



MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS
ROOM 605, COUNTY COURTHOUSE
1021 S.W. FOURTH AVENUE
PORTLAND, OREGON 97204

GLADYS McCOY	• Chair	• 248-3308
PAULINE ANDERSON	• District 1	• 248-5220
GRETCHEN KAFOURY	• District 2	• 248-5219
RICK BAUMAN	• District 3	• 248-5217
	• District 4	• 248-5213
JANE McGARVIN	• Clerk	• 248-3277

AGENDA OF
MEETINGS OF THE MULTNOMAH COUNTY BOARD OF COMMISSIONERS
FOR THE WEEK OF
June 12 - June 16, 1989

Tuesday, June 13, 1989 - 9:00 AM - Planning Items . . . Page 2
followed by Legislative Briefing
Tuesday, June 13, 1989 - 1:30 PM - Informal Meeting . . Page 3
Thursday, June 15, 1989 - 9:30 AM - Formal. Page 4

Tuesday, June 13, 1989 - 9:00 AM

Multnomah County Courthouse, Room 602

1. The following Decisions of the Planning Commission of May 8, 1989, reported to the Board for acknowledgement by the County Chair: Case CU 6-89 - Approve, subject to conditions, conditional use request for Phases I and II of the request to remove and sell clay material from the subject property, for property located at 14545 NW St. Helens Road - Continued from June 6, 1989

INFORMAL BRIEFINGS

2. Legislative Briefing (if needed) - Fred Neal, Howard Klink

PUBLIC TESTIMONY WILL NOT BE TAKEN AT INFORMAL MEETINGS

Meeting of
Tax Supervising & Conservation Commission
Portland Building, Conference Room B, Second Floor
10:00 AM

Public Hearing on Multnomah County Budget and Service District Budgets, at which majority of Board Members will be attending

Tuesday, June 13, 1989 - 1:30 PM

Multnomah County Courthouse, Room 602

INFORMAL

1. Informal Review of Bids and Requests for Proposals:
No Bids
2. Presentation of Charitable Solicitations Task Force Report
- Barbara S. Donin
3. Briefing on Commercial Appraisals in Multnomah County - Bob
Ellis, Janice Druian
4. Briefing on implementation strategies for contract with MCA
for FY 89-90 - Duane Zussy
5. Informal Review of Formal Agenda of June 15, 1989

PUBLIC TESTIMONY WILL NOT BE TAKEN AT INFORMAL MEETINGS

Thursday, June 15, 1989, 9:30 AM

Multnomah County Courthouse, Room 602

Formal Agenda

REGULAR AGENDA

BOARD OF COUNTY COMMISSIONERS

- R-1 In the matter of the appointment of Sharon Wiley to the Private Industry Council

DEPARTMENT OF ENVIRONMENTAL SERVICES

- R-2 Order Accepting Deeds for County Road Purposes:
a) Neal T. and Sandra Ashe - S.E. 223rd Avenue
- R-3 In the matter of ratification of an intergovernmental agreement with the Oregon State Department of Transportation, Highway Division to provide Engineering Services as needed for county projects for a period of five (5) years - July 1, 1989 to June 30, 1994
- R-4 In the matter of ratification of a supplemental intergovernmental agreement with the City of Troutdale for Multnomah County to perform certain maintenance functions on city streets for fiscal year 1989-1990 - July 1, 1989 to June 30, 1990
- R-5 In the matter of ratification of a supplemental intergovernmental agreement with the City of Fairview for Multnomah County to perform certain maintenance functions on city streets for fiscal year 1989-1990 - July 1, 1989 to June 30, 1990
- R-6 In the matter of ratification of a supplemental intergovernmental agreement with the City of Wood Village for Multnomah County to perform certain maintenance functions on city streets for fiscal year 1989-1990 - July 1, 1989 to June 30, 1990
- R-7 In the matter of ratification of an amendment to the Transportation Portion of the Transition of Urban Services Intergovernmental Agreement with the City of Portland, effective July 1, 1989

- R-8 Notice of Intent to file a grant application with the U.S. Department of Housing and Urban Development's Fair Housing Initiative Program by the Community Development Division, for \$40,000 for the implementation of a community-wide education and outreach project, with \$20,500 coming from local share (City of Portland - \$7,000 in kind; Multnomah County Legal Aid Service - \$13,500 in kind)

ORDINANCES - DEPARTMENT OF ENVIRONMENTAL SERVICES

- R-9 First Reading - An ordinance amending Multnomah County Code Chapter 11.60 and authorizing the Multnomah County Chair to accept deeds and easements for road purposes

DEPARTMENT OF HUMAN SERVICES

- R-10 Notice of Intent to apply to the Administration of Children, Youth and Families, Office of Human Development, Department of Health and Human Services, Headstart Bureau, by the Social Services Division, for share of allotted funds (\$18,450,000 nation-wide) for comprehensive, intensive and integrated support services to low income children from birth to entrance into grade school
- R-11 In the matter of ratification of a revenue agreement with State of Oregon Department of Human Resources, Senior Services Division, to withdraw \$128,885 in contract, to accommodate State decreases in federal Title XIX and Oregon Project Independence funding for FY 89-90 and to release federal Title III funds for carryover to FY 89-90, and provides funding toward a national case management study and shifts dollars to fund furnishings and equipment purchases
- R-12 Budget Modification DHS #62 making a reduction in the amount of \$128,885 in Aging Services, as a result in State decreases in federal Title XIX and Oregon Project Independence funding for FY 89-90 as provided in above entitled agreement
- R-13 Budget Modification DHS #63 making an appropriation increase in the amount of \$20,172 in Aging Services, in grant funds which were carried forward from FY 87-88, and shifts unexpended funds from services to administration to support the extension of the Linking Networks project through the end of the FY 88-89 fiscal year

- R-14 Budget Modification DHS #64 making a reduction in Director's Office, Community Services, in the amount of \$514,146 to reflect actual FY 87-88 carryover amounts, actual FY 88-89 revenue contracts, and actual or projected FY 88-89 expenditures to June 30, 1989 by Metropolitan Community Action (MCA) and Human Solutions, Inc., for low-income weatherization services
- R-15 Budget Modification DHS #65 making an appropriation transfer in the amount of \$3,735 within Social Services, Administration from Professional Services to Personal Services, to reflect the reclassification of two positions (an OA 3 to Administrative Assistant, and an Administrative Assistant to Administrative Specialist 2)
- R-16 Budget Modification DHS #66 making an appropriation transfer in the amount of \$3,724 in Social Services, Federal State funds (Juvenile Services Commission), from Materials & Services (Contracts) to Capital Outlay (Equipment) for the purchase of a Wang PC and printer to allow the Youth Program Office to access the Department's OIS system
- R-17 In the matter of ratification of an agreement with State Department of Education, for the State to reimburse the county for inspecting 42 food preparation and meal serving sites operating under the USDA Summer Food Service Program, for the period June 19 to August 30, 1989
- R-18 Notice of Intent to file grant application by the Juvenile Justice Division to the Department of Health and Human Services, Office of Juvenile Justice and Delinquency Prevention, for total of \$97,209, for Street Law Program (to teach at-risk juveniles an understanding of the relationship of the laws to social order)
- R-19 In the matter of ratification of an Intergovernmental Revenue Agreement with State Mental Health Division for the biennial agreement for the period July 1, 1989 through June 30, 1991, for the provision of community Mental Health Services in Multnomah County

- R-20 In the matter of ratification of intergovernmental agreements representing annual renewal of all mental health contracts for FY 89-90, for period July 1, 1989 to June 30, 1990, from the following: Oregon Health Sciences University-CDRC; City of Portland Parks and Recreation; Mt. Hood Community College; Children's Psychiatric Day Treatment; Portland Employment Project - PCC; Portland Public Schools Dist. #1; Reynolds School District #7; Tri-Met; Oregon Health Sciences University; Alcohol Treatment and Training Center

DEPARTMENT OF JUSTICE SERVICES

- R-21 Budget Modification DJS #29 reclassifying two positions in the Sheriff's Office: Program Manager I to Program Manager II, and transferring \$1,349 from Corrections Facilities Division to Corrections Programs Division; and Financial Technician to Financial Specialist, and transferring \$2,471 from Corrections Facilities Division to Fiscal Unit
- R-22 In the matter of ratification of an Intergovernmental Agreement with the State Department of Corrections, providing for the transfer of State Department of Corrections employees to Community Corrections Division, as per ORS 236.610 to provide services under Structured Supervision program funded by Federal Grant

ORDINANCES, BOARD OF COUNTY COMMISSIONERS

- R-23 First Reading - An Ordinance amending Multnomah County Code 2.30.300, relating to the Department of Justice Services; and declaring an emergency
- R-24 First Reading - An Ordinance amending Multnomah County Code Chapter 2.30, relating to Justice Services; and declaring an emergency
- R-25 First Reading - An Ordinance amending Multnomah County Code 2.30.010, relating to definitions; and declaring an emergency

Thursday Meetings of the Multnomah County Board of Commissioners are recorded and can be seen at the following times:
Thursday, 10:00 PM, Channel 11 for East and West side subscribers
Friday, 6:00 PM, Channel 27 for Rogers Multnomah East subscribers
Saturday 12:00 PM, Channel 21 for East Portland and East County subscribers



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POLLY CASTERLINE •	District 4	• 248-5213
JANE McGARVIN •	Clerk	• 248-3277

BOARD OF COUNTY COMMISSIONERS

TUESDAY, June 6, 1989

9:30 a.m., Room 602

A G E N D A

Decision

The following Decision is reported to the Board for acknowledgement by the Presiding Officer:

CU 6-89 **Approve, subject to conditions,** conditional use request for Phases I and II of the request to remove and sell clay material from the subject property, for property located at 14545 NW St. Helens Road.

