

1 **BEFORE THE BOARD OF COUNTY COMMISSIONERS**
2 **FOR MULTNOMAH COUNTY**

3
4
5 In the Matter of a Goal 5 ESEE Analysis)
6 for a 283 acre site located at)
7 14545 N. W. St. Helens Road)

FINAL ORDER
PR 7-92

92-249

8
9
10 Angell Bros. submitted material to assist the county in the completion of its
11 Goal 5 mineral and aggregate review process for a 283 acre site zoned Multiple
12 Use Forest. The site adjoins an existing mineral extraction operation, and is
13 located at 14545 N. W. St. Helens Road (Tax Lot 12, in the NW 1/4 of Section 28,
14 T2N, R1W, Willamette Meridian; and Tax Lots 2, 6, 8, and 11 in the E 1/4 of Sec-
15 tion 29, T2N, R1W, Willamette Meridian, 1992 Assessor's Map).

16
17 After notice, public hearings on the ESEE analysis were held before the Plan-
18 ning Commission on September 8, 1992, September 21, 1992, October 5, 1992,
19 and October 19, 1992. During the first three hearings, written and oral testimo-
20 ny pertaining to the Plan amendment was taken and heard. Following the hear-
21 ing on October 5, 1992, the record was left open for the submission of additional
22 written testimony until October 12, 1992, and for the submission of written
23 rebuttal testimony until October 16, 1992.

24
25 Based upon the record, which includes the application and the exhibits append-
26 ed to the application, as well as the testimony taken and received during and

1 after the public hearings, the Board amends the Comprehensive Framework
2 Plan by designating the site “3B” pursuant to Oregon Administrative Rule 660-
3 16-010 (2) based upon the following ESEE analysis.

4

5 I. APPLICABLE REVIEW STANDARDS

6

7 Pursuant to Multnomah County Code (“MCC”) § 11.05.180, revision of a compre-
8 hensive plan must comply with ORS 197.175(2)(a), 197.610 through 197.625,
9 and any administrative rules adopted pursuant to those statutes. In particular,
10 ORS 197.175(2)(a) provides in pertinent part as follows:

11

12 “Pursuant to ORS chapters 196 and 197, each . . . county . . . shall . . . revise
13 comprehensive plans in compliance with the [statewide planning] goals”

14

15 Chapter 660, Division 16 of the Oregon Administrative Rules (“OAR”) sets forth
16 the procedures for complying with Goal 5. Once a site has been included in a
17 comprehensive plan inventory, the local government must identify conflicting
18 uses. OAR 660-16-005. “A conflicting use is one which, if allowed, could nega-
19 tively impact a Goal 5 resource site.” OAR 660-16-005.

20

21 The administrative rule continues in pertinent part as follows:

22

23 “Where conflicting uses have been identified, Goal 5 resource sites may impact
24 those uses. These impacts must be considered in analyzing the economic, social,
25 environmental and energy (ESEE) consequences:

26

1 “(1) Preserve the Resource Site: If there are no conflicting uses for an identified
2 resource site, the jurisdiction must adopt policies and ordinance provisions, as
3 appropriate, which insure preservation of the resource site.

4

5 “(2) Determine the Economic, Social, Environmental, and Energy Consequences:
6 If conflicting uses are identified, the economic, social, environmental and energy
7 consequences of the conflicting uses must be determined. Both the impacts on
8 the resource site and on the conflicting uses must be considered in analyzing the
9 ESEE consequences. The applicability and requirements of other Statewide
10 Planning Goals must also be considered, where appropriate, at this stage of the
11 process. A determination of the ESEE consequences of identified conflicting
12 uses is adequate if it enables a jurisdiction to provide reasons to explain why
13 decisions are made for specific sites.”

14

15 OAR 660-16-005.

16 The administrative rule then continues in pertinent part as follows:

17

18 “Based on the determination of the economic, social, environmental and energy
19 consequences, a jurisdiction must ‘develop a program to achieve the Goal’.

