



Oregon
Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

10/01/2012

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: Union County Plan Amendment
DLCD File Number 002-12

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Thursday, October 11, 2012

This amendment was submitted to DLCD for review prior to adoption pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE:** The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Hanley Jenkins, Union County
Jon Jinings, DLCD Community Services Specialist
Amanda Punton, DLCD Natural Resources Specialist
Grant Young, DLCD Regional Representative

<paa> YA

DLCD NOTICE OF ADOPTION

This form must be mailed to DLCD within 5 working days after the final decision
per ORS 197.610, OAR Chapter 660 - Division 18
(See reverse side for submittal requirements)

DEPT OF
SEP 24 2012
LAND CONSERVATION
AND DEVELOPMENT

Jurisdiction: Union County Local File No.: 10546
(If no number, use none)

Date of Adoption: 9-19-12 Date Mailed: 9-20-12
(Must be filled in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: 5-15-12

- | | |
|--|--|
| ☐ Comprehensive Plan Text Amendment | ☒ Comprehensive Plan Map Amendment |
| ☐ Land Use Regulation Amendment | ☒ Zoning Map Amendment |
| ☐ New Land Use Regulation | ☐ Other: _____ |
- (Please Specify Type of Action)

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached."

The amendment added 51 acres to an existing inventoried
10 acre basalt aggregate site and included it in a Surface
Mining Zone with an associated quarter mile perimeter Impact
Overlay Zone.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "Same." If you did not give notice for the proposed amendment, write "N/A."

Same

Plan Map Changed from : NA to NA
Zone Map Changed from: A-3 Agriculture to Surface Mining
Forest Use
Location: Twp. 1N, Range 39 EWM, TL 5300 Acres Involved: 61
Specify Density: Previous: NA New: NA

Applicable Statewide Planning Goals: 5, 12

Was an Exception Adopted? Yes: _____ No: x

Did the Department of Land Conservation and Development receive a notice of Proposed

Amendment **FORTY FIVE (45) days prior to the first evidentiary hearing.** Yes: x No:

If no, do the Statewide Planning Goals apply. Yes: No:

If no, did The Emergency Circumstances Require immediate adoption. Yes: No:

Affected State or Federal Agencies, Local Governments or Special Districts: ODFW, DOGAMI & ODOT

Local Contact: Hanley Jenkins Area Code + Phone Number: 541-963-1014

Address: 1001 4th Street, Suite C

City: La Grande, OR Zip Code+4: 97850

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. **Send this Form and TWO (2) Copies of the Adopted Amendment to:**

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

2. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
3. **Please Note:** Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the "Notice of Adoption" is sent to DLCD.
6. In addition to sending the "Notice of Adoption" to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can copy this form on to **8-1/2x11 green paper only** ; or call the DLCD Office at (503) 373-0050; or Fax your request to:(503) 378-5518; or Email your request to Larry.French@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.

BE IT REMEMBERED, that at a regular term of the Union County Board of Commissioners, for the County of Union, sitting for the transaction of County business, begun and held at the Joseph Building Annex in the City of La Grande, in said County and State, on Wednesday of said month and the time fixed by law for holding a regular term of said Court, when were present:

The Honorable	WILLIAM ROSHOLT	Chairman
	STEVE MCCLURE	Commissioner
	MARK DAVIDSON	Commissioner

WHEN, on Wednesday, the 19th day of September, 2012, among others the following proceedings were had to-wit:

IN THE MATTER OF AMENDING THE}	
UNION COUNTY LAND USE PLAN & }	ORDINANCE NO.
ZONING MAP AND EXPANDING AN }	2012-02
EXISTING SURFACE MINING ZONE }	
BY 51 ACRES (EDMONDSON) }	

WHEREAS, Donald & Rachel Edmonson, Seubert Excavators, Inc., agent, submitted an application to add 51 acres (part of Twp. 1N, Range 39 EWM, Tax Lot 5300) to an existing 10 acre inventoried basalt aggregate site and change the current A-3 Agricultural Forest Use Zone to a Surface Mining Zone and Surface Mining Impact Area Overlay Zone;

WHEREAS, DLCD was given 45 days notice prior to the first evidentiary hearing;

WHEREAS, the Union County Planning Commission advertised and held a public hearing on August 6, 2012 and made a recommendation to approve the application;

WHEREAS, the Union County Board of Commissioners advertised and held a public hearing on September 5, 2012;

WHEREAS, the applicants submitted evidence that the aggregate resource meets ODOT specifications for base rock and the amount of material exceeds 500,000 tons.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS, COUNTY OF UNION, STATE OF OREGON:

SECTION 1: UNION COUNTY LAND USE PLAN

The Union County Land Use Plan Supplement - June 1984 is amended to include 51 acres shown in the attached map (Exhibit C) as an addition to an existing 10 acre significant Goal 5 site in an Agriculture/Forest Plan Classification for inventoried basalt sites in Table AS.

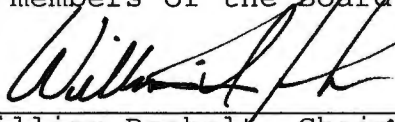
SECTION 2: LAND USE PLAN/ZONING MAP

The Union County Land Use Plan/Zoning Map is amended to change 51 acres shown in Exhibit C, attached and affixed hereto and made a part of this ordinance, from an A-3 Agriculture Forest Use Zone to a Surface Mining Zone with an associated expansion for the Surface Mining Impact Area Overlay Zone extending $\frac{1}{4}$ mile from the expansion area.