Other Items for Board Action.

Auto Wrecker's License Renewal

Submitted to the Board with a recommendation that the same be approved:

Tony Schneider
(dba A-1 Discount Auto Wrecking)
12010 North Columbia Blvd..

BOARD OF
COUNTY COMMISSIONERS
1989 MAY 31 AM 10:23
MULTNOMAH COUNTY
OREGON

HV 1-89 Review the Decision of the Planning Commission of February 13, 1989, approving requested minor variance of front yard setback and denying requested major variance of side yard setback for property located at **13808 SE Raymond Street**.

This item was before the Board on April 4, 1989, and continued to this date at the request of the applicant's attorney, stating that a solution was reached regarding the setback for the property. However, in order to protect both parties, he requested the Board continue the matter for 60 days which would allow preparation and signature completion for all documents.

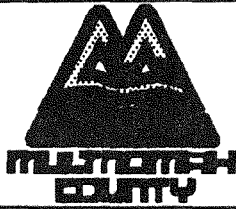
All documentation in this matter has not been completed and the attorney is requesting a further continuance.

Public Hearing

CS 1-89 Public Hearing - DeNovo

Review the Decision of the Planning Commission of February 27, 1989, approving, subject to conditions, change in zone designation from EFU to EFU-C-S, community service, for approximately 55 acres, to allow its inclusion in a redesigned 18-hole golf course with the specific accessory uses previously approved under CS 11-83 on an adjacent site covering approximately 145 acres (200 acres total size) all for property located at 15105 NW Sauvie Island Road.

This item was before the Board on May 9, 1989 and continued to this date as a DeNovo hearing.



**Department of Environmental Services
Division of Planning and Development
2115 S.E. Morrison Street
Portland, Oregon 97214 (503) 248-3043**

Decision

This Decision consists of Conditions, Findings of Fact and Conclusions.

CU 6-89

Conditional Use Request (Clay Mining Removal)

Applicant requests conditional use approval to allow an existing mining activity to be expanded to include the removal and sale of clay, which is to be used as cover material at the St. Johns Landfill. Request would expand mining activity in a five phase program from the existing approved 72-acre mine site to an additional 93 acres which would be for clay removal purposes only.

Location: 14545 NW St. Helens Road

Legal: Tax Lots '2', '6', '8' and the northerly most 52.72 acres of Tax lot '11',
Section 29, 2N,1W (1988 Assessor's Map)

Site Size: 165.77 Acres

Size Requested: Same

Property Owner: Myrtle E. Rand
1184 Sweetwater Drive, Reno, Nevada 89509
& Linnton Rock Group
PO Box 2183, Grand Junction, Colorado 81503-2183

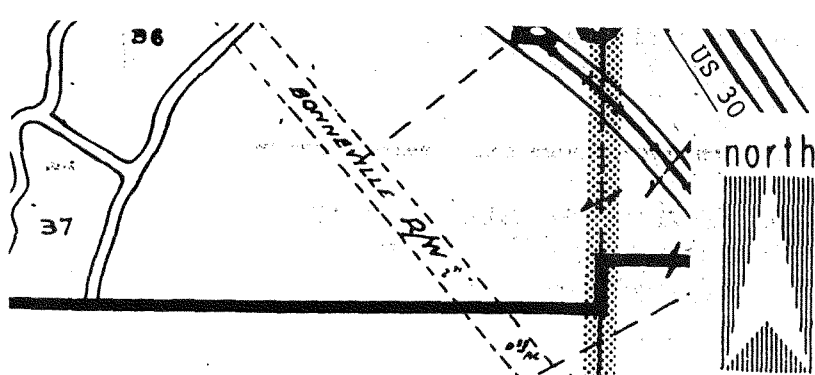
Applicant: Angell Brothers, Inc.
PO Box 83449, Portland 07383

Comprehensive Plan: Multiple Use Forest

Zoning: MUF-19

Planning Commission Decision: APPROVE Phases I and II of request to remove and sell clay material from the above described property, subject to conditions, based on the following findings and conclusions.

**CU 6-89
May 8, 1989**



CASE:..... CU 06-89
 SITE IDENT:..... Tax Lots 2, 6, and 8, plus
 portion of Tax Lot 11
 LOCATION:..... N½ SEC 29. T2N, R1W, WM
 SZM's SHOWN:..... 50, 51, 52-C, 63, 64,
 65, 66, 67, & 69
 MAP SCALE USED:... 1 inch to 600 feet
 SZM BOUNDARY:.....

NOTE: Underscoring above denotes Sectional
 Zoning Map within which the subject
 property is situated.

MUF-38

(6)
 174.88 Ac.

SZM 50

SZM 63

MUF-38

(9)
 144.75 Ac.

SZM 63

SZM 65

MUF-38

SZM 65

SZM 66

(11)
 252.32 Ac.

MUF-38

SZM 66

SZM 69

(2)
 20.0 Ac.

SZM 63

SZM 64

MUF-38
 CS

SZM 64

MUF-19
 CS

SZM 64

SZM 67

(12)
 31.22 Ac.

MUF-

SZM 67

SZM 69

MUF-19
 CS

MUA-20
 WRG

SZM 52-C

SZM 67

← **MUF-1**
 WRG

MUA-20
 WRG
 CS

CS

ST HELEN'S

R.W.

TO STATE

8100.75

SP&S R.W.

US 30

ALLEN BOCK-SE R.W.

US 30

SP&S R.W.

US 30

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US 30

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US 30

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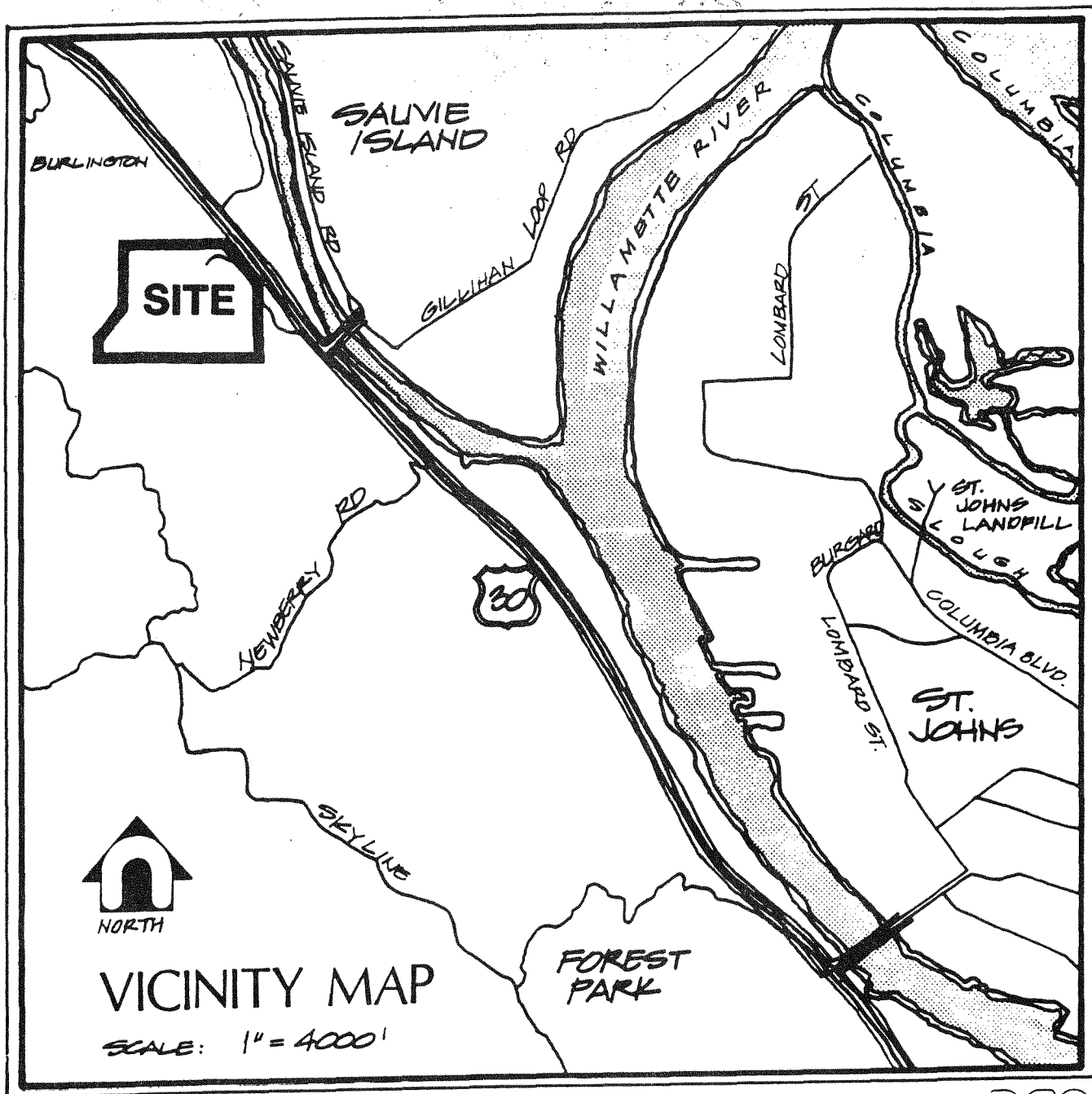
US 30

