F. Roby

Clackamas Co. Planning Dept. Gary Naylor.

Div. State Lands Mark Harbert.

Corps of Engineers (404) ^{at Coast} Ron Merg. ^{anyone} 1 in Coast Bay 1-2 weeks Annual leave

Doug Sandy 668-4784

Dept. of Transport Thomas S. Lober
238-7438 Region Environmentalist.

County says { Can build lake.
 { Not flood plain.

Circulation

up

- make copy for
Doug Sandy -

- suggest to Paul
that we set
up an site

conference - its
OK - Sandy

- Planning Com.
has shut him down
until C.V.P. hearing -



STATE DEPARTMENT OF GEOLOGY
AND MINERAL INDUSTRIES

1129 SE Santiam Road
Albany, Oregon 97321
Telephone: (503) 967-2039

Ident. No. 03-0109

REPORT OF ON-SITE INSPECTION

Doug Sandy
P. O. Box 315
Sandy, Oregon 97055

$\frac{1}{4}$ Sec. SW Sec. 36, Twp. 1S, Rge. 4E
NW I 2S 4E

County Clackamas

Date of Inspection: October 25, 1978

REMARKS: REPORT OF ON-SITE CONFERENCE

Persons attending are as shown on attached roster.

Due to the concerns expressed in letter from Fish & Wildlife Service, dated October 16, 1978, it was thought appropriate to hold a joint conference on site to review these concerns plus comments made by other reviewers. Therefore all agencies on the reviewing list, whether they have replied or not, were contacted for representation with the sole exception of the Department of Transportation, who had indicated no objections. In addition, due to the question of possible need for a Corps of Engineers, Section 404 permit, U. S. Army Corps of Engineers were invited. The Division of State Lands indicated they would not send a representative due to the fact that it is an area not within their jurisdiction. The Water Resources Department indicated they would not be represented. I.C.D.C. and Soil and Water Conservation Commission were not represented. The U. S. Army Corps of Engineers indicated they could not send anyone as one of the men qualified for this was in Coos Bay and the other was on annual leave.

I called Edwin Robey of the U. S. Fish & Wildlife Service who had signed the letter which was the occasion for the meeting, to request representation and again to give him additional information as to how to reach the site. No one from that agency was present during the afternoon.

A question raised by the U. S. Fish & Wildlife Service indicated that this was a green belt (sic). The site was determined on the ground to not be in the Greenway. As to the concerns of the effects on wildlife it was the stated opinion of the State Department of Fish & Wildlife representatives that there should not be damage to wildlife but that potentially the suitability of the area for wildlife might be enhanced on completion of the lake. I read the material relative

Continued on Page 2

Reported by Paul F. Lawson

Signature

Paul F. Lawson

Title

Field Representative, Mined Land Reclamation

Report of On-Site Conference

#03-0109

Page two

to the Fish and Wildlife Service concerns about draining this site. After a walking tour of the area to be affected, none of the persons present expressed a concern that the proposed mining and pond construction activity would degrade the area. After others had left I continued my investigation of the area. I discovered that much of the "wet land situation" and probably the near flooding of the Sandys' nearest neighbor's home site between them and the river is undoubtedly occasioned by the fact that beavers have dammed the drainage from a depression which is called an "ancient lake" locally. This receives a substantial portion of the runoff on this property and in turn is drained by a water course which I photographed. At present the drainage is obstructed by a beaver dam which has deteriorated. Damming is effective when the ground is saturated; in dry weather water percolates laterally through the sandy, gravel, cobble strata. The drainage from this lake reaches the edge of the river at least 20 to 25 feet above the present water level. The area is actually a terrace and has not been flooded in many years. Traces of other small intermittent streams pass around the neighbors' dwelling near the edge of the river. These are probably occasioned by the fact that the main drainage is at times interrupted by the beavers therefore the water escapes over the surface.

The only concern expressed by the Fish and Wildlife Department representatives was relative to the release of silt into the river. The settling ponds, if required for washing gravel, would be in a closed system. The DEQ representative stated to me at one point that particularly rigorous standards would be required for the settling ponds to prevent too rapid draw-down even if this included artificial sealing. Later he withdrew this upon having been informed that there were no wells in the line of drainage toward the river. It may still be necessary to do some sealing to retain water in the ponds.

Due to the heavy seasonal runoff which occurs periodically I suggested to the Sandys and their crushing contractor that they might consider a diversion system which will allow water to their lake as needed but will bypass when not needed. Such a scheme might preclude unwanted flooding of their fish pond and/or reduce the complexity of the overflow or outlet facilities.

All concerns raised during review were jointly considered on site. It was a useful meeting. Appreciation is expressed to all who participated.

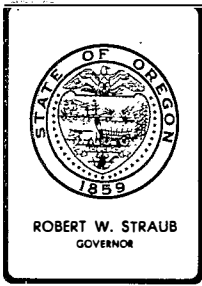
October 9, 1978

MEMO TO FILE:

Mrs. Houston of Sandy, Oregon called today inquiring about the status of the permit for the Doug Sandy operation. We informed her that the circulation for review was not up until the 18th of October. Mrs. Houston wanted to know if the permit was a public record and if a private citizen could have a copy of the permit if he so requested. We said yes.

On October 10, 1978 Mr. Lee Houston called and wanted to know how he could go about getting a copy of the reclamation plans, etc. He wanted to know how he could go about giving some input in regard to the Sandy operation. Stan referred him to the Clackamas County Planning Department.

- 10/10/78 - I relayed Clackamas Co. maps
to Doug Sandy - ~~AA~~ copy sent 10/10/78.