20 Assuming there is adequate information on the location, quality, and quantity of
21 the resource site as well as on the nature of the conflicting use and ESEE conse-
22 quences, a jurisdiction is expected to ‘resolve’ conflicts with specific sites in any
23 of the following three ways listed below. Compliance with Goal 5 shall also be
24 based on the plan’s overall ability to protect and conserve each Goal 5 resource.

25 ...

26

1 “(1) Protect the Resource Site: Based on the analysis of the ESEE consequences,
2 a jurisdiction may determine that the resource site is of such importance, rela-
3 tive to the conflicting uses, and the ESEE consequences of allowing conflicting
4 uses are so great that the resource site should be protected and all conflicting
5 uses prohibited on the site and possibly within the impact area identified in
6 OAR 660-16-000(5)(c). Reasons which support this decision must be presented
7 in the comprehensive plan, and plan and zone designations must be consistent
8 with this decision.

9

10 “(2) Allow Conflicting Uses Fully: Based on the analysis of the ESEE conse-
11 quences and other Statewide Goals, a jurisdiction may determine that the con-
12 flicting use should be allowed fully, notwithstanding the possible impacts on the
13 resource site. This approach may be used when the conflicting use for a particu-
14 lar site is of sufficient importance, relative to the resource site. Reasons which
15 support this decision must be presented in the comprehensive plan, and plan
16 and zone designations must be consistent with this decision.

17

18 “(3) Limit Conflicting Uses: Based on the analysis of the ESEE consequences, a
19 jurisdiction may determine that both the resource site and the conflicting use
20 are important relative to each other, and that the ESEE consequences should be
21 balanced so as to allow the conflicting use but in a limited way so as to protect
22 the resource site to some desired extent. . . . Reasons which support this deci-
23 sion must be presented in the comprehensive plan, and plan and zone designa-
24 tions must be consistent with this decision.”

25

26 OAR 660-16-010.

1 **II. FINDINGS OF THE ESEE ANALYSIS**

2
3 **THE IMPACT AREA**

4
5 1. The impact area — the area where uses may occur that could adversely
6 affect the site, or be adversely affected by use of the site — includes the site
7 itself; property adjoining the site located west of State Highway 30; the City of
8 Portland’s Forest Park; a peninsula of land between Portland’s Forest Park and
9 the forests of Oregon’s coast range, popularly known as a “wildlife corridor”;
10 downstream areas, located east of State Highway 30, including a small wetland
11 to the east, the 430 acre Rafton-Burlington Bottoms wetland to the northeast,
12 and Multnomah Channel; residences adjoining the Channel and houseboats on
13 the Channel; and Sauvie Island. This finding is based on the contents of a pre-
14 vious ESEE analysis prepared by Multnomah County on April 24, 1990, as well
15 as on evidence submitted by opponents of the application (“the opponents”),
16 described in Findings #3-11, below.

17
18 2. In view of the earlier ESEE analysis and the opponents’ evidence, the
19 Planning Commission finds unconvincing the applicant’s assertion that the
20 impact area is limited to Highway 30 on the northeast and 1,000 feet from the
21 boundary of the property in all other directions.

22 **CONFLICTING USES**

23
24 3. The site is currently zoned Multiple Use Forest (MUF-38), which autho-
25 rizes a use that would negatively impact the use of the site for mineral extrac-
26 tion. Until cleared of trees recently, the site was entirely forested. Letter of Oct.

1 16, 1992, from Sherman to Multnomah County Planning Commission, at 2
2 (“Sherman Letter II”). Managing the site immediately to regenerate the forest
3 for the future production and harvest of timber — a primary use in the MUF-38
4 district — would necessarily preclude its use for mineral extraction.

5

6 4. Other conflicting uses occur on the site. In particular, although not
7 included in the comprehensive plan inventory, the site is *de facto* “open space,”
8 ecologically significant as a “natural area,” and “wildlife habitat,” as those terms
9 are defined in Goal 5. In particular, the site has been used for forest uses, as
10 indicated in Finding #3. It is also part of an area of contiguous forest habitat
11 deemed critical to the diversity and abundance of wildlife within Forest Park.
12 Lev, *et al.*, *A Study of Forest Wildlife Habitat in the West Hills* at 25 (Mar. 1992)
13 (“Wildlife Study II”).

