

# Exhibit AG



Megan Davchevski <megan.davchevski@umatillacounty.gov>

## MANY CONCERNS ABOUT THE COX GRAVEL PIT

RECEIVED

Darlene Westerling <darlenewesterling@yahoo.com>  
To: Megan Davchevski <megan.davchevski@umatillacounty.gov>

Wed, Feb 7, 2024 at 7:35 PM

FEB 08 2024

UMATILLA COUNTY  
COMMUNITY DEVELOPMENT

pg 14

13 Adjacent use; The applicant states that the proposed mining area will be 500 feet or more from the two home sites. THIS SOUNDS LIKE HE WILL BE PERMITTED TO MINE WITH IN 500 FT OF MY HOME PG 16 IT WILL BE AT LEAST 1000 FT FROM MY HOME.

Mining will focus on the aggregate exposed in the natural bluff and accompanying slope, extracting basalt and sand resources that lie above an elevation of 420 feet above sea level. Ms. Westerling's home site is located at or below an elevation of 420 feet. s. Ms. Westerling

lives a thousand feet from the mine and will not be exposed to adverse concentrations of respirable silica that do not otherwise exist in the natural, dry, rural environment she currently lives in.

pg 19 separate contractor;; whom will be responsible for dust and noise mitigation. WHO WILL BE HELD ACCOUNTABLE?

pg 19 : Since the Planning Commission hearing, applicant retained a professional air quality analysis from Air Sciences Inc., who concluded that air emissions from the proposed operation were below the Oregon Administrative Rule established threshold. The report was researched and written by a professional scientist who has the requisite credentials. How can they determine this when it is not operational?

The analysis also states that the project is expected to comply with all DEQ permit requirements. what happens if they don't comply?

pg 20 Regarding noise impacts, the applicant provided a noise study conducted by Coffman Engineers. This analysis monitored existing sound levels at 9 locations, weather conditions, instruments and time frames appear to be compliant with Oregon DEQ Sound Measurement Procedures Manual.

pg 28

analysis concluded that proposed activities are expected to exceed baseline measured sound levels by more than 10dBA at Analysis Locations 1 (dwelling owned by Westerling) and 7 (dwelling owned by Basford). Sound increases in excess of 10 dBA are in violation of Oregon DEQ regulations. Sound levels for blasting was not determined. Sound increases in excess of 10 dBA are in violation of Oregon

DEQ regulations. This is not acceptable.

pg 23 The draft blasting plan provides blast designs for two scenarios at the site that would place blasting as close as possible to the nearest residential structure to the southwest: one blast atop the basalt bluff, and the other at the foot of the bluff. AS CLOSE AS POSSIBLE, WHAT DOES THIS MEAN???

pg29 There is not a dwelling allowed by a residential zone on existing platted lots within the 1,500-foot impact area. MY HOME IS WITHIN THE 1500 FT IMPACT ZONE. THIS PURPOSED MINING AREA IS TOO CLOSE TO MY HOME.

pg 33 Based on the applicant's information, basalt is on the entire site, covered by sand and gravels thus the entire site could be subject to blasting. IS THE GRAVEL PIT OPERATION CONFINED TO THE AREA WITH THE WHIITE DOTS? WILL HE EVER BE ALLOWED TO MINE OUT OF THAT AREA? WHICH WOULD BE CLOSER TO MY HOUSE.

pg 36 Operation of the proposed new rock quarry will be similar to operation of the existing quarry and by inference means the new use will be compatible with the existing Goal 5 resource, THERE IS NO SIMILARITY AT ALL TO THIS GRAVEL PIT AS THIS GRAVEL PIT IS NOT OPERATING EVERY DAY. As far as the wet lands is concerned it is my understanding that a culvert will not be allowed to cross the wet lands. How is he going to make access to the area?

pg 38 . Farming on adjacent properties consists primarily of grazing but also includes some hay ground. Neither of those farming operations would be sensitive to fugitive dust as would say a vineyard. FROM PG 16, exposed to adverse concentrations of respirable silica that do not otherwise exist in the natural, dry, rural environment she currently lives in. DUST ON GRAZING LAND WOULD BE HARMFUL TO GRAZING ANIMALS. HE ADMITS SILICA DUST IS RELEASED.