Department of Geology and Mineral Industries
MINED LAND RECLAMATION OFFICE

~~6528 G. PACIFIC BLVD., P.O. BOX 1028, ALBANY, OREGON 97321 PHONE (503) 928-5066~~

WE HAVE MOVED

DEPARTMENT OF GEOLOGY
INDUSTRIES
1129 S. Santiam Road
Albany, Oregon 97321

October 20, 1978

Mr. and Mrs. Doug Sandy
P. O. Box 315
Sandy, Oregon 97055

RE: Surface Mining Permit Application
#03-0109

Dear Mr. and Mrs. Sandy:

The application and reclamation plans submitted with your request for a surface mining permit for your property near Sandy, Oregon have been reviewed by the various natural resource agencies. The review period was completed October 18, 1978. The site has been inspected by Field Representative Paul Lawson from this office and your application is considered to be complete. The Department of Geology and Mineral Industries is therefore prepared to issue the surface mining permit for this site upon submission of the required bond.

A number of questions have been raised by several of the natural resources agencies in their review of the reclamation plan. These questions are of such a nature as to require consultation with these agencies in developing a proper resolution. We are therefore recommending an on-site conference to be conducted on your property with representatives of the natural resources agencies that have expressed these concerns. Principally, these agencies will be Soil and Water Conservation District, Division of State Lands, Water Resources Department, Oregon Fish and Wildlife Department, U. S. Fish and Game Department, Department of Environmental Quality, the Land Conservation Development Commission and the representative from the Clackamas County Planning Department. We propose to contact each of these agencies and establish a time and date for the on-site conference. We would ask that you folks be present at that conference to assist us in the resolution of these matters. We should be able to develop the conditions which will be attached to the operating permit at that time.

Sincerely,

Stanley L. Ausmus
Administrator
Mined Land Reclamation

SLA/bjd

Prepare a letter to each of the review agencies including Corps of Engineers.

Letter:

SUBJECT: Surface Mining Permit Application #03-0109

Douglas Sandy

With reference to the subject surface mining application permit and reclamation plan, a number of review agencies have raised pertinent questions with regard to this proposed operation. In order to resolve the questions that have been raised and to assure that all the concerns that have been expressed are dealt with in the reclamation plan and the mining permit for this site we are calling for an on-site conference inspection on this property. This inspection is scheduled for _____ at _____.

This site is located approximately $1\frac{1}{2}$ miles north of Sandy and the location map is attached to this announcement.

Please notify this office on or before _____ whether or not your agency will have a representative at the conference. We will also need to know who the representative will be and telephone number where he may be contacted.

Thank you for your continued excellent response and input to the review process. Your participation assures that each reclamation plan approved to the environmental and natural resource concerns of all.

Mr. Don Trout
OSHD - Design Section
State Highway Building
Salem, Oregon 97310

Mr. Jake Szmarek
Water Resources
555 13th St. NE
Salem, Oregon 97310

Mr. Ted Long
Parks Department
525 Trade St. SE
Salem, Oregon 97310

Mr. Gordon Olcott
OSHD - Environmental Section
State Highway Building
Salem, Oregon 97310

Mr. Brent Forsberg
Fish & Wildlife Div.
P. O. Box 3503
Portland, Oregon 97208

- ** BLM
- ** NFS
- ** CORPS OF ENGINEERS
- ** DEQ
- ** COUNTY

Mr. Charles Liles
Soil & Water Conserv. Comm.
1015 13th St. NE
Salem, Oregon 97310

**U. S. Fish & Wildlife
Portland Field Office
727 NE 24th Ave.
Portland, Oregon 97237

Division of State Lands
1445 State Street
Salem, Oregon 97310

Mr. Neil Skill
State Forestry Dept.
2600 State Street
Salem, Oregon 97310

RECEIVED
SEP 26 1978
STATE SOIL AND WATER
CONSERVATION COMMISSION

L. C. D. C.
1175 Court St. NE
Salem, Oregon 97310

Mr. W. Hibbard
Willamette R. Greenway
525 Trade St. SE
Salem, Oregon 97310

SHUTTLE BUS

DEPARTMENT OF GEOLOGY
AND MINERAL INDUSTRIES
1129 S. Santiam Road
Albany, Oregon 97321

Clackamas

Applicant Name Doug Sandy Applicant Number 03-0109

The Mined Land Reclamation Division of the Department of Geology and Mineral Industries has received the attached application for a surface mining permit.

RECEIVED

If you have no comments, it is not necessary to reply to this circulation.

OCT 26 1978

Please return your comments by: October 18, 1978

DEPT OF GEOLOGY
& MINERAL INDUS.

- () We have no objection to the proposed project subject to the modifications listed below.
- () The proposed project is unacceptable for reasons listed below.
- () We cannot comment fully without the additional information listed below.
- () Other comments.
- () Check here if you desire a copy of operating permit, future inspection and renewal reports.

Explanations and Comments:

Date October 25, 1978

To the Reviewing Agencies:

The enclosed reclamation plan reflects expansion of 4 acres outside the July 1, 1972 prior mined area. Please comment concerning the acceptability of the reclamation plan bearing in mind that the bulk of this site preexisted before the Mined Land Reclamation Law.

The area is in need of the rock.

Agent Soil & Water by Charles V. Liles, Jr

To return: Reverse this page, fold and staple.