SP&S R.W.

US 30

SP&S R.W.

US 30



CCN

CU 6-89

Exhibit 1

Conditions:

1. Adequate precautions, approved by the Oregon Department of Transportation, shall be taken so that no material is carried by tires or dropped from truck beds onto St. Helens Road as a result of this operation. Failure to immediately remove any such material from St. Helens Road shall be grounds for suspension of this permit.
2. Prior to the issuance of any land development permits, the proposed reclamation plan shall be approved by the Oregon Department of Geology and Mineral Industries as meeting all applicable regulations.
3. The material removed is to be used only for cover material at the St. Johns Landfill.
4. No mining shall occur within 100 feet of the intermittent stream near the north edge of the property which is shown on the applicant's site plan.
5. A 100 unmined buffer area shall be maintained around the perimeter of the subject property.
6. Phases III through V shall require additional Planning Commission review at a public hearing before they may be commenced.

Findings of Fact:**1. Applicant's Proposal:**

Applicant requests conditional use approval to allow an existing mining activity to be expanded to include the removal and sale of clay, which is to be used as cover material at the St. Johns Landfill. Request would expand mining activity in a five phase program from the existing approved 72-acre mine site to an additional 93 acres which would be for clay removal purposes only.

2. Ordinance Considerations:


The burden is on the applicant for a conditional use for mining to demonstrate that:

- (A) An economic deposit of the mineral resource proposed to be extracted exists:
- (B) There is a proposed reclamation plan which is in conformance with the Comprehensive Plan and the underlying district
- (C) Adverse impacts on surrounding areas with regard to the following have been, or can be mitigated:
 - (1) Access and traffic;
 - (2) Screening, landscaping, lighting and visual appearance;

- (3) Signing;
- (4) Hours of operation;
- (5) Air, water and noise pollution;
- (6) Insurance and liability;
- (7) Architectural designs of structures;
- (8) Excavation depths, lateral support and slopes;
- (9) Blasting and other vibration causing actions;
- (10) Safety and security;
- (11) Phasing program; and
- (12) Reclamation

(D) The proposed operations will not result in the creation of a geologic hazard to surrounding properties, such as through slumping, sliding or drainage modifications, and have been certified by a registered soils or mining engineer, or engineering geologist as meeting this requirement.

(E) Setbacks for the proposed operations are appropriate for the nature of the use and the area where the use is to be conducted.

 (F) Conditional or preliminary approval for all phases of the proposed operation;, including reclamation has been received from all governmental agencies having jurisdiction over mineral extraction, and the applicable requirements in ORS 517 and ORS 522 have been complied with.

(G) The following standards in MCC .7120 have been complied with:

- a) Is consistent with the character of the area;
- b) Will not adversely affect natural resources;
- c) Will not conflict with farm or forest uses in the area;
- d) Will not require public services other than those existing or programmed for the area;
- e) Will be located outside a big game winter habitat area as defined by the Oregon Department of Fish and Wildlife or that agency has certified that the impacts will be

acceptable;

- f) Will not create hazardous conditions; and
- g) Will satisfy the applicable policies of the Comprehensive Plan.

3. Existing and Proposed Operations:

The Angell Brothers Rock Quarry is located on the west side of St. Helens Road (State Highway 30), just north of the Sauvie Island Bridge. The existing quarry operation consists mainly of mining, crushing and selling crushed rock. The mining operation involves the removal of overburden and pushing loosened rock to the pit floor where it is crushed and stockpiled. Overburden is also stockpiled; later, some of it is used for reclamation and some sold for fill and top soil. That operation occurs on the easterly 71+ acres of the 166 + acre area currently under application.

The proposed operation involves the removal of the overburden from the entire 165.77 acre parcel and transporting it to the St. Johns Landfill where it would be used as cover material. The existing vegetation on the site, which includes fir, alder and maple would be removed. A 'cat' would push the soil to an area where it would be loaded into trucks using a front-end loader. Chappell Transportation would transport the soil to the landfill and return to the site empty.

Approximately nine dump trucks and trailers, each with a 20 cubic yard capacity, would be used. Approximately 2,000 cubic yards of clay would be hauled to the landfill per day. This equals 100 loads per day, or 11 loads per truck per day. Angell Brothers propose to supply approximately 200,000 cubic yards of clay to the St. Johns Landfill on an annual basis.

Approximately five additional employees would be required for the proposed operation.

4. Compliance With Ordinance Criteria:

The applicant submits the following in response to the approval criteria:

(A)Economic Deposit

"Based on test results taken by Angell Brothers, the material meets Metro's specifications for final cover material. The quantity of material at the site is estimated at 1,000,000 cubic yards. This estimate is based on a visual inspection and Angell Brothers' experience with respect to the amount of overburden that must be removed in order to expose aggregate for mining. Angell Brothers has also done some exploratory work with equipment to establish the presence of clay on-site.

"The Angell Brothers Quarry is closer to the St. Johns Landfill than the existing source of cover material. The existing source, located on NW Cornelius Pass Road, approximately 13 miles from the site, has approximately 50,000 cubic yards of readily available material remaining. This is approximately 25 percent of the total amount of cover material needed at the landfill on an annual basis.

"The only other known source of cover material that could meet Metro's specifications is located in Richfield, Washington. Due to the extreme hauling distance associated with this site, it is not considered to be a feasible alternative source of cover material for the St. Johns Landfill. Another potential site in the area of Banks, Oregon has also been identified but has not been evaluated for quantity or quality."

(B) Proposed Reclamation Plan

"An 'interim' reclamation plan is proposed for the 165.77-acre site. The plan would be implemented when the overburden has been completely mined. The interim reclamation plan includes planting erosion control grasses.

"An application for a 'final' reclamation plan would be made to Multnomah County prior to conducting any subsurface aggregate mining activity in the 125.77-acre portion; of the site. The reclamation/master plan which has been approved under CU 9-86 would guide 'final' reclamation activities within the 40-acre parcel once the extraction of aggregate resources is undertaken.

"The proposed operation is consistent with the Comprehensive Plan and underlying district. Specifically, Policy No. 12 of the Multnomah County Comprehensive Framework Plan states:

'The purpose of the Multiple Use Forest Area Classification is to conserve those lands suited to the production of wood fibre by virtue of their physical properties and the lack of intensive development; however, in areas where the lands are suitable and the use does not impact existing forestry or agricultural uses, other uses will be allowed.'

The intent of this classification is to encourage small wood lot management, forestry, reforestation and agriculture. Other non-forest or non-farm uses such as rural planned developments, limited service commercial, extractive industries and cottage industries may also be allowed.' (emphasis added)

"Additionally, the mining and processing of aggregate is listed as a conditional use under Multiple Use Forest (MUF) zoning district, Section 11.15.2172 of the Multnomah County Zoning Ordinance."

(C) Adverse impacts on surrounding areas with regard to the following have been, or can be mitigated:

(1) Access and Traffic.