pg 40 Consulting Geologist, that addresses the issue in detail and supports the conclusion that no conflicts will arise from blasting activity. THERE IS NO WAY THEY CAN DETERMINE IF THERE WILL BE NO CONFLICTS. THIS IS SOMETHING THAT WILL BE DETERMINED AFTER IT HAPPENS.

pg 41 conflicts should not be allowed within the 1,500-foot impact area of the proposed quarry." BUT MY HOUSE IS IN THE 1500 FT IMPACT AREA. THIS IS PLAIN, MY HOUSE WILL BE IMPACTED. He states . There is nothing inconsistent with taking precautionary steps to avoid a future issue as the Applicant does here. precautionary steps apply to the neighboring property as well.

pg 65 Extraction and sedimentation ponds shall not be allowed within 25 feet of a public road or within 100 feet from a dwelling, unless the extraction is into an area that is above the grade of the road, then extraction may occur to the property line; MY HOUSE IS CLOSE TO THE PROPERTY LINE. DOES THIS MEAN THAT HE CAN DIG THAT CLOSE TO MY HOUSE?

THE INCONSISTENCY IN HIS PLAN AND DIFFERENCES IN THE FT THAT HIS OPERATION IS SAID TO BE FROM MY HOUSE MAKES ME THINK HE HAS SEVERAL DIFFERENT PLANS THAT HE PLANS TO USE AND CANNOT BE TRUSTED TO GO BY THE RULES. FROM WHAT I HAVE READ ABOUT OTHER GRAVEL PIT SITES ONCE THEY ARE APPROVED AND THERE ARE PROBLEMS WITH THEM NOTHING IS DONE ABOUT THEM. THIS CONCERNS ME A LOT. THANK YOU FOR YOUR CONSIDERATIONS ON THIS MATTER, DARLENE WESTERLING

# Exhibit AH

From: Alison Voss, sunni\_voss@yahoo.com and Todd Crosby, [allium541@gmail.com](mailto:allium541@gmail.com)

Date: 2/11/24

To: Umatilla County Commissioners

Subject: Doug Cox / Randy Rupp /#T-093 / #Z-323-23

**RECEIVED**

**FEB 12 2024**

**UMATILLA COUNTY  
COMMUNITY DEVELOPMENT**

Greetings from the Hat Rock area:

We both have lived and worked on farms in the Columbia Basin of Washington and Oregon. My ex employer Mercer Ranch, owns several rock pits where we crushed stone for road base and we also crushed for road surface aggregate. Dust was always a concern for us and we had difficulties with crusher dust moving off site onto our crops. We crushed mainly in the fall when the crops were harvested and this helped the dust issue a lot. Rock dust on alfalfa is not good for cattle and alfalfa buyers have issues with foreign material on the alfalfa crop.

The proposed Cox/Rupp operation will be year round and that will not be good for the neighborhood surrounding this site within miles. Using a water truck to control dust in a crushing operation is nearly impossible particularly when there are no clay and organic material particles to bind the moist soil together. Water sprayed by truck onto stone particles for dust mitigation is very wishful thinking.

We have an operational rock pit and crushing business not far from where we live. When the sun is low on the horizon, rock dust can be seen in the atmosphere when looking East of "C" Street/Hat Rock Road. Defiling the Hat Rock neighborhood to support a rock crushing operation is totally unacceptable. This dust plume can be seen for ½ mile before the bulk of the heavier dust particles drop out. We live in a high wind velocity area. Our prevailing summer winds cause issues with the spread of fires primarily from the SW in the summer. The winter winds change directions and come predominately from the East North East. Another issue is having an asphalt plant in the immediate area of our neighborhood. There will be caustic petrochemical products in the odors defiling our neighborhoods. The Oregon State Department of Natural Resources has mapped water flow into our Hat Rock spring from the area of the proposed rock quarry and asphalt plant. Fracturing basalt layers up gradient would conceivably cause flow issues into the spring. Asphalt also contains nitrates which would further increase the potential to raise our currently high drinking water nitrate levels. We are not interested in having our drinking water source further contaminated by the nitrate and volatile organic compounds found in asphalt. The risk of water contamination and airborne particulate matter is a very high and is a totally unnecessary risk to our neighborhoods. The landowner owns several thousand acres available for him to mine instead of the proposed site. Relocating the mining operation would present a much lower risk to our neighborhoods.