JK

Mr. Don Trout
OSHD - Design Section
State Highway Building
Salem, Oregon 97310

Mr. Gordon Olcott
OSHD - Environmental Section
State Highway Building
Salem, Oregon 97310

Mr. Charles Liles
Soil & Water Conserv. Comm.
1015 13th St. NE
Salem, Oregon 97310

Division of State Lands
1445 State Street
Salem, Oregon 97310

L. C. D. C.
1175 Court St. NE
Salem, Oregon 97310

Mr. Jake Szmarek
Water Resources
555 13th St. NE
Salem, Oregon 97310

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Fish & Wildlife Div.
P. O. Box 3503
Portland, Oregon 97208

**U. S. Fish & Wildlife
Portland Field Office
727 NE 24th Ave.
Portland, Oregon 97237

Mr. Neil Skill
State Forestry Dept.
2600 State Street
Salem, Oregon 97310

Mr. W. Hibbard
Willamette R. Greenway
525 Trade St. SE
Salem, Oregon 97310

Mr. Long
Parks Department
525 Trade St. SE
Salem, Oregon 97310

- ** BLM
- ** NFS
- ** CORPS OF ENGINEERS
- ** DEQ
- ** COUNTY

- ** NOT SHUTTLE
- ** DESIGNATED

SHUTTLE BUS

DEPARTMENT OF GEOLOGY
AND MINERAL INDUSTRIES
1129 S. Santiam Road
Albany, Oregon 97321

RECEIVED
OCT 13 1978
DEPT OF GEOLOGY
AND MINERAL INDUSTRIES

Applicant Name Doug Sandy Applicant Number 03-0109

The Mined Land Reclamation Division of the Department of Geology and Mineral Industries has received the attached application for a surface mining permit.

If you have no comments, it is not necessary to reply to this circulation.

Please return your comments by: October 18, 1978

- () We have no objection to the proposed project subject to the modifications listed below.
- () The proposed project is unacceptable for reasons listed below.
- () We cannot comment fully without the additional information listed below.
- () Other comments.
- () Check here if you desire a copy of operating permit, future inspection and renewal reports.

Explanations and Comments:

Date Oct 13, 1978

To the Reviewing Agencies:

The enclosed reclamation plan reflects expansion of 4 acres outside the July 1, 1972 prior mined area. Please comment concerning the acceptability of the reclamation plan bearing in mind that the bulk of this site preexisted before the Mined Land Reclamation Law.

Water Rights will be needed for the washing operation.

*Water Rights Division
Water Resources Dept
Mill Creek Office Park*

Agent Jake Szmarek Water Resources Dept.

To return: Reverse this page, fold and staple.

*Water Rights Division
Water Resources Dept
Mill Creek Office Park
555 13th St NE
Salem, Oregon 97310*

Mr. Don Trout
OSHD - Design Section
State Highway Building
Salem, Oregon 97310

Mr. Gordon Olcott
OSHD - Environmental Section
State Highway Building
Salem, Oregon 97310

Mr. Charles Liles
Soil & Water Conserv. Comm.
1015 13th St. NE
Salem, Oregon 97310

Division of State Lands
1445 State Street
Salem, Oregon 97310

L. C. D. C.
1175 Court St. NE
Salem, Oregon 97310

Mr. Jake Szmerek
Water Resources
555 13th St. NE
Salem, Oregon 97310

Mr. Brent Forsberg
Fish & Wildlife Div.
P. O. Box 3503
Portland, Oregon 97208

**U. S. Fish & Wildlife
Portland Field Office
727 NE 24th Ave.
Portland, Oregon 97237

Mr. Neil Skill
State Forestry Dept.
2600 State Street
Salem, Oregon 97310

Mr. W. Hibbard
Willamette R. Greenway
525 Trade St. SE
Salem, Oregon 97310

Mr. Long
Parks Department
525 Trade St. SE
Salem, Oregon 97310

- ** BLM
- ** NFS
- ** CORPS OF ENGINEERS
- ** DEQ
- ** COUNTY

- ** NOT SHUTTLE
- ** DESIGNATED

SHUTTLE BUS

DEPARTMENT OF GEOLOGY
AND MINERAL INDUSTRIES
1129 S. Santiam Road
Albany, Oregon 97321

Portland

RECEIVED
OCT 18 1978
DEPT. OF GEOLOGY

Applicant Name Doug Sandy Applicant Number 03-0109

The Mined Land Reclamation Division of the Department of Geology and Mineral Industries has received the attached application for a surface mining permit.

If you have no comments, it is not necessary to reply to this circulation.

Please return your comments by: October 18, 1978

- We have no objection to the proposed project subject to the modifications listed below.
- The proposed project is unacceptable for reasons listed below.
- We cannot comment fully without the additional information listed below.
- Other comments.
- Check here if you desire a copy of operating permit, future inspection and renewal reports.

Explanations and Comments: _____ Date 10/16

To the Reviewing Agencies:

The enclosed reclamation plan reflects expansion of 4 acres outside the July 1, 1972 prior mined area. Please comment concerning the acceptability of the reclamation plan bearing in mind that the bulk of this site preexisted before the Mined Land Reclamation Law.

- The adjacent "swamp" may be classified as a "wetland" and subject to a Corps of Engineers Section 404 permit.
- For commercial aquaculture a permit will be needed from the Department of Fish and Wildlife

Agent ODF&W by Brent O. Forsberg

To return: Reverse this page, fold and staple.

Please indicate the requirements for a County conditional use permit for this operation. If a conditional use permit has been issued, please indicate the date of issue, permit number, and current status. Please attach a copy of the conditional use permit if possible

Mr. Don Trout
OSHD - Design Section
State Highway Building
Salem, Oregon 97310

Mr. Jake Szmarek
Water Resources
555 13th St. NE
Salem, Oregon 97310

Mr. [redacted] Long
Parks Department
525 Trade St. SE
Salem, Oregon 97310

Mr. Gordon Olcott
OSHD - Environmental Section
State Highway Building
Salem, Oregon 97310

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** COUNTY
RECEIVED
SEP 26 1978

Division of State Lands
1445 State Street
Salem, Oregon 97310

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** NOT SHUTTLE
DESIGNATED
**CLACKAMAS COUNTY
PLANNING DEPARTMENT**

L. C. D. C.
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SHUTTLE BUS
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& MINERAL INDUSTRIES

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- () The proposed project is unacceptable for reasons listed below.
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- (X) Other comments.
- (X) Check here if you desire a copy of operating permit, future inspection and renewal reports.