"Access to the site from US Highway 30 is excellent. Traffic generally moves at speeds of 55 miles per hour within this corridor. A center turn lane for northbound vehicles facilitates turning movements by trucks entering the site from the Highway. All truck traffic will enter the site from the Highway. There is no other means of access to the site. Access directly into the site is provided by a recently paved road which is in good condition.

"There will be approximately nine trucks and trailers with 20-cubic yard capacity, each hauling 11 loads per day from the site. The trucks will return empty to the site.

"Truck trips generated by the proposed operation will replace trucks currently traveling from the NW Cornelius Road Road site to the St. Johns Landfill. Therefore, there will be no net increase in traffic along the truck route to the landfill."

(2) Screening, Landscaping, lighting and Visual Appearance.

"The proposed operation involves the mining of overburden from a relatively isolated area in northwestern Multnomah County. Existing vegetation surrounding the site, which includes a mixture of fir, alder, and maple trees effectively screens the site from view.

"The interim reclamation plan, described above, will provide the extent of landscaping for the proposed operation.

"Lighting for this site will be comparable to the 72-acre area which currently operates under an approved reclamation/master plan.

"There will be no noticeable change to the visual appearance of the area with the proposed operation."

(3) Signing.

"There will be no new signs associated with the proposed operation. Existing signs for the Angell Brothers Quarry will remain in place."

(4) Hours of Operation.

"The proposed operation will be conducted Monday through Saturday from 6:00 a.m. to 6:00 p.m. contingent upon weather conditions."

(5) Air, Water and Noise Pollution.

"The proposed operation consists only of mining overburden within the 165.77-acre site and loading the soil into trucks for transport to the St. Johns Landfill. There will be no crushing or batching involved. Additionally, water is not needed to carry out

the proposed program. Therefore, the proposed operation will not create air or water pollution.

"Noise from the front-end loader and bulldozer will be typical of noise generated from a quarry and is consistent with the approved reclamation/master plan for the 72-acre quarry. There are no sensitive land uses in the immediate vicinity of the site that would be affected by the proposed operation."

(6) Insurance and Liability.

"Angell Brothers, Inc. is insured to undertake mineral extraction operations."

(7) Architectural Designs and Structures

"There are no new structures associated with the proposed operation."

(8) Excavation Depths, Lateral Support and Slopes

"The minimal amount of excavation involved in the mining of overburden will not affect the existing hillsides and slope stability.

"Excavation, lateral support, and slope stability for the 40-acre parcel is addressed in the approved reclamation/master plan. Additional information will be submitted to the County for the 125.77-acre area prior to undertaking further quarry operations."

(9) Blasting and Other Vibration Causing Actions

"There will be no blasting associated with the proposed operation. As stated above, the overburden will be loaded into trucks, using a bulldozer and a front-end loader, and transported off-site for use at the St. Johns Landfill. The equipment that will be used for this operation may cause some very localized vibration, typical of a quarry operation. However, there are no sensitive land uses in the immediate vicinity of the site which would be affected by vibrations. Additionally, blasting and vibrations for the 40-acre parcel are addressed in the approved reclamation/master plan."

(10) Safety and Security.

"Angell Brothers, Inc. operates the existing quarry according to a safety and security program. Safety and security procedures for the 40-acre parcel are described in the approved reclamation/master plan."

(11) Phasing Program.

"The overburden will be mined through a continuous operation, and does not involve a phasing program. Mining will begin in the northeast portion of the site and move towards the southwest portion; of the site."

(12) Reclamation.

"An interim reclamation plan has been developed for the 165.77-acre site. The reclamation plan is considered to be 'interim' because sometime in the future, after the overburden is mined, the aggregate resources will be extracted and then a 'final' reclamation plan will be implemented. The interim reclamation plan includes planting erosion control grasses.

"A reclamation plan for the 40-acre parcel is addressed, in detail, in the approved reclamation/master plan for the 72-acre quarry. This would, in effect, serve as the 'final' reclamation plan for this portion of the site. A similar plan will be developed for the 125.77-acre portion of the site, to be implemented after the subsurface aggregate resources have been excavated at some undetermined time in the future."

(D) Geologic Hazard.

"The proposed operation involves the mining of overburden for sale to Chappell Transport and use at the St. Johns Landfill. The mining of overburden from the site may change the slope angle slightly due to the amount of overburden available in a particular area. Additionally, as the proposed operation will not extend into bedrock, there will be no change in the geologic stability of the area."

(E) Setbacks for the proposed operations are appropriate for the nature of the use and the area where the use is to be conducted.

"The proposed operation involves only the removal of overburden. The area surrounding the site is forested and does not include any sensitive land uses. A 50-foot setback west of the Bonneville easement (in the northeast portion of the site) will be maintained.

"When Angell Brothers is ready to excavate the subsurface aggregate resources, a reclamation/master plan, specifically addressing setbacks, will be prepared and submitted to Multnomah County for review."

(F) Conditional or Preliminary Approval for all Phases of the Proposed Operation.

"The proposed operation will remove overburden from the site. Subsurface mineral extraction is planned for the site at a later date. At that time, a master plan and a final reclamation plan will be developed and submitted to Multnomah County for review.

"A reclamation/master plan for the 40-acre parcel, within the 165.77-acre site has been approved by Multnomah County under CU 9-86. The quarry operates according to the approved reclamation/master plan.

"The Department of Geology and Mineral Industries also has jurisdiction over the operation for reclamation purposes only. The interim reclamation plan addresses the requirements of DOGAMI. Approval of the reclamation plan by DOGAMI and issuance of a permit may be made conditions of this approval."

(G) Applicable Standards of MCC .7120. have been met and are addressed below.

(a) Character of Area

"An active quarry is located within the 40-acre parcel at the southeastern corner of the site. This portion of the 165.77-acre site proposed for overburden extraction is within the reclamation/master plan area for the Angell Brothers Quarry. The surrounding area is forested, and undeveloped. There are no residential land uses in the immediate vicinity of the site. Therefore, the proposed operation is consistent with the character of the area."

(b) Natural Resources

"Mining the overburden for use as cover material at the St. Johns Landfill will make good use of an available natural resource. Therefore, the proposed operation will not adversely affect natural resources.

As discussed above, the existing source on NW Cornelius Pass Road can provide only 25 percent of the cover required by the landfill this year. The only other known source is located in Richfield, Washington. A possible site may exist in the area of Banks, Oregon."

(c) Farm or Forest Uses

"There are no farm or forest uses in the immediate vicinity of the site, and therefore, there is no conflict with farm or forest uses in the area."

(d) Public Services.

"The proposed operation will not require public services other than those existing or programmed for the area. Existing public services to the site are adequate for the proposed operation."

(e) Big Game Winter Habitat

"The site is located outside of a big game winter habitat area."

(f) Hazardous Conditions.

"The only activity involved in the proposed operation is the mining of overburden from the site. All material removal will occur consistent with existing slopes of the site. No steep slopes will be created, nor will the geologic stability of the area be affected. Therefore, the proposed operation will not create hazardous conditions."

(g) Comprehensive Plan.

"As discussed above, the proposed operation is consistent with policy No. 12, Multiple Use Forest Area of the Comprehensive Plan."

5. Analysis of Applicant's Submittal:

The Staff concurs with the applicant's demonstration of compliance with the ordinance criteria with the following exceptions:

- A. The economic viability of the clay deposit at this site is described by the applicant in Finding No. 4(a). That viability is based on the magnitude of the deposit (estimated to be 1,000,000 cubic yards), the need for clay cover material at the St. Johns landfill, and the limited amount of "readily" available material at the existing source of the cover material (Chappell Clay Mine).

The applicant states that there is an estimated 1,000,000 cubic yards of material available at this site. The inference, or assumption, is that the St. Johns Landfill will require at least 1,000,000 cubic yards of clay for closure. A recent study (February 6, 1989) entitled *St. Johns Landfill Closure Environmental Management Options*, prepared for Metro by Sweet-Edwards/EMCON, Inc. indicates that such may not be the case.

That study analyses four methods of accomplishing final cover of the landfill. Those methods, and the clay requirements for each, are summarized as follows:

Alternative #1—14"—18" of clay cover	353,340 cubic yards
Alternative #2—30" of clay plus liner	667,100 cubic yards
Alternative #3—18" clay plus liner	60,742 cubic yards
Alternative #4—no clay plus liner	—0— cubic yards

The study goes on to analyze final closure options for the landfill. The only final cover alternatives that are recommended in that analysis are Nos. 1 and 4.

According to Dennis O'Neil of Metro, St. Johns Landfill will cease accepting garbage by February 1, 1991, after which it will go into a final closure mode. That closure will require one of the above amounts of clay. During the two mining seasons that are left before the 1991 date, the landfill will require approximately 150,000 annually for daily cover. Considering the clay required for final alternative #1, plus the 300,000 cubic yards needed for the next two year's annual cover, the maximum need for clay material at the landfill is only approximately two-thirds of that available at this location.