We ask that the Umatilla County Commissioners and the Umatilla County planning Commission deny the rezoning for this proposed high risk mine.

Todd Crosby

Alison Voss

Residents of the Hat Rock area for 32 years

# Exhibit AI



Megan Davchevski <megan.davchevski@umatillacounty.gov>

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FEB 14 2024

UMATILLA COUNTY  
COMMUNITY DEVELOPMENT

## MY CONCERNS

1 message

**Darlene Westerling** <darlenewesterling@yahoo.com>

Tue, Feb 13, 2024 at 9:46 PM

To: Megan Davchevski <megan.davchevski@umatillacounty.gov>

pg 14

13 Adjacent use; The applicant states that the proposed mining area will be 500 feet or more from the two home sites. THIS SOUNDS LIKE HE WILL BE PERMITTED TO MINE WITH IN 500 FT OF MY HOME WHEN PG 16 IT WILL BE AT LEAST 1000 FT FROM MY HOME.

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lives a thousand feet from the mine and will not be exposed to adverse concentrations of respirable silica that do not otherwise exist in the natural, dry, rural environment she currently lives in. HE ADMITS THERE IS HARMFUL DUST FROM THIS OPERATION

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Exhibit AJ



RECEIVED

Megan Davchevski <megan.davchevski@umatillacounty.gov>

FEB 14 2024

UMATILLA COUNTY  
COMMUNITY DEVELOPMENT

**Fw: Doug Cox purposed gravel pit.**

Jeff Wallace <buttercreeklivestock@yahoo.com>

Tue, Feb 13, 2024 at 10:32 PM

To: "megan.davchevski@umatillacounty.gov" <megan.davchevski@umatillacounty.gov>

----- Forwarded Message -----

**From:** Jeff Wallace <buttercreeklivestock@yahoo.com>

**To:** megan.duvchevski@umatillacounty.gov <megan.duvchevski@umatillacounty.gov>

**Cc:** Darlene Westerling <darlenewesterling@yahoo.com>

**Sent:** Tuesday, February 13, 2024 at 10:27:00 PM PST

**Subject:** Doug Cox purposed gravel pit.

To whom this concerns,

I currently rent pasture ground for Ms. Westerling. Her property is EFU and borders the said purposed rock quarry/ asphalt plant. I don't recommend letting this proposal pass for the simple fact that the silica dust that is produced during the mining process is hazardous to the environment and the ecology of the area. Not to mention the noise that would come from this operation. The truck traffic from this site would also play a huge part of this operation. Ruining the Highway 730 and Highway 207. Causing ruts in the asphalt roads and cracking of the asphalt as well. As a tax payer that pays for the roads and the maintenance of these roads I don't agree with this operation being granted, all that Mr. Cox wants to do is to sell rock to Amazon and NOT have to cross any scales due to the fact that the trucks that haul the rock would be and will be overload causing great damage to the highways. All so there is a HAZARD of rocks or material from this operation flying off of the loaded trucks and hitting the publics windshields and cars causing great damage to their vehicles and to cause a wreck that COULD take a life of another human being. I don't believe that the county wants this to happen plus not counting all the law suits that it would cause for Umatilla County and the State of Oregon as it could happen on the two State Highways 730 and 207. As part of the Planning Commission do you want that on your conscious cause you allowed this operation to take place, I know I wouldn't so ask yourself is it worth it??? No amount of money could ever be enough to replace a human life just think for a minute if it was your loved one or family member that got killed cause of this operation making the product that the trucks haul. So ask yourselves is it worth the heartache to let this operation take place. I thought Mr. Rupp owned the land if so would he like to be part of the financial responsibility of someone loosing there loved one, deep down I don't feel none of you would want anything to happen to anyone but you have to stop and think about ALL avenues of this and not just think about the money side of this for the county. Do you realize what effects this operation would do to the local water well for households?? Is Mr. Cox or Mr. Rupp going to replace these well that fail or go dry due to their operation??