14

15 5. Further, if preserved and continued in its present use, the site would con-
16 tinue to provide habitat for a wide variety of wildlife, as a crucial part of a
17 peninsula of land between Portland’s Forest Park and the forests of Oregon’s
18 coast range, serving as a “wildlife corridor,” among other things, and enhancing
19 the unique value of Forest Park and its recreation opportunities. Wildlife Study
20 II at 1-2, 24-26; Houle, *Wild About the City: Phase One of the West Hills Wildlife*
21 *Corridor Study* at 2, 34-42 (Apr. 4, 1990) (“Wildlife Study I”).

22

23 6. If preserved in its present use, the site would also continue to protect the
24 streams found on the site from disturbance. Were mineral extraction allowed,
25 streams flowing through the area would be disturbed. See Angell Bros. Applica-
26 tion at 3, 11, and Exhibit C.

1 7. Finally, if preserved in its present use, the site would promote conserva-
2 tion of soils found on the site, as well as wetlands found downstream of the site
3 — a small wetland to the east, which adjoins Multnomah Channel, and the 430
4 acre Rafton-Burlington Bottoms wetland to the northeast, which adjoins Mult-
5 nomah Channel and is within the Willamette River Greenway. Were mineral
6 extraction allowed, soils would erode significantly, would be discharged into both
7 wetlands, and would accumulate there. *See* Declaration of Jon Rhodes, M. Sc.,
8 at 3, 4, 8-9, 12 (“Rhodes Declaration”); Significant Wetlands, Sauvie Island and
9 Multnomah Channel (1988). (Alternatively, diverting part of Stream C’s
10 drainage to Stream A would eliminate one of the Rafton–Burlington Bottoms
11 sources of water. Memorandum of Sep. 18, 1992, from Walker to Anderson, at 5
12 (mining in Staging Area IV would divert part of Stream C’s drainage to Stream
13 A); Oral Testimony of Jon Rhodes (Oct.5, 1992) (“Rhodes Testimony”). The
14 Rafton-Burlington Bottoms wetland represents one of the state’s largest remain-
15 ing wapato wetlands, and provides habitat for a number of important wildlife
16 species, including bald eagles and many other waterfowl, shorebirds, and song-
17 birds. Letter of Sep. 8, 1992, from Hoeflich to Multnomah County Planning
18 Commission, at 1 (“Hoeflich Letter”); Letter of Sep. 8, 1992, from Ciekko (Direc-
19 tor, Multnomah County Park Services Division) to Multnomah County Planning
20 Commission at 1 (“Ciekko Letter”). Rafton-Burlington Bottoms is included in the
21 comprehensive plan inventory both as a Goal 5 wetland and a Goal 5 natural
22 area. Multnomah County Significant Wetlands, Site #3; Ciekko Letter at 1.

23

24 8. Preserving and continuing the **present** use of the site as open space nec-
25 essarily would preclude its use as a quarry. The applicant’s suggestion to the
26 contrary was untenable. Likewise, protecting the site as an ecologically signifi-

1 cant natural area and wildlife habitat, rather than extracting minerals from it,
2 necessarily would adversely affect its use as a quarry.

3

4 9. Adjoining land to the northwest, west, south, and southwest of the site is
5 currently zoned Multiple Use Forest (MUF-19 or MUF-38). Both districts
6 authorize a use that could negatively impact the use of the site for mineral
7 extraction. Specifically, the opponents' evidence established that residential
8 dwellings had been built or approved on adjoining land zoned MUF-19 and
9 MUF-38. Map (Dwellings in the Forest Zone Near the Angell Bros. Quarry).
10 Indeed, the applicant itself conceded that residential dwellings had been built or
11 approved. The opponents' evidence and the applicant's concession lead the Plan-
12 ning Commission to find that more residential dwellings could be approved near
13 the site. The inhabitants of the existing and new dwellings could interfere with
14 mineral extraction at the site by complaining about noise, dust, and other phe-
15 nomena associated with quarry operations. See Letter of Aug. 8, 1992, from
16 Sauvie Island Conservancy to Multnomah County Planning Commission, at 2, ¶
17 4 (Sauvie Island Conservancy Letter) **and** Letter of Sep. 18, 1992, from Linnton
18 Neighborhood Association to Multnomah County Planning Commission ("Lin-
19 nton Letter") **and** Letter from Jodeanne Bellant to Multnomah County Planning
20 Commission, at 1 ("Bellant Letter") (same) **and** Oral Testimony of Darlene Wru-
21 ble (Sep. 21, 1992) ("Wruble Testimony") (testimony from adjoining property
22 owner that residents at her house could hear noise from the more distant, exist-
23 ing operation).