Based on these figures, there may not be a need by the landfill for the estimated 1,000,000 cubic yards of clay proposed for removal from this site. Therefore, only phases I and II should be approved at this time, and the applicant should seek future approval for the additional phases if the need continues for cover material at the St. Johns Landfill.

- B. The applicant states that, "An interim reclamation plan has been developed for the 165.77

acre site. The reclamation plan is considered to be 'interim' because sometime in the future, after the overburden is mined, the aggregate resources will be extracted and then a 'final' reclamation plan will be implemented. The interim reclamation plan includes planting erosion control grasses."

CU 9-86 approved only the addition of a forty acre area to the existing 31.22 acres of the aggregate mining within this 165.77 acre ownership. Ninety-three acres of that ownership have not, and may never be, approved for aggregate mining. The reclamation of that area can not be considered 'interim.' A reclamation plan for any portion of those 93 acres not currently approved for aggregate mining should comply with the provisions of MCC .7325(B). That plan must insure that the property is reclaimed for those uses permitted outright by the MUF zoning district in accordance with Comprehensive Framework Plan Policy No. 12.

C. Adequate buffers should be provided around the property margins and along the intermittent stream which crosses the property.

6. **Other Considerations:** The Oregon Department of Transportation has reviewed this request and is concerned about potential traffic hazards created by clay material either being tracked onto St. Helens Road by trucks, or dropped from truck beds while on that highway. Adequate provisions, acceptable to ODOT, should be made to reduce the potential of such occurrences, and measures developed for the immediate removal of any clay material that may be left on St. Helens Road as a result of this operation.

Conclusions:

1. There is a demonstrated need for clay material for final cover material at the St. Johns Landfill, however, the applicant has not clearly demonstrated that there is an economic deposit of clay on the entire 165.77 acre area. The economics of the proposed operation revolve around the use of the clay by the St. Johns Landfill. The landfill, however, does not have a demonstrated need for the 1,000,000 cubic yards said to be available at this site. Therefore, only phases I and II should be approved at this time. Expansion into phases III through V could be the subject of a future hearing should the need for clay by the St. Johns Landfill continue.
2. There needs to be assurances that no clay material would be deposited on St. Helens Road as a result of this proposal, or, if such does occur, what measures will be taken for cleanup.
3. A reclamation plan which considers possible future uses allowed outright by the MUF zone has not yet been developed.
4. Adjoining properties and stream margins should be protected from potential adverse impacts of mining through the imposition of setbacks.
5. All applicable approval criteria have, or upon satisfaction of the adopted conditions, been satisfied.

Signed May 8, 1989

A handwritten signature in black ink, appearing to read "Dean Alterman, Jr.", with a stylized flourish at the end.

By Dean Alterman, Vice Chairman

Filed With the Clerk of the Board on May 18, 1989

Appeal to the Board of County Commissioners

Any person who appears and testifies at the Planning Commission hearing, or who submits written testimony in accord with the requirements on the prior Notice, and objects to their recommended decision, may file a Notice of Review with the Planning Director on or before 4:30 p.m. on Monday, June 5, 1989 on the required Notice of Review Form which is available at the Planning and Development Office at 2115 SE Morrison Street.

The Decision on this item will be reported to the Board of County Commissioners for review at 9:30 a.m. on Tuesday, June 6, 1989 in Room 602 of the Multnomah County Courthouse. For further information call the Multnomah County Planning and Development Division at 248-3043.



Multnomah County

Sheriff's Office

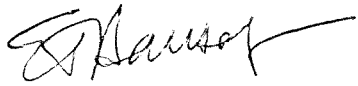
Robert Skipper
SHERIFF

12240 N.E. GLISAN ST., PORTLAND, OREGON 97230

(503) 255-3600

MEMORANDUM

To: Sharon Cowley, Administrative Assistant
Planning and Development

From: Sgt. E.T. Hausafus 
Intelligence Unit

Date: May 22, 1989

Subject: Wrecker's License Renewal

Attached is an application for a business certificate as a wrecker of motor vehicles at 12010 N. Columbia Blvd., Portland, Ore., the A-1 Discount Auto Wrecking.

The Sheriff's Office would recommend for the license providing that zoning requirements have been satisfied. Thank you for your attention in this matter.



APPLICATION FOR BUSINESS CERTIFICATE

AS A WRECKER OF MOTOR VEHICLES OR SALVAGE POOL OPERATOR



ORIGINAL



RENEWAL★

NOTES: FAILURE TO ACCURATELY COMPLETE THIS FORM WILL CAUSE UNAVOIDABLE DELAY
PLEASE TYPE OR PRINT LEGIBLY WITH INK
DO NOT SUBMIT APPLICATION WITHOUT YOUR SURETY BOND AND THE REQUIRED FEE.

CERTIFICATE NO: _____

1	NAME (CORPORATION AND/OR ASSUMED BUSINESS NAME) A-1 DISCOUNT AUTO WRECKING			BUSINESS TELEPHONE 283-2925
2	MAIN BUSINESS LOCATION (STREET AND NUMBER) 12010 N. Columbia Blvd.	CITY Portland	ZIP CODE 97203	COUNTY MULT.
3	MAILING ADDRESS 12010 N. Columbia Blvd.	CITY Portland	STATE OREGON	ZIP CODE 97203

LIST THE ADDRESSES OF ALL ADDITIONAL BUSINESS LOCATIONS. A SEPARATE APPLICATION FORM MUST BE COMPLETED FOR ANY ADDITIONAL LOCATIONS IN A DIFFERENT CITY.

4	STREET ADDRESS	CITY	ZIP CODE	COUNTY	TELEPHONE
5	STREET ADDRESS	CITY	ZIP CODE	COUNTY	TELEPHONE
6	CHECK ORGANIZATION TYPE: <input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> CORPORATION		IF CORPORATION, LIST THE STATE UNDER WHOSE LAW BUSINESS IS INCORPORATED		

LIST NAME AND RESIDENCE ADDRESS OF ALL INDIVIDUAL OWNERS, PARTNERS OR PRINCIPAL CORPORATE OFFICERS

7	NAME Tony Schneider	TITLE OWNER	DATE OF BIRTH 5-4-63	RESIDENCE TELEPHONE (503) 283-4908
8	RESIDENCE ADDRESS 7516 N. Columbia Blvd.	CITY Portland	STATE OREGON	ZIP CODE 97203
9	NAME	TITLE	DATE OF BIRTH	RESIDENCE TELEPHONE ()
10	RESIDENCE ADDRESS	CITY	STATE	ZIP CODE
11	NAME	TITLE	DATE OF BIRTH	RESIDENCE TELEPHONE ()
12	RESIDENCE ADDRESS	CITY	STATE	ZIP CODE

13 THE DIMENSIONS OF THE PROPERTY ON WHICH THE BUSINESS IS LOCATED ARE **100** ft. x **300** ft.

I CERTIFY THAT I AM THE APPLICANT OR AN AUTHORIZED REPRESENTATIVE AND THAT ALL INFORMATION ON THIS APPLICATION IS ACCURATE AND TRUE. I ALSO CERTIFY THAT THE RIGHT OF WAY OF ANY HIGHWAY ADJACENT TO THE LOCATION(S) LISTED ABOVE IS USED FOR ACCESS TO THE PREMISES AND PUBLIC PARKING.

14	NAME Tony Schneider	TITLE OWNER	RESIDENCE TELEPHONE (503) 283-4908
15	ADDRESS, CITY, STATE, ZIP CODE 7516 N. Columbia Blvd. PORT, ORE 97203	SIGNATURE Tony Schneider	DATE

16 APPROVAL: I CERTIFY THAT THE GOVERNING BODY OF THE ☐ CITY ☐ COUNTY OF _____ HAS:

- A) APPROVED THE APPLICANT AS BEING SUITABLE TO ESTABLISH, MAINTAIN OR OPERATE A WRECKING YARD OR BUSINESS (ORIGINAL APPLICATIONS ONLY).
- B) DETERMINED THAT THE LOCATION OR PROPOSED LOCATION MEETS THE REQUIREMENTS FOR LOCATION UNDER SECTION 802, CHAPTER 338, OREGON LAWS 1983 (AS AMENDED BY CHAPTER 16, OREGON LAWS 1985).
- C) DETERMINED THAT THE LOCATION DOES NOT VIOLATE ANY PROHIBITION UNDER SECTION 806, CHAPTER 338, OREGON LAWS 1983 (AS AMENDED BY CHAPTER 16, OREGON LAWS 1985).
- D) APPROVED THE LOCATION AND DETERMINED THAT THE LOCATION COMPLIES WITH ANY REGULATIONS ADOPTED BY THE JURISDICTION UNDER SECTION 807, CHAPTER 338, OREGON LAWS 1983 (AS AMENDED BY CHAPTER 16, OREGON LAWS 1985).