Explanations and Comments: _____ Date _____

To the Reviewing Agencies:

The enclosed reclamation plan reflects expansion of 4 acres outside the July 1, 1972 prior mined area. Please comment concerning the acceptability of the reclamation plan bearing in mind that the bulk of this site preexisted before the Mined Land Reclamation Law.

Based on the information provided, this proposed mining operation would require County approval of a Conditional Use permit. Further, any mining operation within the 100 year flood-plain of the Sandy River would require County approval of a Flood Plain Development Permit.

Agent CLACKAMAS COUNTY PLANNING DEPT. by [Signature] 10/4/78

To return: Reverse this page, fold and staple.

plain of the Sandy River would require County approval of a Flood Plain Development Permit.

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OSHD - Design Section
State Highway Building
Salem, Oregon 97310

Mr. Gordon Olcott
OSHD - Environmental Section
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SHUTTLE BUS

DEPARTMENT OF GEOLOGY
AND MINERAL INDUSTRIES
1129 S. Santiam Road
Albany, Oregon 97321

Handwritten signature

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Please return your comments by: October 18, 1978

OCT 18 1978
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- () The proposed project is unacceptable for reasons listed below.
- () We cannot comment fully without the additional information listed below.
- () Other comments.
- () Check here if you desire a copy of operating permit, future inspection and renewal reports.

Explanations and Comments: _____ Date 10-2-78

To the Reviewing Agencies:

The enclosed reclamation plan reflects expansion of 4 acres outside the July 1, 1972 prior mined area. Please comment concernin the acceptability of the reclamation plan bearing in mind that the bulk of this site preexisted before the Mined Land Reclamation Law.

No objections

Agent Donald L Trout by Highway Div - ODOT

To return: Reverse this page, fold and staple.

___ Versteeg	RECEIVED	___ Trout
___ Christensen		Do Not File <input type="checkbox"/>
___ George		Return To _____
___ Olson		Bring Up _____
___ Terpin		Action _____
___ Sullivan		
___ Scott		
___ Savage		

SEP 26 1978

ENGINEERING SECTION



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Division of Ecological Services
Portland Field Office
727 N.E. 24th Avenue
Portland, Oregon 97232

Reference: ES

October 16, 1978

Oregon Department of Geology and
Mineral Industries
1129 S. Santiam Road
Albany, Oregon 97321

RECEIVED

OCT 18 1978

DEPT OF GEOLOGY
& MINERAL INDUST.

Re: Application 03-0109
Doug Sandy

Dear Sir:

We have reviewed the referenced application for surface mining. In reviewing the information we note that the only previous mining was of a limited nature for road construction. This application covers what would be a new industrial activity in this area, which according to the comprehensive plan is listed as a green belt. The uses appear to contradict themselves.

We are concerned about the effects this mining activity would have on wildlife in the area. There is use by populations of black-tail deer, as well as other large and small mammals, with incidental use by coyote, fox, bear and bobcat. This type of habitat and its proximity to the Sandy River also provides heavy usage by various upland game birds, as well as other bird species. Although this activity is sheltered from public view, we believe some measures should be taken to protect the wildlife resources that are present in the area which would be adversely impacted by human interference and loss of habitat. We suggest that the applicant contact the local Oregon Department of Fish and Wildlife biologist to work out the necessary measures to protect the resource while accomplishing their mining activity.

We also question the draining of the "swampy" 2-acre site. In the spirit of the Presidential Executive Order 11990 on protection of wetlands, Federal agencies are mandated to put a high priority on protection of wetlands because of their high value to wildlife. While this order covers only Federal activities, the Land Conservation and Development Commission's goals also promote the protection of wetlands and it should be determined if this activity is in compliance with their guidelines.



Save Energy and You Serve America!

In view of the foregoing, we feel that this application should be held in abeyance until the applicant has contacted the Oregon Department of Fish and Wildlife to ascertain what steps are necessary to protect the wildlife resources in the area. In addition, the value of the wetlands in the area should be taken into account and not drained unnecessarily. It should also be determined if elimination of the "swampy area" is contrary to State goals and guidelines. We would appreciate learning the results of these inquiries before the application is finally processed.

The above views and recommendations constitute the report of the Fish and Wildlife Service on the subject application.

Sincerely yours,

Clinton F. Ruby

for John W. Kincheloe
Field Supervisor

cc:
EPA
NMFS
ODFW, Portland
GDFW, Herb
LCDC
DSL
DEQ

Doug Sandy Operation

In order to economically build the lake for the fish farm the material to be moved must be marketed. This would require a washing and screening operation to produce sand, pea gravel, drain rock etc. with the over size rock above 2 inches being crushed for disposal.

The settling ponds necessary for the washing would be constructed in the area of the existing swamp. There appears to be ample spring water and existing water table to supply the water needed since it will all be recycled for continuous use.

The screening and crusher site would occupy an area less than one acre, or about 150 ft. X 200 ft. with stockpile of material products in the immediate vicinity.

No permanent buildings would be required. Sanitation would be provided by chemical toilets.

Electricity to provide power would be portable Generator or if practical PGE has service passing through the proposed area.