Now then let's address health issues shall we the effects of the silica dust and fumes from this operation can cause respiratory issues for all ages of people not to mention cancer causing carcinogens that would be air borne. Who is going to pay for the medical bills and the funeral cost that could be associated with death of someone who inhales the silica dust and other harmful air particles. It won't be you wearing and oxygen mask laying in a hospital bed but it could be a family member that is due to you allowing this potential HAZARDOUS operation to take place.

I run cattle on Ms. Westerling's property and if my cattle eat the grass that the silica dust lands on, they also will get respiratory disease and will end up with lung issues and will probably die due to the silica dust on the feed. In turn causing a loss of income for me as well. Who is going to reimburse me for the loss of my income??? The County Or the State of Oregon Or the Planning Commission probably NOT. Will Mr. Cox and/or Mr. Rupp pay me for my losses due to there

hazardous contaminant air borne dust that their rock quarry produces when they crush the rock or blast the rock or when they make asphalt. Are they going to pay for peoples lively hoods in the area. Are they going to pay them the money that they will loose due to their operation??

Now if you allow them to get the county to change the zoning that you would open up a can of worms that I don't believe you or and of the Government official from Umatilla County would want or to have to deal with. Would You???? What bout the property values surrounding an ugly smelly rock quarry??? What bout all the mosquitoes that will be around cause of all the stagnant water??? More West Nile Virus???? The property values would diminish to those who own property near or around the rock quarry which means less property taxes which in return is less money for the County!!!!!! Did you stop to think about how many\$\$\$\$ The Umatilla County would be loosing??? Mr. Rupp owns a lot of non-irrigated ground up towards Juniper Canyon let the put a rock pit on that land instead of right by a major highway a retirement park at Hat Rock and not to mention all of the people that live near proposed site as they call that Home!!!!

So in conclusion all I can say that from a State of Washington Highway Maintenance Tech 2 You will have the roads in terrible shape and not to mention that The State of Oregon Transportation Department don't have the funds to keep up on the repairs in and around Umatilla County so your phones will be ringing of the hook cause people are wanting you (Umatilla Count) to fix their vehicle cause of the damage it caused due to the fact of this operation???

So I hope and pray that the planning commission will do the right thing and decline this proposal by Mr. Cox and Mr. Rupp. To keep that part of Umatilla County safe and a healthy environment.

Thank You,  
Jeff Wallace



Exhibit AK

Megan Davchevski <megan.davchevski@umatillacounty.gov>

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FEB 14 2024

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## Feb 15 board of commissioners land use hearing

UMATILLA COUNTY  
COMMUNITY DEVELOPMENT

Brandon Hayden <brandon.hayden81@gmail.com>

Wed, Feb 14, 2024 at 1:31 PM

To: Megan.davchevski@umatillacounty.gov

Good afternoon Megan,

I am unable to attend the meeting on the 15th and would like record of my opposition of the zone map amendment request submitted by Doug Cox.

My reasons for opposition are the following:

- 1) proposed blast zone is in too close proximity to protected wetlands.
- 2) proposed blast zone is in too close proximity to existing residential properties.
- 3) noise pollution and asphalt odors may de-value neighboring properties.
- 4) increased truck traffic may impact safety of neighboring children at play or waiting for school buses.

My current address is:  
81255 North Golda Road  
Hermiston, OR 97838

My property is approximately 1.5 miles from the proposed blast zone.

Please confirm you have received this email and let know if I need to do anything further to get my response on record.