I ALSO CERTIFY THAT I AM AUTHORIZED TO SIGN THIS APPLICATION AND AS EVIDENCE OF SUCH AUTHORITY DO AFFIX HEREON THE SEAL OR STAMP OF THE CITY OR COUNTY

PLACE STAMP OR SEAL HERE

17	NAME	TITLE
18	SIGNATURE	DATE

FEE: \$54.00

SURETY BOND

FAILURE TO ACCURATELY COMPLETE THIS FORM WILL CAUSE UNAVOIDABLE DELAY

BOND NO.: 28969

KNOW ALL MEN BY THESE PRESENTS:

THAT Tony Schneider
(INDIVIDUAL, PARTNERS, CORPORATION NAME)

DOING BUSINESS AS A - 1 Discount Auto Wrecking
(ASSUMED BUSINESS NAME, IF ANY)

HAVING PRINCIPAL PLACE OF BUSINESS AT 12010 N. Columbia Blvd., Portland, Oregon 97203
(ADDRESS, CITY, STATE, ZIP CODE)

WITH ADDITIONAL PLACES OF BUSINESS AT _____
(ADDRESS, CITY, STATE, ZIP CODE)

_____ (ADDRESS, CITY, STATE, ZIP CODE)

STATE OF OREGON, AS PRINCIPAL(S), AND American Bonding Company
(SURETY NAME)

0123 SW Hamilton, Portland, Oregon 97201 (ADDRESS, CITY, STATE, ZIP CODE) (503) 226-6444 TELEPHONE NUMBER

A CORPORATION ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF Nebraska, AND AUTHORIZED TO TRANSACT A SURETY BUSINESS IN THE STATE OF OREGON, AS SURETY, ARE HELD AND FIRMLY BOUND UNTO THE STATE OF OREGON IN THE PENAL SUM OF \$2,000.00 FOR THE PAYMENT OF WHICH WE HEREBY BIND OURSELVES, OUR RESPECTIVE SUCCESSORS AND ASSIGNS, JOINTLY AND SEVERALLY, FIRMLY BY THESE PRESENTS.

THE CONDITION OF THIS OBLIGATION IS SUCH THAT WHEN THE ABOVE NAMED PRINCIPAL HAS BEEN ISSUED A CERTIFICATE TO CONDUCT, IN THIS STATE, A BUSINESS WRECKING, DISMANTLING AND SUBSTANTIALLY ALTERING THE FORM OF VEHICLES, SAID PRINCIPAL SHALL CONDUCT SUCH BUSINESS WITHOUT FRAUD OR FRAUDULENT REPRESENTATION, AND WITHOUT VIOLATION OF ANY OF THE PROVISIONS OF THE OREGON VEHICLE CODE SPECIFIED IN ORS 822.120(2) THEN AND IN THAT EVENT THIS OBLIGATION TO BE VOID, OTHERWISE TO REMAIN IN FULL FORCE AND EFFECT UNLESS CANCELLED PURSUANT TO ORS 743.755.

THIS BOND IS EFFECTIVE June 30, 19 89 AND EXPIRES June 30, 19 90

ANY ALTERATION VOIDS THIS BOND

IN WITNESS WHEREOF, THE SAID PRINCIPAL AND SAID SURETY HAVE EACH CAUSED THESE PRESENTS TO BE EXECUTED BY ITS AUTHORIZED REPRESENTATIVE OR REPRESENTATIVES AND THE SURETY CORPORATE SEAL TO BE HEREUNTO AFFIXED THIS 12th DAY OF May 19 89.

SIGNATURE OF PRINCIPAL/REPRESENTATIVE

Tony Schneider

Owner
TITLE

SIGNATURE OF SURETY/REPRESENTATIVE

Mary-Anne Skinner

Attorney-in-Fact
TITLE

SURETY'S AGENT OR REPRESENTATIVE MUST COMPLETE THIS SECTION:

IN THE EVENT A PROBLEM ARISES CONCERNING THIS BOND, CONTACT:

NAME TELEPHONE

Skinner Bonding of Oregon, Inc.

0123 SW Hamilton
CITY, STATE, ZIP CODE

Portland, Oregon 97201

PLACE SURETY SEAL BELOW

AMERICAN BONDING COMPANY

LOS ANGELES, CALIFORNIA

A STOCK COMPANY

CERTIFIED COPY OF POWER OF ATTORNEY

No. 123

AMERICAN BONDING COMPANY, a Nebraska Corporation, having its administrative office in the City of Los Angeles, State of California, does hereby make, constitute and appoint

R. J. Skinner, Mary-Anne Skinner and George D. Skinner of Portland, Oregon,
each with full power to act alone,

as Attorney(s)-in-Fact, with full power and authority hereby conferred to execute and deliver and affix the seal of the corporation thereto, if a seal is required, for and on its behalf as Surety, and as its act and deed, all of the following classes of documents, to wit:

Any and all surety bonds, undertakings, recognizances or other obligations in the nature thereof, each in a penalty not to exceed the sum of FIFTY THOUSAND DOLLARS (\$50,000.00).

The American Bonding Company further certifies that the following is a true and exact copy of Article VII Section 3, of the By-Laws of American Bonding Company duly adopted and now in force, to wit:

SECTION 3. All bonds, undertakings, recognizances or other written obligations of the corporation shall be executed in the name of the corporation by the president, any vice-president, secretary, any assistant-secretary or the treasurer, or by such other persons as may from time to time be properly authorized. The president, any vice-president, the secretary, any assistant-secretary or the treasurer may appoint or remove resident vice-presidents, resident assistant-secretaries, attorneys in fact, agents or other persons who shall have authority to issue and deliver bonds, undertakings, recognizances or other written obligations in the name of the corporation. The corporate seal is not necessary for the validity of any bonds, undertakings, or other obligations of the corporation. The signature of any authorized officer and the seal of the corporation may be affixed by facsimile to any power of attorney or certification thereof authorizing the execution and delivery of any bond, or undertaking of the corporation; and such signature and seal when so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, AMERICAN BONDING COMPANY has caused these presents to be executed by its duly authorized officer and its corporate seal affixed, this August 21, 1986.

Date



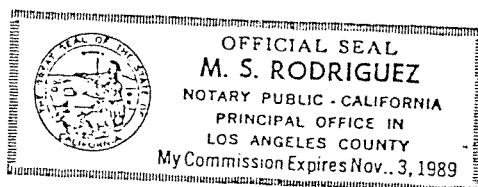
AMERICAN BONDING COMPANY

By

Title President

State of California
County of Los Angeles

On this 21st day of August, 1986, before me a Notary Public, personally appeared the above named officer of American Bonding Company, a corporation, known to me to be the person and officer who executed the above Power of Attorney on behalf of the corporation and acknowledges the corporation voluntarily executed the same.



M. S. Rodriguez
Notary Public

My Commission Expires November 3, 1989

CERTIFICATE

I, the undersigned, certify that I am the ~~Assistant~~ Secretary of American Bonding Company, a Nebraska corporation, and that the attached Power of Attorney remains in full force and effect, and has not been revoked; and furthermore that Article VII Section 3, of the By-Laws of said company as set forth in said Power of Attorney, are now in full force and effect.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company

this May 12, 1989

(SEAL)

George D. Skinner
~~Assistant~~ Secretary



MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS
ROOM 605, COUNTY COURTHOUSE
1021 S.W. FOURTH AVENUE
PORTLAND, OREGON 97204

GLADYS McCOY • CHAIR • 248-3308
PAULINE ANDERSON • DISTRICT 1 • 248-5220
GRETCHEN KAFOURY • DISTRICT 2 • 248-5219
RICK BAUMAN • DISTRICT 3 • 248-5217
• DISTRICT 4 • 248-5213
JANE McGARVIN • Clerk • 248-3277

June 13, 1989

Ms. Lorna Stickel, Planning Director
Division of Planning & Development
2115 SE Morrison
Portland, OR

Dear Ms. Stickel:

Be it remembered, that at a meeting of the Board of County Commissioners held June 13, 1989, the following action was taken:

In the matter of the Planning Commission decision)
of May 8, 1989, Case CU 6-89, Approve, subject to)
conditions, conditional use request for Phases I)
and II of the request to remove and sell clay)
material from the subject property, for property)
located at 14545 NW St. Helens Road)
(Continued from June 6, 1989))

Commissioner Anderson said the above-entitled decision concerns the proposal to mine clay in the area south of Sauvie Island, in the same vicinity as the Wildwood site. She then described some of the problems she feels exists with the site, and concerns the decision did not address: visibility, reclamation plan, erosion, wildlife. She moved that the Board on its own motion, hold a hearing on the matter.