Employment would be provided for approximately 2 to 10 persons depending on what operation was being performed.

The screening plant would consist of a feed bin, screen, pump, and necessary conveyors. The crushing operation would consist of a Jaw, Cone, and Roll crushing units with Screening unit and necessary conveyors.

All units except three, would be hauled on regular units weighing a maximum of 18,000 lbs. per axle and the three units would be moved under State and County permits allowing 21,500 lbs per axle.

Estimate trucking would average three loads per hour or 500 loads per month.

The screening and crushing operation would be conducted between the hours of 8 AM and 5 PM weekdays. No operation on Saturdays Sundays or Holidays.

P E T I T I O N

WE THE UNDERSIGNED, being adjacent neighbors and landowners of the property owned by Douglas Sandy as described in the attached exhibit are joining in this petition to affirm our approval of the proposed development of the above-mentioned property. We are aware that the following conditions now exist and that the following development plans are now proposed:

- 1) The present two (2) acre site is swampy, is in need of drainage, and has no ~~recreational~~ ^{agricultural} use;
- 2) There is a need for an operational rock-crushing system, and the proposed operation would be in sue for no more than ten (10) years;
- 3) That the site would then be cleared and dredged to become a twenty (20) acre lake to be used for ~~recreational~~ ^{agricultural} purposes.

Name:

(K.D.S.) 5/5/78 Address:

Date:

- | | | | |
|----|------------------------|--|------------------|
| 1. | <u>Jamie D Kitch</u> | <u>39020 SE SERBAN RD.</u>
<u>SANDY Oreg</u> | <u>5-12-78</u> |
| 2. | <u>Ray A Schoppert</u> | <u>38720 SE SERBAN RD,</u>
<u>SANDY OREG,</u>
<u>39580 Gary ST #20 Sandy Ore</u> | <u>5, 12, 78</u> |
| 3. | <u>Stephen D Sandy</u> | <u>OWN</u>
<u>land adjacent to site</u> | <u>5/13/78</u> |
| 4. | <u>Isa L May</u> | <u>38501 S.E. Serban Rd.</u>
<u>Sandy, Oregon 97055</u> | <u>5/15/78</u> |
| 5. | <u>Ellie Anderson</u> | <u>38591 SE Serban Rd</u>
<u>Sandy Oregon 97055</u> | <u>5/16/78</u> |

P E T I T I O N

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Name: _____ Address: _____ Date: _____

- | | | | |
|----|-----------------------|--|----------------|
| 1. | <u>Glossom Cronn</u> | <u>4115 S E Francis St</u>
<u>Portland Or 97202</u> | <u>5-16-78</u> |
| 2. | <u>Frank Anderson</u> | <u>2110 SE Higgins</u>
<u>Seaside, Oregon</u> | <u>5-18-78</u> |
| 3. | <u>Robert Bishop</u> | <u>38651 SE Seban Rd</u> | <u>5-19-78</u> |
| 4. | _____ | _____ | _____ |
| 5. | _____ | _____ | _____ |



**CITY OF
SANDY**

P.O. BOX 116
SANDY, OREGON 97055
Telephone 668-5533

May 12, 1978

Doug Sandy
P.O. Box 315
Sandy, Or. 97055

To Whom It May Concern:

I have reviewed the proposed improvements along the Sandy River with Mr. Sandy.

I have walked the site to see how the proposal would affect the city. The city's position could be outlined as follows:

1. The city realizes there is a need for granular fill and crushed rock in the Sandy area; but the city also is concerned with the impact on the area. This proposal seems to meet these needs as well as provide a minimum impact on the environment. It is screened from the public.

2. The city is also concerned about the condition of the site after the removal of the granular material. I am informed that the area would be developed into recreational lakes. This appeals to the city.

Our Comprehensive Plan has zoned this area as a green belt and the end product would be accomplished. In summary - the city would not be against such a proposal.

Sincerely yours,

Dennis Peoples
Dennis Peoples
Director of Public Works

DP:js

SANDY FIRE DISTRICT 72

Box 518 Sandy, Oregon 97055

Bus. Telephone: 668-4622



"LEARN
NOT TO
BURN"



"FIRE
PREVENTION
PAYS"



May 10, 1978

Mr. Douglas Sandy
PO Box 315
Sandy, Oregon 97055

Dear Mr. Sandy;

In regards to your proposal for improving the lower half of SE Serban Road and the installation of ponds.

As you know, the present road only allows access for fire equipment during certain times of the year and it is doubtful whether our larger tankers could negotiate the present road at all. Even though the lower half of Serban Road borders the Sandy River, obtaining river water for firefighting purposes is very difficult at best because of the steep banks bordering the river.

Your proposal for the installation of ponds and for upgrading the road, would provide very needed improvements as far as fire protection is concerned.

Yours truly,

A handwritten signature in cursive script that reads "Bob Rathke".

Bob Rathke, Chief

RR/1h

DEPARTMENT OF GEOLOGY AND MINERAL INDUSTRIES
MINED LAND RECLAMATION DIVISION

RECLAMATION PLAN GUIDELINE

A. NAME, ADDRESS AND TELEPHONE NUMBER OF THE OPERATOR OR HIS AGENT:

Doag JANDY
P.O. BOX 315
JANDY OREGON 97055

B. NAME AND ADDRESS OF LANDOWNER:

SAME

C. LIST OF KNOWN MATERIALS FOR WHICH THE OPERATION IS TO BE CONDUCTED:

Sand GRAVEL Cobbles
Aggregate

1. PROPOSED STARTING DATE:

as soon as permit

2. PROPOSED ENDING DATE (IF KNOWN):

completion of ponds.