Thanks!  
-Brandon

# Exhibit AL

Umatilla County Board of Commissioners

216 SE Fourth Street

Pendleton, OR 97801

RE: Doug Cox Quarry/T-093-23 #Z-323-23

Commissioners

I am writing to urge you to not approve this quarry. To many conflicts arise with this location. The Goal 5 wetlands that sits on this site feeds the Hat Rock community with water that is already high in nitrates. Not once is this addressed anywhere in this proposal. The noise to the surrounding residences cannot be mitigated with berms as these dwellings share a canyon with this site. One water truck a week is laughable to control the dust from this operation. Crops grown next to this site will suffer from this dust, therefore making them less desirable to buyers and the animals that will consume them. The residents near this site will also suffer from the dust and noise. Not to mention the smell of an asphalt batch plant along with the toxic chemicals involved in processing asphalt. There are currently two quarry sites in close proximity to this proposed site. One is approximately 500 ft to the north, the other is approximately one half mile east. In case you are wandering two sites is to many in this small of an area. The land owner Mr. Rupp has thousands of acres that would be suitable to quarrying rock. Two and a half miles east Mr. Rupp owns plenty of rocky ground that would not interfere with any residences, wetlands that supply water to a nearby community, or even need a 1500 buffer. Its absurd for them to claim our property values will not be affected. Would you buy a home near a running rock pit that emits noise and dust? Would you buy a home that you couldn't ever develop because the rock pit next door wont let you develop your land? Of course you wouldn't, neither will anyone else. My neighbor Ms. Westerlings home is 1000 ft from this site. The 1500 ft buffer envelopes the majority of her 26 acres. If anything happens to her home and she needs to replace it, she will either have to move to a small slice outside of the buffer area. Or sign the extortion waiver being forced on all of us that have property within the 1500 buffer. The cost of relocating her home site would not be feasible. Because of the cost associated with running power to a new location new septic system and water lines to a new location. The area she has left to relocate is under the high voltage lines that cross her and my property. Therefore she will not be able to relocate her home. The applicant claims there are no conflicts but wants to force the neighbors to not be able to develop our own properties. He claims that we are zoned EFU and that will keep us from being able to do so. Well the property he is using is also EFU and it needs to stay that way. When we purchased our property we had a reasonable expectation that the surrounding properties would remain that way. I hope these concerns and conflicts will shed some light on this terrible proposal. I urge the commissioners to do what is right and deny this proposal. There are too many conflicts to resolve with this site. I hope the commissioners suggest a new site that will benefit the county without being detrimental to nearby residents.

Thank you,

Justin Estes

34214 Diagonal Rd.

Hermiston OR 97838

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COMMUNITY DEVELOPMENT



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UMATILLA COUNTY  
COMMUNITY DEVELOPMENT

COREY, BYLER, & REW, L.L.P.  
ATTORNEYS AT LAW

STEVEN H. COREY\*  
TIMOTHY P. O'ROURKE  
KARIN E. DALLAS  
JENNIFER E. CURRIN  
PATRICK M. GREGG  
NATALIE R. LAMBERT  
ERIN N. BIENCOURT

222 S.E. DORION AVENUE  
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TELEPHONE (541) 276-3331  
FAX (541) 276-3148

STEVEN N. THOMAS, RETIRED  
DOUGLAS E. HOJEM, RETIRED  
ROBERT E. O'ROURKE, RETIRED

GEORGE H. COREY, DECEASED  
ALEX M. BYLER, DECEASED  
LAWRENCE B. REW, DECEASED

Email: [gregg@corey-byler.com](mailto:gregg@corey-byler.com)

OF COUNSEL  
HENRY C. LORENZEN  
THOMAS M. BYLER

\*Admitted in Oregon and Washington

February 14, 2024

Ms. Megan Davchevski  
Umatilla Planning Department  
216 SE 4th St.  
Pendleton, OR 97801  
[megan.davchevski@umatillacounty.gov](mailto:megan.davchevski@umatillacounty.gov)

Re: Comprehensive Plan Text Amendment #T-093-23  
Zone Map Amendment #Z323-23  
Doug Cox, CRP & Hauling, LLC, Applicant; Randy Rupp, Landowner  
Our File No. 123-045

Dear Ms. Davchevski:

I am writing in follow-up to my January 24, 2024, letter to you related to Doug Cox and his business CRP & Hauling, LLC (collectively "CRP") in relation to CRP's efforts to obtain land use approval for construction and operation of an aggregate rock quarry and asphalt batch plant in Umatilla County. We appreciate the detailed and comprehensive staff report and preliminary findings and conclusions prepared by you and your staff. We have had the opportunity to review those documents in detail. The purpose of this letter is to supplement the written record with specific responses to certain issues raised in the preliminary findings and conclusions, and to provide further support for CRP's application.