John DuBay, Deputy County Counsel, said the Board would also need to set the scope of review, and the length of time for oral arguments.

Commissioner Anderson said she would propose that the hearing be de novo.

Commissioner Bauman seconded the motion.

Commissioner McCoy said the Planning Staff and the Planning Commission reviewed this application, and made findings and conditions. She asked Commissioner Anderson if she felt those findings and conditions are not complete.

Commissioner Anderson said the Planning Commission decision was a 2-1 vote, with another commissioner abstaining. She feels there may have been some doubts on the part of the Planning Commissioners. She still has some concerns about some of the conditions and findings. She then read the criteria for approval contained in the County Code, on which she still has questions, and that more stringent conditions should have been set.

Lorna Stickel, Planning Director, explained that staff had many concerns as well. They were mostly concerned with the issue of economic need, as Metro had not provided a clear statement regarding the need. She said she just received an executive summary from Sweet, Incom, Edwards & Associates, Metro's geotechnical and engineering firm concerning the closure options of the St. Johns Landfill. The Planning Commission felt that Metro had not finalized the actual closure option, and that depending on the option that is finally selected, they might not need the extensive excavation option, which is why the Planning Commission approved the application in phases. There are a lot of conditions attached to the application by the Planning Commission.

Commissioner Anderson stated that one concern she has is the interim reclamation plan, which just calls for grasses to be planted to prevent further erosion. She would prefer seeing a permanent reclamation plan, which would preclude further mining for gravel once the clay was off the top. She is also concerned about visibility, as the site could very easily be denuded right down to Highway 30.

Ms. Stickel said the issue of reclamation was raised at the Planning Commission level, and they were not satisfied with the grass approach either. She stated that the issue of plantings, etc. would be a matter for design review.

Commissioner McCoy said she was concerned that the Board may be setting a precedent if it sets a hearing on this matter on its own motion.

Commissioner Anderson said another concern was the wildlife corridor.

Ms. Stickel said only two people were present at the meeting who testified with some concerns. One represented the Skyline Neighborhood Association, and Peggy Olds, Soil Conservation Service, had submitted material before the hearing. Their concerns were addressed in the decision.

The Board, with Mr. DuBay and Ms. Stickel, discussed the proposal to hold a hearing, and Mr. DuBay discussed the requirements of the Zoning Code concerning the Board setting its own hearing, and options for setting the scope of the hearing.

The motion to hold a de novo hearing was considered, and the Motion FAILED, with Commissioners Bauman and Anderson voting Aye and Commissioners Kafoury and McCoy voting No. The motion failed because the Home Rule Charter requires three affirmative votes to approve a motion.

Commissioner Anderson moved to hold a hearing on the record.

The Commissioners asked how long would it take to transcribe the tapes of the hearings.

Ms. Stickel said it would take her staff about 2-3 weeks to transcribe it.

Carrie Parkerson, Assistant Clerk of the Board, said it might take 2-3 days for the Clerk's Office to transcribe if everyone helped with the transcription.

Ms. Stickel said that to send the tape to a typing service would run between \$200-\$300.

At this time, Commissioner Bauman seconded the motion.

Andrew Jordan, attorney representing Angell Brothers, applicant, said the issues that Commissioner Anderson raised were discussed extensively by the Planning Commission: geologic conditions, permanent reclamation plan, interim reclamation plan. The Planning Commission limited the scope of the permit to two phases. In these two phases, there is very little visible from Highway 30. The concerns of the two objectors have been addressed in the decision, and nobody filed an appeal. The applicant feels that the conditions are stringent, and they intend to comply with them. He stated he hoped the Board would not bring the matter up on appeal, so they can get to work. He asked that if there any questions about the conditions or application, they ask them now. He then responded to questions from Commissioner Anderson concerning visibility.

Commissioner Anderson said while there are not a lot of people living in this area, and on Sauvie Island, she continues to be concerned about the natural resources of Multnomah County, and she feels this area needs to be protected.

The motion to set a hearing on the record for the above-entitled matter was considered, and it is unanimously

ORDERED that a hearing be held on the record on the above-entitled matter.

The Board and Ms. Stickel discussed the date to set the hearing. The Board members concurred to have each of the Commissioner secretaries to transcribe half an hour or so of tape in order to have the transcript completed as soon as possible. The Board concurred to set the hearing on June 27, at 9 AM, with 10 minutes per side for argumentation.

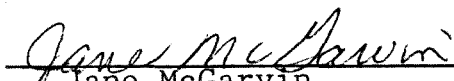
Commissioner Anderson moved, duly seconded by Commissioner Bauman, it is unanimously

ORDERED that the hearing on the above-entitled decision be held on June 27, 1989 at 9:00 AM, with oral argumentation not to exceed 10 minutes per side.

Very truly yours,

BOARD OF COUNTY COMMISSIONERS

By


Jane McGarvin
Clerk of the Board

jm

cc: County Counsel

June 9, 1989

Commissioner Pauline Anderson
Multnomah County Courthouse
1021 S.W. Fifth, 6th floor
Portland, OR 97204

MULTNOMAH COUNTY
OREGON

1989 JUN 12 PM 2:04

Dear Pauline:

I am pleased that the County Commission will be examining the permit issued to Angell Brothers, Inc. for clay mining at 14545 N.W. St. Helens Road. I feel that this issue was dealt with far too speedily, leaving issues and concerns unresolved.

I wish to express my personal concerns about the request to undertake a large clay mining operation on N.W. St. Helens Road. I am president of the Forest Park Neighborhood Association and Vice President of the Friends of Forest Park. The neighborhood organization has not had time to take an official position on this issue.

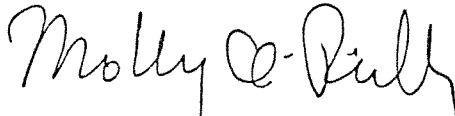
However, both of these organizations have taken strong stands in support of the wildlife corridor connecting Forest Park with the Coast Range. Multnomah County has just appropriated money for the 1989-1990 fiscal year to study the corridor. Prior to having a solid understanding of the corridor's breadth and sensitivity, it is premature to approve a large excavation project within the bounds of that corridor. I am concerned that the proposed activity will "adversely affect natural resources."

The map submitted by the applicant, Exhibit 1, incorrectly shows the boundary of Forest Park. The park comes north to Newberry Road. That places the excavation site much closer to this important park than the applicant's map would have you believe.

The applicant does not support need for the clay proposed to be mined. Further, it appears that much of the reason for wanting to remove the clay is to mine the gravel below. The application should be required to justify the full extent of both operations, gravel and clay mining. Logically, reclamation plans should be for both phases, clay and gravel. By allowing this mining operation to begin without a full reclamation plan for the ultimate activity, the County risks having a huge, ugly scar on the face of one of its premier landscapes. A scar visible from both Sauvie Island and St. Helens Road. It seems likely that this is also an area subject to landslides and erosion and that the terrain will be vulnerable, denuded of trees and a stabilizing soil layer.

JUN 12 1989

In summary, I strongly encourage you to study further and reconsider this permit pending completion of the County's study of the Wildlife Corridor and reception of full plans for the gravel mining that would follow the clay extraction. This location is too sensitive and valuable to rush into such a huge operation that will permanently alter the form and face of the land.


Molly O'Reilly
1414 N.W. 53rd Drive, Portland, OR 97210

James D. & Cynthia D.

Thayer

2135 N W 107th Place • Portland, Oregon 97229

503-644-6351

May 1, 1989

Commissioner Pauline Anderson
Multnomah County Commission
Multnomah County Court House
1021 SW 4th Avenue
Portland, OREGON 97204

Re: Conditional Use Request for clay mining at 14545 NW St.
Helens Road.

Commissioner Pauline Anderson:

I understand that the County Commission is due to decide on the Claymining Conditional Use Request next Tuesday. I would therefore like to enter this letter of objection to the record in the hopes that it will convince the Commission that the requested Conditional Use Request is poorly documented and does not adequately reflect the real dangers and costs of the project. I would be most appreciative if you would distribute copies of this letter to the other County Commissioners in advance of the Tuesday meeting.

As President of the Friends of Forest Park, I wish to personally express my deepest concern about this conditional use request. The staff report documents a number of relevant concerns relating to the economic viability of the quarry, the reclamation plan, certification of the plan by a registered engineer and the traffic impact. I concur with these concerns. Beyond that I would add concerns about water run-off, slope stability, as well as visibility of this unsightly hillside scar to all the inhabitants and visitors on Sauvie's Island.