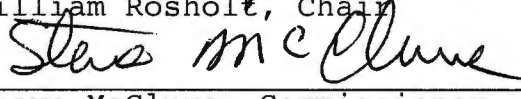
SECTION 3: SUPPORTING FINDINGS

This Ordinance is passed and adopted with the supporting findings and conditions included in Attachment "A".

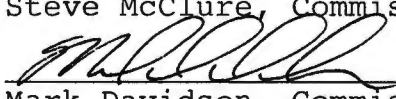
PASSED AND ADOPTED this 19th day of September, 2012 by a vote of the following members of the Board of Commissioners voting therefore.



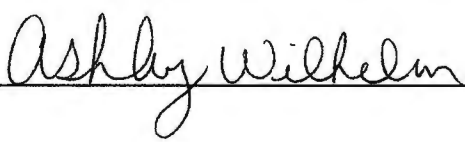
William Rosholt, Chair



Steve McClure, Commissioner



Mark Davidson, Commissioner

Attest: 

Attachment "A"
As Amended by Board of Commissioners
September 5, 2012

1. Union County Zoning, Partition & Subdivision Ordinance (UCZPSO) Section 23.05(3) identifies Plan Amendment standards the applicants are required to satisfy.
2. OAR 660-023-0180 identifies Mineral and Aggregate Resource rules the applicants are required to satisfy.
3. The subject property is in an A-4 Timber/Grazing Zone and the existing aggregate site includes a Surface Mining Overlay Zone.
4. The existing aggregate removal site is on the County Land Use Plan inventory list of basalt aggregate sites.
5. The site is accessed from Summerville Road which is a County road with a 60 foot right-of-way width and asphalt surface then over an easement road that has a 60 foot right-of-way width and gravel surface.
6. The subject property is in the Imbler School District but outside of any rural fire protection district.
7. The applicants are requesting to expand their existing 10 acre aggregate site to include an additional 51 acres in a Surface Mining Zone with an associated quarter mile perimeter Impact Overlay Zone around the 51 acres.
8. The applicants have provided Exhibit "A" Vicinity Map, Exhibit "B" Detailed Location Map and cross section excavation charts, and Exhibit "C" responses to relevant criteria.
9. The applicants have satisfied UCZPSO Section 23.05(3) standards based on oral testimony, exhibits submitted with the application and the following:
 - A. The current site is close to depletion and there is an anticipated need for rock in the local area;
 - B. Alternative sites to satisfy the need for rock in the area have not been identified; and
 - C. The transportation facility used for the existing site has been adequate and there is no expectation that future business will be any greater.
10. The applicants have satisfied OAR 660-023-0180 requirements based on oral testimony, the exhibits submitted with the application, and because it has been shown that the aggregate resource meets ODOT specifications for base rock and the amount of material exceeds 500,000 tons.

Seubert Excavators, Inc.
Edmondson Quarry
 DOGAMI ID No. 31-0023

Location: Approximately 3 miles west of the City of Elgin, Oregon

Legal: N1/2, NE1/4, S19, T1N, R39E WM and
 S1/2, SE1/4, S19, T1N, R39E WM

Tax Lot: 11-4-5300

Quarry Boundary Area: 61 acres

Map Key

-  Quarry Boundary
-  Access Road (already existing)
-  Location and flow direction of nearby stream
 (Tributary of Phillips Creek)
-  Location of stockpiles

Note: Location of crushing plant will vary as material is extracted.
 Fuel supply to the crusher will be located with the crusher plant.

Note: Concrete and asphalt plant (permanent or portable installation)
 to be located on mined quarry floor. Exact location to be determined
 as quarry floor expands and room becomes available to accommodate
 the operations.

Note: See page 2/3 for cross sections A-A' and B-B'

Note: See page 3/3 for cross sections C-C' and D-D'



Scale 1" = 225 ft

Prepared by: Chris Rehder, BSCE, Seubert Excavators, Inc. Date: 04/05/2012

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The Honorable	WILLIAM ROSHOLT	Chairman
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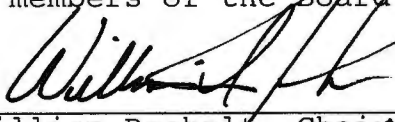
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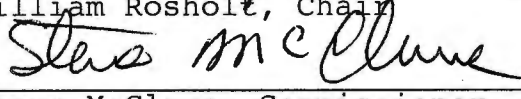
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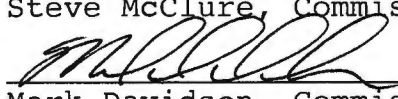
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Prepared by: Chris Rehder, BSCE, Seubert Excavators, Inc. Date: 04/05/2012



UNION COUNTY
PLANNING DEPARTMENT

1001 4th Street, Suite C
La Grande, Oregon 97850



UNITED STATES POSTAGE
PITNEY BOWES
02 1M
0004276296
\$ 00.65⁰
SEP 20 2012
MAILED FROM ZIP CODE 97850

Attn: Plan Amendment Specialist
Dept. of Land Conservation & Development
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540

DEPT OF

SEP 24 2012

LAND CONSERVATION
AND DEVELOPMENT

973012564 C007