D. OPERATIONAL PLAN:

1. METHOD TO BE EMPLOYED:

a. SINGLE BENCH

c. DREDGE

b. MULTIPLE BENCH

d. OTHER

DRAGLINE

2. TYPES OF EQUIPMENT TO BE USED:

DOZER - RIPPER
FRONT-END LOADER

DRAGLINE

3. DISPOSITION OF OVERBURDEN:

no trace overburden some surface material
will stored SW of present excavation.
will saved for final landscaping.

E. WHAT WILL BE THE PLANNED SUBSEQUENT "BENEFICIAL USE" OF THE PERMIT AREA? THIS CAN INCLUDE, BUT IS NOT LIMITED TO, CONSTRUCTION SITE, SANITARY LAND FILL, PARK, WATER IMPOUNDMENT, AGRICULTURAL USE (BE SPECIFIC, EXAMPLE: GRAZING LAND, CROP TO BE PLANTED, ETC.), FOREST LAND.

Pond(s) for commercial aquaculture

- F.1. (a) Reclamation will begin 90 days following completion of mining.
(b) Reclamation will be concurrent with mining. yes no

F. 2. PROVISION FOR RECLAIMING MINED LANDS ON A CONTINUING BASIS WHERE FEASIBLE.

G. RECLAMATION PROCEDURES

1. WHAT WILL YOU DO TO INSURE GROUND STABILITY?

~~Strike~~ Top of 10 feet of ponds of man water will have slope of 3:1 or better, and plantings

2. PROVISION FOR REVEGETATION. (Minimal survival rate is 75% uniformly distributed.)

(a) HOW WILL YOU SAVE AND STORE TOPSOIL? all material is marketable. However, some surface material will stockpiled in SW corner of area for landscaping non-water area.

- (b) WHAT MEASURES WILL YOU TAKE TO PREVENT EITHER WIND OR WATER EROSION OF TOPSOIL DURING STORAGE?

Will reseed and grow naturally one season - (rain forest!)

- (c) WHAT WILL BE THE AVERAGE DEPTH OF TOPSOIL REPLACED ON THE AREA TO BE RECLAIMED.

approximately one foot over the affected area outside water area.

- (d) HOW WILL YOU PREPARE SEED BED PRIOR TO PLANTING?

Per recommendation of county extension agent.

- (e) WHAT TYPES AND AMOUNTS OF GRASS SEED WILL YOU USE PER ACRE AND HOW WILL THIS BE PLANTED?

Per recommendation of county extension agent.

- (f) WHAT TYPES AND AMOUNTS OF FERTILIZER, MULCH, AND LIME WILL YOU USE?

Per recommendation of county extension agent.

- (g) WHAT TYPES AND AMOUNTS OF SEEDLINGS AND SHRUBS WILL YOU PLANT?

Per coop & county extension agent.

- (h) WHEN WILL SEEDING AND PLANTING TAKE PLACE? (SEASON OF YEAR)

Spring or fall

H. WATER AND DRAINAGE

- (a) WHAT PROVISION WILL YOU TAKE TO INSURE PROPER DRAINAGE?
Not applicable, constructing impoundment and approximately 600 feet from nearest flowing water
- (b) WHAT PROVISION HAS BEEN TAKEN FOR SILT CONTROL?
If washing occurs w/ crushing, a closed system of appropriately settling basins will be constructed
- (c) IF WATER IMPOUNDMENT IS TO BE LEFT, SEE PAGE 6. —

I. VISUAL SCREENING

- (a) WILL YOU EMPLOY VISUAL SCREENING? (IF NO, EXPLAIN)
Natural - will be retained - site sets secluded within property.
- (b) WHAT TYPES AND AMOUNTS OF PLANTS WILL YOU USE?
NA
- (c) WHAT WILL BE THE SPACING BETWEEN PLANTS?
NA

J. PROVISION FOR REMOVING STRUCTURES, EQUIPMENT, AND REFUSE FROM THE PERMIT AREA IN ACCORDANCE WITH THE RECLAMATION PLAN.

no permanent structures - all equipment is mobile or portable.

K. MAP OF AERIAL PHOTO REQUIREMENTS

- (a) WILL AREA PHOTO BE SUBMITTED? YES NO
SCALE _____

(b) MAP(S) REQUIREMENTS. THE MAP SHOULD SHOW, BUT IS NOT LIMITED TO:

- (1) SCALE: (1" = 400' to 600')
- (2) NORTH SHALL BE INDICATED
- (3) QUARTER SECTION, SECTION, TOWNSHIP AND RANGE
- (4) DISTANCE AND DIRECTION TO NEAREST MUNICIPALITY
- (5) LOCATIONS AND NAMES OF ALL STREAMS, ROADS, RAILROADS, UTILITIES

- (6) LOCATION AND NAMES OF ADJACENT LANDOWNERS
- (7) ALL OCCUPIED HOUSES WITHIN 500 FEET
- (8) LOCATION OF ALL PROPOSED ACCESS ROADS
- (9) LOCATION OF PLANT, OFFICE AND MAINTENANCE FACILITIES
- (10) SHOW BOUNDARIES OF AREA TO BE PERMITTED
- (11) TYPICAL CROSS-SECTION OF PRESENT GROUND LINE AND PROJECTED GROUND LINE AFTER RECLAMATION
- (12) CONTOUR INTERVAL, DATE OF MAP PREPARATION, NAME OF PERSON PREPARING MAP.
- (13) AREA FOR TOPSOIL STORAGE, WASTE DISPOSAL
- (14) A SEPARATE MAP SHOWING GENERAL LOCATION OF THE OPERATING AREA (NOT LARGER THAN 8 $\frac{1}{2}$ " x 11")