It should be noted that the applicant's map is wholly inaccurate in identifying the location of Forest Park as lying the South of Germantown Road. In fact, Forest Park reaches all the way to Newberry Road - only a short distance from the project. Thus noise and wildlife disruption will most assuredly affect the northern and least disturbed portions of the Park.

The mining operation will also restrict the passage of wildlife along the Northwest Hills to Forest Park by more than 70%. At the site of the prospective quarry the wildlife corridor stretches

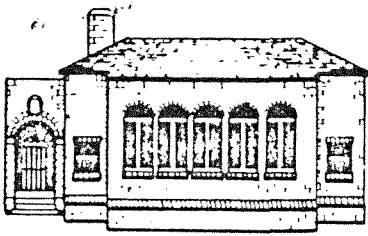
JUN 12 1989

1.08 miles between NW Skyline and NW St. Helens Road. The mining operation will span a $\frac{3}{4}$ mile portion of this corridor leaving a marginal passageway of less than $\frac{1}{3}$ mile, thus threatening Forest Park with ecological isolation through the disruption of the migratory patterns of many of the 62 species of mammals found in the park.

Given the sensitivity of this unique wildlife corridor it is inaccurate to state that "There are no sensitive land uses in the immediate vicinity of the site that would be affected by the proposed operation." I therefore urge you to deny this application pending the completion of Multnomah county's study of the Wildlife Corridor which should be occur during 1990.

Sincerely,

James D. Nayer



LINNTON

Community Center

10614 N.W. St. Helens Rd.
Portland, Oregon 97231
1-503-286-1344

June 9, 1989

Board of Multnomah County Commissioners
1220 SW Fifth Av.
Portland, Oregon 97204

Dear Commissioner Kafoury,

Having attended the Planning Commission meeting on May 8, 1989 dealing with the expansion of the Angell Brothers Quarry, we feel concerned about the proposed expansion. (Enclosed is a letter voicing our previous concerns. This letter is on the record as testimony.)

Increased truck traffic on Highway Thirty would adversely affect Linnton. At the hearing we were assured that there would be no increase in numbers of trucks used to haul clay. We are unsure of what recourse we have for enforcement of that promise.

We feel that the environmental impact still has not been adequately addressed.

The Angell Brothers Quarry lies in the Wildlife Corridor. An additional ninety three acres is substantial. The proposed expansion area for the quarry diagonally penetrates the Wildlife Corridor at a narrow spot. The terrain consists of ridges and gullies that would affect wildlife movement.

The affect of additional mining activity on the ability of wildlife to travel through and exist in this area has not been studied. Since Multnomah County has budgeted funding for the study of the Wildlife Corridor, our position is still to curtail commercial activity in this area until the study is complete.

The area hosts terrain that consists of high ridges and deep gullies. With the removal of vegetation the water shed would be greatly affected. How to deal with this excess run-off was not addressed.

We feel the Reclamation Plan is inadequate and vague. We wonder what can be grown in an area where most of the soil is removed or eroded through increased water run-off. We wonder if evergreens can be grown for winter aesthetics and we wonder if the new vegetation will be able to support the wildlife that currently inhabits the area.

The quarry is and eyesore. Despite a set-back from Highway Thirty the proposed excavation at higher elevations will be visible from Sauvie Island.

JUN 12 1989

Angell Brothers Quarry Expansion Continued:

One very disturbing aspect of the proposed excavation is the uncertainty of the amount of available material and the uncertainty of the amount of material needed to close the St. Johns Landfill.

The amount of clay available on the proposed expansion site varies greatly with the slope of the area to be mined therefore it is difficult to calculate how much material exists where. The phasing proposal by the planning staff compensates somewhat for this. Phases I and II are flatter so contain the preponderance of material. Phases III and IV are steep slopes and would offer less clay. We feel more regulation of Phases I and II is needed. Phases III and IV are of uncertain value for their clay deposits and a new permit is needed to mine that area so those two Phases are regulated sufficiently.

The St. Johns Landfill may need from 0 to 353,340 cubic yards of clay for its closure. This enormous difference in need of material warrants more regulation of material taken from the site.

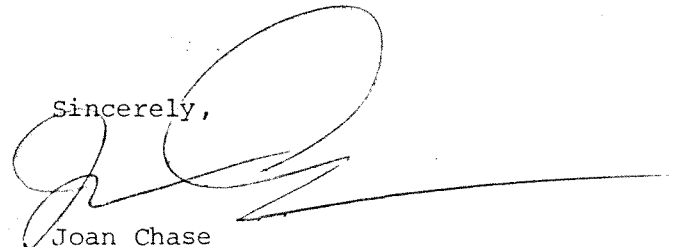
We hope that disturbance of the area can be kept to a minimum so a more accurate evaluation of need versus availability is necessary.

This same uneasiness with the "numbers" was expressed by Planning Commissioner Fry who had a dissenting vote.

In conclusion, there seems to be a lot of factors that involve future decisions and study so a much more careful approach is warranted.

Thankyou for your time

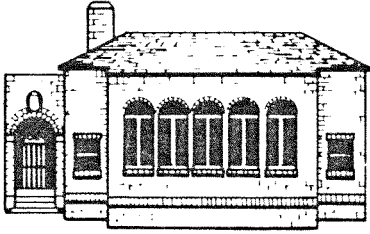
Sincerely,



Joan Chase
Executive Director,
Linnton Community Center

Carol Canning
Coordinator,
Linnton Land Use Plan





LINNTON

Community Center

10614 N.W. St. Helens Rd.
Portland, Oregon 97231
1-503-286-1344

April 28, 1989

Bob Hall
Dept. Of Environmental Services
Division of Planning and Development
2115 SE Morrison St.
Portland, Oregon 97214

Dear Bob Hall;

The request of Angell Brothers Inc. to mine an additional 93 acres for clay has raised some concerns for Linnton Neighborhood Association.

The impact of additional truck traffic has not been fully addressed. We fear the need for material at the St. Johns Landfill will increase with its closure, increasing numbers of trucks passing through Linnton. Highway 30 is treacherous for Linnton residents and businesses. Increased truck traffic makes it more so.

The environmental impact of the area is not addressed. The proposed site is within the Wildlife Corridor to Forest Park. Multnomah County has recently budgeted money to study the Wildlife Corridor. Until this study is completed, the commercial development of this area should be kept to a minimum. Reclamation plans should address this issue.

Finally, the site is quite visible from Sauvie Island and it is a glaring scar on the forested ridge.

Thank you for your time and attention.

Sincerely,

Joan Chase
Executive Director

Carol Canning
Linnton Land Use Plan Coordinator

June 9, 1989

ABI003

Multnomah County Board of Commissioners
1021 S.W. Fourth Avenue
Portland, OR 97204

RE: CU 6-89, ANGELL BROTHERS, INC. OVERBURDEN MINING

Commissioners Anderson, Kafoury, Bauman, and Casterline:

David Evans and Associates, Inc. (DEA) represents Angell Brothers, Inc. On behalf of Angell Brothers, we prepared and submitted a Conditional Use Permit application to mine clay-bearing overburden from portions of a 125-acre site. On May 8, 1989 the Planning Commission approved the Conditional Use Permit application, with conditions.

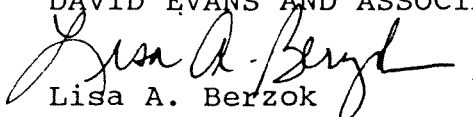
On June 6, 1989 the decision to approve CU 6-89, with conditions, was reported to the Board of County Commissioners for acknowledgement. At this time, Commissioner Anderson moved to continue this acknowledgement until June 13, 1989. The purpose of the continuation was to give the Commissioners time to decide whether to review the Planning Commission's decision on their own motion.

We are taking this opportunity to urge the Board to acknowledge the Planning Commission's decision. The proposal to mine overburden from the site was fully aired during a three-hour hearing with the Planning Commission. Only two citizens provided any commentary or expressed any opposition. The proposal was revised, during the course of the hearing, to respond to their concerns. In talking with these people prior to the June 6 hearing, they told us that their concerns had been sufficiently addressed. The conditions of approval were developed in response to concerns expressed by the Planning Commission.

Should the Board decide to review the Planning Commission's decision on June 13, and hear CU 9-86 on their own motion, we request the opportunity to be heard.

Thank you for your consideration.

Sincerely,
DAVID EVANS AND ASSOCIATES, INC.


Lisa A. Berzok
Planner

LAB:c11

c: Skip Anderson, Angell Brothers, Inc.
Andy Jordan, Bolliger Hampton and Tarlow

DAVID EVANS AND ASSOCIATES, INC.
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JUN 9 1989