CRP believes that its application is well supported and consistent with the applicable laws and regulations and that the responses set out in this letter address the further questions raised in the preliminary findings and conclusions. We therefore are hopeful, and request, that the Umatilla County Board of Commissioners approve CRP's application, including with the modifications to the proposed conditions subsequent as set out in this letter.

*i. Emissions Impacts from Blasting*

The staff report and preliminary findings and conclusions both stated that the technical memorandum submitted on CRP's behalf by Air Sciences, Inc. "did not determine emissions for blasting activities" and did not state whether any such emissions from blasting would negatively impact "nearby residents, crops, wildlife, or the Goal 5 wetland." (Preliminary Findings and Conclusions pp. 7 of 62).

CRP does not believe there will be any impact from blasting to speak of as it relates to emissions. CRP's documentation already submitted into the record indicates that at most blasting will happen three times in any calendar year. Each blast event will result in dust or emissions for between 30 and 60 seconds. This includes the emissions from the blast itself and any residual dust from the blast that disburse. At most then, the duration of emissions from blasting is 3 minutes, in total, per year. This is substantially less than the dust generated by any other activities in the area including seasonal tilling of nearby fields and windborne dust from nearby areas. Thus, any emissions from blasting will be so far below any regulatory threshold as to be negligible. CRP therefore believes that the impact from blasting will have no discernible impact on "nearby residents, crops, wildlife, or the Goal 5 wetland" and that its application can be approved.

*ii. Further ESEE Analysis*

The preliminary findings and conclusions also suggest that CRP "did not provide adequate supporting information detailing how conflicts would be minimized." (Preliminary Findings and Conclusions pp. 36 of 62). CRP believes that its proposed blasting plan, previously submitted into the record, appropriately addresses these concerns. Notwithstanding, we have further addressed these concerns, and supplemented our ESEE analysis in this letter, as requested in the preliminary findings.

Quite simply, to the extent that any opponents of CRP's project are concerned about impacts from blasting those concerns are best addressed by a more comprehensive understanding of the blasting process. Assuming as many as three blasts per year, which is noted above, dust may be emitted for 30-60 seconds per each blast (not just by the blast itself but by any residual dust afterward until it disperses). This would result in at most 3 minutes of dust emissions from the blasting per year. Blasting is not expected to leave the subject site however, if so, it would be a miniscule amount compared to even tilling a field which is prevalent in the area.

Therefore, for purposes of further ESEE analysis the county may conclude that there will be no offsite particulates from the blasting and if so, only minor particulates, equivalent to plowing or tilling a farm field, would be present for up to three minutes per year. The county may conclude that offsite impacts from blasting are mitigated based on best management practices and compliance with federal and state regulatory compliance thresholds.

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*iii. Proposed Conditions*

The preliminary findings and conclusions impose three particular conditions subsequent, numbered 3, 4, and 14, that CRP believes warrant further discussion. Each of these, and CRP's response, is discussed below.

Proposed condition subsequent 3 suggests imposition of a minimum 100-foot setback from all wetlands for all mining activities. CRP does not believe that such a setback is required, or necessary, under the Umatilla County Development Code nor any other applicable law or regulation. Rather, the 100-foot setback in the Umatilla County Development Code is applicable only to structures and septic drain fields.

The plain language of Umatilla County Development Code Section 152.063 (E)(1), dealing with stream setbacks on lands zoned EFU, expressly states that "all sewage disposal installations, such as septic tanks and drainfields shall be set back from the mean water line or mark along all streams, lakes or wetlands, a minimum of 100 feet ..." Similarly, subsection (2) of UCDC 152.063 (E) provides "[a]ll structures, buildings, or similar permanent fixtures shall be set back from the high water line along all streams, lakes, or wetlands a minimum of 100 feet ..."