(c) A REVISED MAP MAY BE REQUIRED ANNUALLY

L. IF APPLICABLE, WHAT PROVISIONS HAVE BEEN MADE FOR STREAM CHANNEL, BANK STABILIZATION AND REHABILITATION? *NA*

M. EVIDENCE, IN WRITTEN FORM, STATING THAT ALL OWNERS OF A LEGAL, EQUITABLE, FIDUCIARY OR POSSESSORY INTEREST IN THE LAND CONCUR WITH THE PROPOSED SUBSEQUENT USE FOR ANY MINING OPERATION COMMENCING SUBSEQUENT TO JULY 1, 1972. *NA*

N. OTHER PERMITS IF APPLICABLE:

DIVISION OF STATE LANDS
 DEPARTMENT OF ENVIRONMENTAL QUALITY
 COUNTY USE PERMIT
 OTHER (IDENTIFY)

NO. _____	DATE _____
NO. _____	DATE _____
NO. _____	DATE _____

O. OTHER COMMENTS:

Doug Landy

 (SIGNATURE OF APPLICANT)

TITLE *Owner/Operator* DATE *Sept 5 1978*

WATER IMPOUNDMENTS

(1) HOW LARGE WILL THE SURFACE AREA BE, IN ACRES? 6-7 A estimated

(2) WHAT PROVISIONS HAVE BEEN MADE FOR PUBLIC SAFETY?

Sealed - in private road
to be gated,
~~not to be~~ Impossible to be viewed from
existing roads.

(3) WHAT PROVISIONS HAVE YOU MADE TO PREVENT WATER STAGNATION?

Average water to be 10 foot or greater
replenishment of water from natural springs.
It is planned to maintain minimum level of
water through use of well as necessary.

(4) WHAT IS THE WATER SOURCE FOR THE IMPOUNDMENT?

ground water plus natural springs
plus a proposed well,

(5) WILL THERE BE PUBLIC ACCESS FOR FISHING?

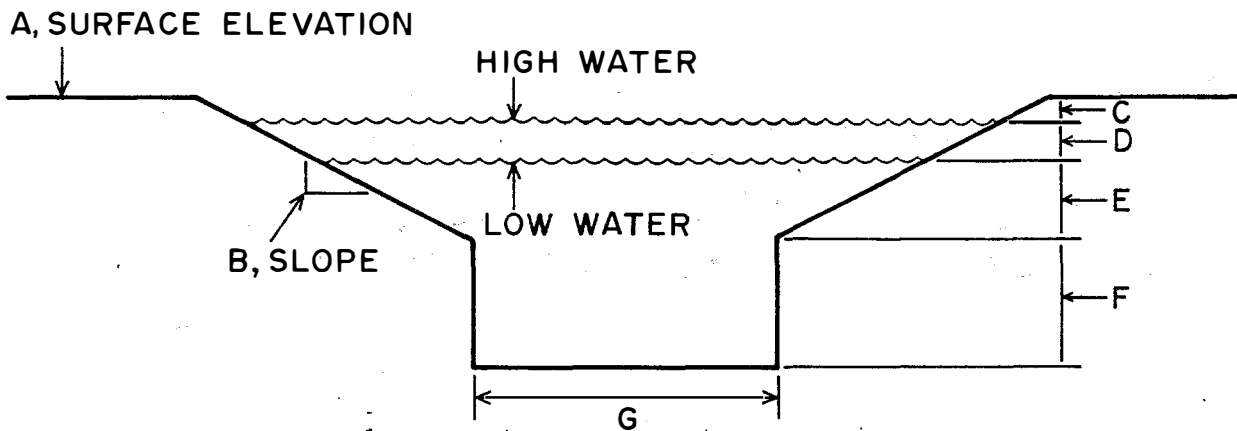
No

INSTRUCTIONS FOR CROSS-SECTION

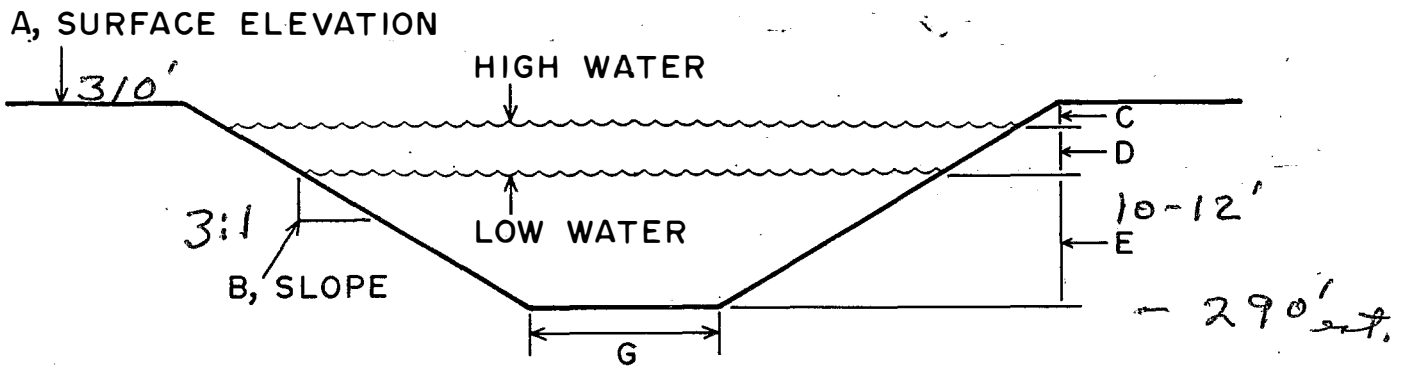
1. THE TWO EXAMPLES SHOWN ARE "TYPICAL" CROSS-SECTIONS OF A WATER IMPOUNDMENT LEFT AFTER EXCAVATION IS COMPLETE.
2. IF ONE OF THE PLANS SHOWN IS TO BE USED, PLEASE INDICATE WHICH ONE AND PROVIDE THE FOLLOWING INFORMATION ON THE PLAN SELECTED.
YOU DO NOT HAVE TO RE-DRAW THE CROSS-SECTION.
 - A. SURFACE ELEVATION TO THE NEAREST 5 FEET.
 - B. SLOPE OF THE BANK (MAXIMUM IS 2:1 OR 27°).
 - C - G. THE DIMENSIONS IN FEET.