24

25 10. Other conflicting uses occur on lands to the north and east. Specifically,
26 the Rafton-Burlington Bottoms wetland is located to the northeast. Another

1 wetland is located to the east, across State Highway 30 from the existing quarry
2 site, and empties into Multnomah Channel. Protecting the wetlands and the
3 Channel would mean sharply curtailing mineral extraction at the site, if not pro-
4 hibiting it entirely. Were mineral extraction allowed, streams draining the site
5 would grow significantly turbid from carrying eroding soils; turbid water would
6 be discharged into the Multnomah Channel, violating the applicant's water
7 quality permit and reducing water quality; and sediment would be deposited in
8 both wetlands. See Rhodes Declaration at 3, 4, 8-13. (Alternatively, diverting
9 part of Stream C's discharge to Stream A would eliminate one of the
10 Rafton-Burlington Bottoms sources of water. Walker Memo at 5 (mining in
11 Staging Area IV would divert part of Stream C's drainage to Stream A); Rhodes
12 Testimony.)

13
14 11. In addition, outstanding scenic views of the site visible from important
15 recreational areas on Sauvie Island, if protected, would prevent use of the site
16 for mineral extraction. Were mineral extraction allowed, these views would suf-
17 fer a significant adverse impact. Letter of Aug. 7, 1992, from Percival, *et al.*, to
18 Multnomah County Planning Commission, at 2 ("Percival Letter"); Multnomah
19 County Goal 5 Inventory, Scenic View West Hills, at 1 (Dec. 19, 1989).

20
21 ESEE ANALYSIS: ECONOMIC CONSEQUENCES
22

23 12. The applicant asserted the overall economic consequences of allowing con-
24 flicting uses would be adverse, and would perhaps lead to the loss of an impor-
25 tant source of aggregate material. The Planning Commission finds the appli-
26 cant failed to produce the necessary evidence to support its assertions. More-

1 over, the Planning Commission believes substantial evidence supports a con-
2 trary finding that mineral extraction would cause adverse economic conse-
3 quences.

4
5 13. First of all, the applicant's evidence that the site was a significant source
6 of valuable aggregate material was suspect. Representations as to the quality
7 and quantity of the site's rock supply were "apparently based on surface obser-
8 vations, two shallow (84 ft.) bore holes, and the assumption that the same quali-
9 ty of rock exists to the base of the proposed quarry floor hundreds of feet below
10 the surface." Declaration of Marvin Beeson at 1 ("Beeson Declaration"). That
11 evidence was "insufficient to adequately address the questions of rock quality
12 and quantity." Beeson Declaration at 2.

13
14 14. Moreover, the evidence indicated rock from the site is not needed. The
15 recently added 42 acre portion of the applicant's existing quarry operation,
16 alone, contains approximately twenty-five million cubic yards of recoverable
17 aggregate. Sherman Letter II at 1; see Letter of Oct. 12, 1992, from Parisi to
18 Multnomah County Planning Commission, at 1. In view of the applicant's repre-
19 sentations that it would not increase its rock-crushing capacity, and that its cur-
20 rent rock-crushing capacity is 810,000 tons — or 400,000 cubic yards — per year,
21 the 42 acre portion would be a source of aggregate for another sixty years. Sher-
22 man Letter II at 1; see Angell Bros. Application at 10, 12, and Exhibit H (Air
23 Contaminant Discharge Permit Application Review Report at 1, ¶ 4). The actual
24 life of the existing quarry operation might even be longer, depending on the
25 amount of recoverable aggregate left in the original 72 acre portion. The appli-
26 cant produced no evidence indicating the original 72 acre portion had been

1 depleted of recoverable aggregate.