Neither provision in the Development Code requires, or permits, the imposition of a 100-foot setback of all mining activities from wetlands. At most septic related facilities (which will not be present) or permanent structures must be 100 feet away from the identified wetland. Here, the mine plan submitted by CRP demonstrates that any structures it proposes to build will be at least 100 feet away from the wetland. Further, CRP notes that it consulted with the Department of State Lands ("DSL") and the determination was made by DSL that the mine plan, as revised and submitted, did not appear to impact wetlands. That mine plan submitted to DSL provided for a 25-foot setback. In short, CRP believes that proposed subsequent condition 3 should be modified to reflect the specific language set out in the Development Code and not to impose a blanket 100-foot setback.

Proposed subsequent condition 4 suggests a 25-foot tall berm around the entirety of the site perimeter. CRP does not believe this is necessary as a mitigation measure and notes that such a proposal is far beyond the recommendation of Coffman Engineers proposed mitigation measure to address possible noise concerns, as well as dust concerns, raised by mining activities at the site. CRP does not believe such an expansive condition is warranted by the facts and evidence here, nor is it warranted to mitigate any potential impacts on neighboring properties other than southwest of the proposed mine, as recommended by Coffman Engineers. In particular, Coffman Engineers suggested a 20 to 25-foot tall berm at the southwest side of the project site, both uphill and downhill of the basalt bluff, to mitigate noise that might possibly impact the Westerling property. There is no evidence in the record identifying specific conflicts that suggest a 25-foot tall berm is required around the entire property, nor is such a significant earthworks endeavor typical within the industry. For these reasons CRP respectfully requests that condition subsequent 4 be modified to require a 20 to 25-foot tall berm in the southwest project areas as recommended by Coffman Engineers.

Proposed condition 14 proposes to limit all mining activities to the hours of 7:00 a.m. to 7:00 p.m. This limitation is not a necessary mitigation measure because, as the sound analysis from Coffman Engineers demonstrates, the only activity that would exceed noise standards applicable to activities before 7:00 a.m. is rock crushing. Despite this, CRP is willing to accede to a blanket 7:00 a.m. to 7:00 p.m. limitation on all operational mining activities.

*iv. Conclusion*

CRP believes that the application, including all supporting material, studies, and information submitted to date, complies with all requirements of the Umatilla County Development Code and applicable laws and regulations of the State of Oregon. Given its support among the local business community and the opportunity for further economic development that this project represents CRP respectfully requests that the Umatilla County Board of Commissioners not accept the recommendation of the Umatilla County Planning Commission and instead approve Comprehensive Plan Text Amendment #T-093-23 and Zone Map Amendment #Z323-23, with a modification of the conditions subsequent as outlined in this letter.

Thank you.

Sincerely yours,



Patrick M. Gregg

Exhibit AN

RECEIVED

FEB 14 2024

UMATILLA COUNTY  
COMMUNITY DEVELOPMENT

January 30, 2024

Umatilla County Board of Commissioners  
216 SE Fourth Street  
Pendleton, OR 97801

RE: Rock Quarry Application for Doug Cox  
Applications T-09-23 and Z-323-23

Commissioners –

Please consider my support for the rock quarry application filed by Doug Cox. I have known Doug for 15+ years and I believe in the quality and integrity of his work. As a contractor, Doug has the highest standards.

There is a real need for aggregate material in West Umatilla County. The quarry at the intersection of Highway 730 and Highway 207 is ideally situated for all of the development occurring in that part of the county.

Doug will operate the rock quarry with the same high standards he employs in his other contracting work. I urge you to approve Doug's application.