Typical Cross - Section(s) of Water Impound

TYPE I



TYPE II



August 16, 1978

MEMO TO FILE:

FROM: Stan

Doug Sandy called August 15. Concerned about the proposed grains and revetment - referred to DSL - Mark Harbart's

Inquired re possible crusher at his site.

Presently using less than 2,500 cubic yards for purposes other than own roads. Needs to have 20,000 to 60,000 yards crushed and stockpiled. Will sell off-site to offset cost of construction of commercial fish farm (lake).

Recommended apply for state mining permit. Apply to county for necessary county permit. Arrange for on-site inspection by MLR and have report to submit to county. Will be setting up appointment with us for office visit to file application and for on-site inspection.

Noted PFR

668-4784



STATE OF OREGON

INTEROFFICE MEMO

TO: File

DATE: April 24, 1978

FROM: Paul F. Lawson

SUBJECT: Doug Sandy

Mr. Doug Sandy called this morning. In essence, he wanted a new packet of forms, etc., as apparently he expects to increase his operation. I have drafted a letter transmitting the requested "packet".

Mr. Sandy gave his address as: Doug Sandy, P. O. Box 315, Sandy, Oregon 97055.

Mr. Sandy has had prior communication with Tom Ehmett, however no permit or certificate has been issued.

Mr. Sandy informed me that he has a 55 acre family farm (since 1918) on west side of the Sandy River upstream from Dodge Park.

Letter on file (Sandy Fire Dist. #72, December 28, 1976) indicates farm to be at end of Serban Road. By map examination, this would be (probably) in Sec. 1, Twp. 2S, Rge. 4E.

Mr. Sandy hopes to extract sand, gravel, and rock for sale, to improve road(s) on his property, and to create a recreational fishery (perhaps commercial fish production).

Perhaps 30% will require crushing so he plans to install crusher.

The fire Department letter indicates value to community of improved road and of water resource availability expected to result from Mr. Sandy's operation.

April 24, 1978

C
O
P
Y

Mr. Doug Sandy
P. O. Box 315
Sandy, Oregon 97055

Dear Mr. Sandy:

I am sending you the forms and instructions concerning surface mining which you requested this morning.

If you have questions or need assistance with the forms, please contact me on 967-2039 or by mail at this address.

Sincerely,



Paul F. Lawson
Field Representative
Mined Land Reclamation

PFL:lv
encl. *jacket*

~~Berry Creek | 20-0014 Ron Summers
New Site Bechtel
17S 12W 14 or 23~~

Doug Saugly 668-4784

RA-1 C
Lot 1900

Pond Construction

Ditch Construction - Drainage

Contact County Don -

Contact Shirley C.

ZONING ADMINISTRATOR

Zone Ron Stangle

RON STANGLE or

940 Wynn rd

On

92045

Conditional Use if Commercial

Write letter to Stangle explain project

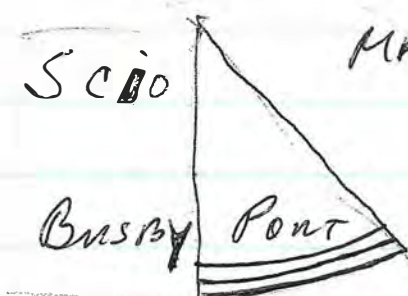
Highlighting emphasis on flood control and
road construction

KIN Daily On Fish & Wild 229-5144

Scio

MR. Bond

BUSBY Pont



KIN DAILY 229-5144

SANDY FIRE DISTRICT 72

Box 518 Sandy, Oregon 97055

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December 28, 1976

Mr. Ron Stangle
Clackamas County Planning Commission
940 Warner-Milne Road
Oregon City, Oregon 97045

Dear Mr. Stangle:

Mr. Doug Sandy, of 39001 SE Serban Road, Sandy, stopped by our office with a proposal for certain improvements to his property located at the end of Serban Road along the Sandy River. Mr. Sandy asked for our comments, and that we direct a letter to your organization regarding the fire protection aspects of his proposal.

The area at the end of Serban Road is almost inaccessible for fire apparatus because of the condition of the road into the area. It is very narrow, steep and has a switchback that only our smallest piece of equipment can negotiate.

The plans that Mr. Sandy showed us included provision for straightening and improving the road into the area. This would allow our apparatus full access to the lower Serban Road area. In addition, Mr. Sandy's plans call for the installation of a large pond which would be available for fire fighting purposes. This also would be an important fire protection improvement. Even though the area borders the Sandy River, water for firefighting purposes is a problem because of the topography of the area whereas the banks of the river are steep and rocky. This prevents apparatus from reaching the river (assuming that the road is improved so that apparatus can even get into the area).

We think the plans Mr. Sandy has will make important and needed improvements in regards to fire protection for the area in this area, and would like to lend our support for his proposal. We would hope that the Planning Commission would look favorably on this proposal.

Yours truly,

Bob Rathke, Chief

RR/lh