2

3 15. At some future date, need for rock from the site might develop. Until
4 then, the site's existing, restrictive resource zoning, as well as the non-destructive
5 nature of existing on-site conflicting uses, should preserve the site for mineral
6 extraction. In addition, interference from residents of existing and potential
7 dwellings on adjoining lands should be minimal because of the buffers the
8 applicant has indicated it would impose on itself. See Angell Bros. Application
9 at 8, 14, 18, 36, and Exhibit C.

10

11 16. On the other hand, mineral extraction would eliminate substantial
12 returns that would flow from managing the land for the production and harvest
13 of timber — which would also be contrary to Statewide Planning Goal 4 (Forest
14 Lands). Despite the applicant's evidence, the Planning Commission remains
15 unconvinced the site could be successfully reclaimed for forestry, in view of evidence
16 that reclamation is a complicated and difficult undertaking with uncertain
17 prospects for success. Revised Declaration of Anthony Boutard ("Revised
18 Boutard Declaration").

19

20 17. Clear evidence established the site currently consists mostly of soils with
21 a highly productive Douglas fir site index of 149. *Soil Survey of Multnomah*
22 *County* at 39-40, Sheet No. 6 (1983); Revised Boutard Declaration; Norse, 1990,
23 *Ancient Forests of the Pacific Northwest* (The Wilderness Society), at 31. Over a
24 60 year rotation, one acre of such land would produce approximately 40.2 thousand
25 board feet under a simple plant and harvest regime. Revised Boutard Declaration.
26 "Based on current log markets available to private timber owners, the

1 net value (stumpage value) of 1,000 board feet of sawlogs is approximately
2 \$650.” Declaration of Scott Ferguson. Thus, managed for the production and
3 harvest of timber, the 283 acre site would produce a renewable resource worth
4 well over six million dollars.

5
6 18. Other adverse economic consequences would follow from allowing mineral
7 extraction at the site now. Allowing mineral extraction would make the com-
8 bined quarry operation one of the largest in Oregon, significantly detracting
9 from the extensive scenic and recreational resources found in the West Hills.
10 Letter of Sep. 1, 1992, from Kafoury to Multnomah County Planning Commis-
11 sion at 2-3 (“Kafoury Letter”); Oral and Video Testimony of Sep. 21, 1992, from
12 Sauvie Island Conservancy (“Sauvie Island Conservancy Testimony”); Percival
13 Letter at 2; Multnomah County Goal 5 Inventory, Scenic View West Hills, at 1
14 (Dec. 19, 1989); Friends of Forest Park’s Brief in Opposition to Angell Bros.’s
15 Applications, at Exhibits 1 and 2 (“Friends’ Brief”). As a result, Portland would
16 be a far less attractive place to locate a business. Kafoury Letter at 2; Written
17 Testimony of Sep. 21, 1992, from Thayer, at 1-2 (“Thayer Testimony”). Further-
18 more, Portland and Sauvie Island would be far less attractive as places to tour
19 and hold conferences, conventions, and convention-related activities — which
20 could well mean the loss of substantial expenditures by visitors. Kafoury Letter
21 at 2. Thus, allowing mineral extraction would be contrary to Statewide Plan-
22 ning Goal 9 (Economic Development).

23
24 ESEE ANALYSIS: SOCIAL CONSEQUENCES

25
26 19. In view of Finding #12-15, the social consequences of protecting forest,

1 wildlife, and wetland values would be negligible. Were mineral extraction
2 allowed, however, the converse would not be true.