Sincerely,



Tami Sinor

Rock Quarry

Exhibit A0

RECEIVED

FEB 14 2024

UMATILLA COUNTY  
COMMUNITY DEVELOPMENT

Jenny Estes  
34214 Diagonal Rd.  
Hermiston OR

RE: Comprehensive Plan Text Amendment-093-23, zoning map amendment #Z323-23, Map 5N29 22; Tax lot #400

Dear County Commissioners,

I am opposing the new aggregate resources zoning that allows the Goal 5 significant site to be approved for mining. This would have significant disturbance to our whole "community." This big rock quarry would essentially be in our back yards. There will be occasional blasting, crushing and hauling continually. It will also include extraction, operation of a rock crusher, a scale, office, stockpile areas and an asphalt batch plant. I know we seem like a broken record, but we want the commissioners to understand the conflicts this brings to ourselves and our neighbors. It is rather easy to say verbally what your "plan is", but who will strictly enforce these concerns? Yes, there are different agencies that will come in 2 times a year and take notes, observe and test certain aspects, but which county commissioner is willing to personally vouch that this rock quarry will be operating to the standard the applicant has said and give us a direct phone line to hear our concerns/ complaints. As noted from the November meeting with the county planning, Mr. Cox said he is a "neighborly guy" and will run things "correctly". We have big amounts of worry for how this will be policed as these rock quarry concerns would be our new reality.

Hat Rock residents have brought to our attention that their main drinking water source has been a constant concern amongst the whole neighborhood. Nitrates are consistently high across the county and Hat Rock residents have recently drilled a new well to reduce the nitrates. We are concerned with the amount of nitrates that will seep into the ground water from the blasting. The hat rock drain, which runs directly through the new proposed rock quarry sight, is the direct water source that fills their reservoir.

In addition, these are our biggest concerns listed below.

- THE ODOR FROM ASHALT BATCH PLANT
- DUST PARTICLES~ HAS BEEN PROVEN TO CAUSE (SILICOSIS) PROGRESSIVE, INCURABLE LUNG DISEASE
- WATER TABLE (POTENTIAL WELLS )BEING EFFECTED WITH BLASTING
- DISRUPTION OF THE PROTECTED WET LANDS
- HEAVY RESTRICTION OF "OUR" LAND USE WITHIN 1500' OF SITE BOUNDARY. BY

- ALLOWING THIS TO BE A GOAL 5 SIGNIFICANT SITE.
- TAKING OFF THE EFU ZONING ON OUR LAND
- TRAFFIC SAFETY AT ACCESS POINT ON HWY 730 IS CONCERNING. WITH AN ADDITIONAL 350 TRIPS IN AND OUT EFFECTING THE ALREADY EXTREMELY BUSY INTERSECTION. IN ADDITION TO 350 IN AND OUTS A DAY (SEMI TRUCKS)
- THEY HAVEN'T DONE EFFICIENT TESTING ON BASALT/TOP SOIL
- THIS SITE WILL REMOVE OVER 4.7 MILLION TONS OF ROCK FROM CLIFF
- SITE WILL EFFECT 9+ HOUSEHOLDS/LIVESTOCK AND WILDLIFE
- ALREADY HAVE 2 EXISTING ROCK PITS IN THAT AREA
- HOURS OF OPERATION ARE CONCERNING. 6AM TO 7PM. The thought of hearing back up beepers through the canyon at 6am concerns me
- DEPRECIATION OF HOUSE VALUE NEAR ROCK PITS, CLOSE TO 30%
- ON NEW SITES, ROCK QUARRIES RUN FOR DECADES
- Winter time winds mainly come out of the northeast not the west, leaving the dust and smell to travel west towards all the residents/households.

The applicant refers often to the ODOT rock quarry at the intersection of highways 730 and 207. He states the rock quarry he is applying for will be operating similar to that existing rock pit. We have lived at our residence for 19 years and at most have heard or seen activity at that site 3 times. This is not a fair or reliable comparison.

We have no desire to disable the ability to mine rock, but there are plenty of rock out croppings to the east 2-3 miles that will effect none of these above concerns. Mr. Rupp owns nearly 25,000 acres all around the 730 hwy almost to Wallula Junction. We'd encourage him to move east and HELP US!

Respectfully,

Jenny Estes