3

4 20. As explained below in Findings #21 and 25, allowing the site to be used
5 for mineral extraction would further fragment the remaining, unique peninsula
6 of open space that connects Forest Park with the forests of the coast. As a
7 result, one of the key features responsible for drawing many residents to the
8 Portland area would be seriously compromised, eroding the region's identity,
9 eliminating green spaces vital to the population's physical and psychological
10 health, and decreasing the area's educational value. Kafoury Letter at 2; Thay-
11 er Testimony at 1-2; Wildlife Study II at 24-25; Friends' Brief at Exhibits 1 and
12 2; Sauvie Island Conservancy Testimony; Percival Letter at 2; Multnomah Coun-
13 ty Goal 5 Inventory, Scenic View West Hills, at 1 (Dec. 19, 1989).

14

15 21. In addition, the utility of conservation easements obtained by Friends of
16 Forest Park from owners of adjoining land would be diminished, if not obliterated.
17 Friends of Forest Park Position Paper (Jul. 23, 1992), at 6 ("Friends' Posi-
18 tion Paper"). (See the discussion of environmental consequences in the next sec-
19 tion.) The easements cover more than 450 acres of property and extend approxi-
20 mately one mile along the site's boundary. Friends' Position Paper at 6. Friends
21 of Forest Park specifically acquired the easements to maintain the effectiveness
22 of the existing peninsula of natural habitat, which the site partially comprises.
23 Friends' Position Paper at 6; Wildlife Study II at 26; Map (Forest Resource
24 Lands in the Wildlife Corridor).

25

26 22. Finally, the mining, crushing, and trucking associated with expanded

1 mineral extraction would add to the noise and dust that already disturbs nearby
2 residents. See Sauvie Island Conservancy Letter at 2, ¶ 4; Linnton Letter; Wru-
3 ble Testimony; Bellant Letter at 1.

4
5 ESEE ANALYSIS: ENVIRONMENTAL CONSEQUENCES
6

7 23. The current non-destructive on-site conflicting uses would have no envi-
8 ronmental impact on the site. The site would simply not be available for imme-
9 diate exploitation. It would in fact be preserved for future use as a mineral
10 extraction site.

11
12 24. A 3A or 3C decision, however, would have devastating environmental con-
13 sequences for the site's forest habitat. Despite the applicant's evidence, the
14 Planning Commission remains unconvinced that attempts to reclaim the site
15 would succeed in enabling the forest habitat to function again, in view of evi-
16 dence that reclamation is a complicated and difficult undertaking with uncer-
17 tain prospects for success. Revised Boutard Declaration.

18
19 25. Either a 3A or a 3C decision would allow mining within an existing con-
20 tiguous half-mile band of forest habitat between the existing quarry and
21 McNamee Road. Letter of Aug. 5, 1992, from Fugate to Multnomah County
22 Planning Commission, at 1 ("Fugate Letter"); Angell Bros. Application at Exhib-
23 it N; Map (Forest Resource Lands in the Wildlife Corridor). That contiguous
24 half-mile band is the minimum amount necessary to prevent the isolation of
25 Forest Park wildlife from the forests of the coast range. Wilderness Study II at
26 26-27. The contiguous band should perhaps be one and a half miles wide in

1 order to assure the long-term viability of Forest Park's large mammals. Wilder-
2 ness Study II at 26; Letter of Jul. 27, 1992, from Houle to Multnomah County
3 Planning Commission, at 1 ("Houle Letter").

4
5 26. A 3A or 3C decision would also lead to adverse effects on downstream
6 wetlands — including the Rafton-Burlington Bottoms, located within the
7 Willamette River Greenway See Finding #7. Either decision would also lead to
8 adverse effects on the Multnomah Channel, which is also located within the
9 Willamette River Greenway. See Finding #10. Thus, either decision would
10 harm resources protected under Goal 5 and Statewide Planning Goal 15
11 (Willamette River Greenway).

12
13 27. The applicant contended a 3A or 3C decision would comply with
14 Statewide Planning Goal 6 (Air, Water, and Land Resource Quality) ("Goal 6"),
15 because it must comply with standards established by Multnomah County, the
16 Department of Environmental Quality ("DEQ"), and the Department of Geology
17 and Mineral Industries ("DOGAMI"). Angell Bros. Application at 31. The Plan-
18 ning Commission, however, finds the applicant did not show it would be able to
19 comply with Goal 6.

20
21 28. Similarly, the Planning Commission finds the applicant did not satisfy
22 Statewide Planning Goal 7 (Areas Subject to Natural Disasters and Hazards)
23 ("Goal 7), because it did not show it would comply with standards established by
24 DOGAMI requiring stable final contours.

25
26 29. Further, the applicant did not satisfy the policy underlying Goal 7 —

1 namely, that known disaster and hazard areas should be mapped and avoided.
2 The applicant maintained it satisfied that policy because no major landslide
3 areas were identified in geologic studies. Angell Bros. Application at 31. Yet,
4 almost the entire site has been mapped as an area of known or potential slope
5 hazard. Letter of Sep. 1, 1992, from Foster, at 1-2 (“Foster Letter”). Moreover,
6 the applicant’s own expert stated cut slopes would be constructed that would
7 present slope stability and erosion hazards, but then failed to recommend cut
8 slope designs that would eliminate the hazards. Foster Letter at 2.

9
10 **ESEE ANALYSIS: ENERGY CONSEQUENCES**

11
12 30. If the site is not used for mineral extraction, the energy that would have
13 been expended to mine aggregate would be saved. The evidence did not support
14 the applicant’s assertion that distant quarry operations in Clackamas and
15 Columbia Counties would supply aggregate to the markets the applicant seeks
16 to serve, increasing the consumption of fossil fuel.

17
18 **III. CONCLUSIONS**

19
20 1. The mineral and aggregate resource site is not so important, relative to
21 the conflicting uses, and the ESEE consequences of allowing conflicting uses are
22 not so great, that the resource site should be protected and all conflicting uses
23 prohibited on the site and within the impact area.

24
25 2. The mineral and aggregate resource site and the conflicting uses are not
26 both important relative to each other, nor should the ESEE consequences be bal-

1 anced to allow the conflicting use in a limited way.

2

3 3. The conflicting uses are so important, relative to the mineral and aggre-
4 gate resource site, that the conflicting uses should be allowed fully. The ESEE
5 analysis demonstrates that the forest and wildlife values at the site, and the
6 wetlands downstream of the site, are far more valuable than the mineral values
7 at the site. It also shows that the significant benefits of protecting the former
8 values outweigh the costs of not allowing mineral extraction, while the conse-
9 quences of not protecting forest, wildlife, and wetland values would be severe.

10

DATED this 29th day of December, 1992

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REVIEWED AS TO FORM:

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LAURENCE KRESSEL, COUNTY COUNSEL

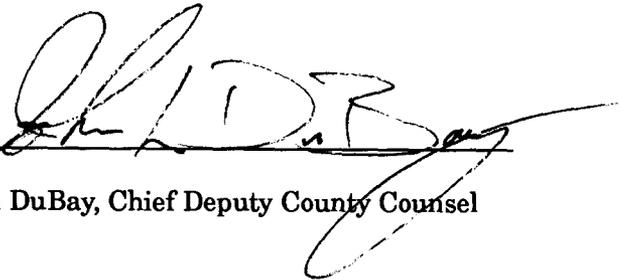
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FOR MULTNOMAH COUNTY, OREGON

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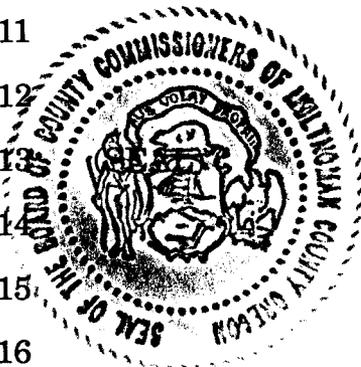
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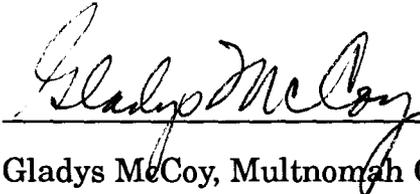
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By: 
John DuBay, Chief Deputy County Counsel

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Gladys McCoy, Multnomah County Chair