



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

12/17/2012

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

FROM: Plan Amendment Program Specialist

SUBJECT: Jackson County Plan Amendment
DLCD File Number 003-12

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Due to the size of amended material submitted, a complete copy has not been attached. 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: Friday, December 28, 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: Mike Mattson, Jackson County
Jon Jinings, DLCD Community Services Specialist
Amanda Punton, DLCD Natural Resources Specialist
Josh LeBombard, DLCD Regional Representative

<paa> YA



FORM 2

DLCD

Notice of Adoption

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

☐ In person ☐ electronic ☐ mailed

DATE
STAMP

DEPT OF
DEC 10 2012
LAND CONSERVATION
AND DEVELOPMENT

For Office Use Only

Jurisdiction: **Jackson County**Local file number: **LRP2012-00006**Date of Adoption: **12/5/2012**Date Mailed: **12/7/2012**Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? ☒ Yes ☐ No Date: 8/1/2012☐ Comprehensive Plan Text Amendment☒ Comprehensive Plan Map Amendment☐ Land Use Regulation Amendment☒ Zoning Map Amendment☐ New Land Use Regulation☐ Other:

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

Comprehensive Plan Map and Zoning Map Amendment to add properties to Jackson County's Goal 5 inventory of significant aggregate resources, change the Comprehensive Plan Map from Agricultural Land to Aggregate Resource Land, and change the Zoning Map from Exclusive Farm Use (EFU) to Aggregate Removal (AR). A Site Plan Review for aggregate operations was included as part of this proposal.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from: **Agricultural Land**to: **Aggregate Resource**Zone Map Changed from: **Exclusive Farm Use**to: **Aggregate Removal**Location: **Approx. 1 mi. N/NE or Roxy Anne Peak**Acres Involved: **672**Specify Density: Previous: **80 acres**New: **80 acres**

Applicable statewide planning goals:

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19

☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☐ ☐ ☐ ☐ ☐ ☐

Was an Exception Adopted? ☐ YES ☒ NO

Did DLCD receive a Notice of Proposed Amendment...

35-days prior to first evidentiary hearing?

☒ Yes ☐ No

If no, do the statewide planning goals apply?

☐ Yes ☐ No

If no, did Emergency Circumstances require immediate adoption?

☐ Yes ☐ No

DLCD file No. 003-12 (19444) [17266]

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

ODOT, City of Medford, DOGAMI

Local Contact: **Mike Mattson**

Phone: (541) 774-6937 Extension:

Address: **10 S. Oakdale Ave., Room 100**

Fax Number: **541-774-6791**

City: **Medford**

Zip: **97525-**

E-mail Address: **mattsomw@jacksoncounty.org**

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light green paper if available.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

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

9. **Need More Copies?** Please print forms on 8½ -1/2x11 green paper only if available. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
STATE OF OREGON, COUNTY OF JACKSON

ORDINANCE NO. 2012-10

AN ORDINANCE AMENDING THE JACKSON COUNTY COMPREHENSIVE PLAN MAP AND ZONING MAP TO ADD THE SUBJECT PROPERTIES TO JACKSON COUNTY'S GOAL 5 INVENTORY OF SIGNIFICANT AGGREGATE RESOURCES; TO REMOVE THE LAND FROM THE AGRICULTURAL LAND DESIGNATION AND ADD IT TO THE AGGREGATE RESOURCE COMPREHENSIVE PLAN MAP DESIGNATION; AND TO REMOVE THE LAND FROM THE EXCLUSIVE FARM USE (EFU) ZONING DISTRICT AND ADD IT TO THE AGGREGATE REMOVAL (AR) ZONING DISTRICT, SUCH LAND CONSISTING OF SEPARATE PARCELS TOTALING APPROXIMATELY 672 ACRES LOCATED ON THE FOLLOWING PROPERTIES: TOWNSHIP 36 SOUTH, RANGE 1 WEST, SECTION 35, A PORTION OF TAX LOT 300; TOWNSHIP 37 SOUTH, RANGE 1 WEST, SECTION 01, TAX LOTS 204, 205, 209, 299, AND 300; TOWNSHIP 37 SOUTH, RANGE 1 WEST, SECTION 02, TAX LOTS 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 122, 200, 201, AND 202; A PORTION OF TOWNSHIP 37 SOUTH, RANGE 1 WEST, SECTION 12, TAX LOT 200. FILE LRP2012-00006.

RECITALS:

1. This Ordinance is adopted pursuant to Chapter 197 and 215 of the Oregon Revised Statutes, and in conformance with the Statewide Planning Goals, Jackson County's Comprehensive Plan (JCCP), Oregon Administrative Rules, and implementing ordinances which have been acknowledged by the Oregon Land Conservation and Development Commission (LCDC).
2. A Minor Comprehensive Plan Map Amendment with Minor Zoning Map Amendment application was submitted to Jackson County by the applicant's

agent, CSA Planning, Ltd., on July 11, 2012. A Type IV Permit for Landfill Modification was submitted to Jackson County by the applicant's agent, CSA Planning, Ltd., on July 11, 2012. A Type II Permit for Aggregate Site Plan Review was submitted to Jackson County by the applicant's agent, CSA Planning, Ltd., on July 11, 2012. The applications were deemed complete by the Applicant at the time of submittal. Planning staff acknowledgment of completeness was made on July 23, 2012.

3. A notice of the proposed amendment was submitted to the Oregon Department of Land Conservation and Development (DLCD) on August 1, 2012, 43 days prior to the first evidentiary hearing. A notice was published on Sunday, September 2, 2012 in the Medford Mail Tribune that a first evidentiary hearing was scheduled before the Jackson County Planning Commission on Thursday, September 13, 2012 at 9:00 a.m. in the Jackson County Auditorium. Written notice was provided to surrounding property owners entitled to notice.
4. A public hearing before the Jackson County Planning Commission was scheduled for September 13, 2012. The hearing was opened on September 13, 2012. The Applicant requested the hearing be postponed two weeks to provide additional time to address a procedural concern raised in the staff report. This request was granted by the Planning Commissioners and the hearing was continued to September 27, 2012.
5. A consolidated public hearing on the plan amendment, zoning map amendment, Type IV permit for landfill modification, and aggregate site plan review was held by the Planning Commission on Thursday, September 27, 2012. Following testimony and arguments regarding this application, the Planning Commission voted to recommend approval of LRP2012-00006, LRP2012-00007, and SIT2012-00009.
6. A properly noticed public hearing before the Jackson County Board of Commissioners was scheduled for October 31, 2012.
7. The Board of Commissioner's hearing was opened on October 31, 2012. A consolidated public hearing on the plan amendment, zoning map amendment, Type IV permit for landfill modification, and aggregate site plan review was completed by the Board of Commissioners on Wednesday, October 31, 2012.
8. Following conclusion of the hearing and closing of the record on Wednesday October 31, 2012, the Jackson County Board of Commissioners deliberated and voted unanimously to approve the comprehensive plan amendment and the zoning map amendment.

NOW, THEREFORE, the Board of County Commissioners of Jackson County ORDAINS as follows:

SECTION 1. FINDINGS OF FACT

Based upon the evidence and arguments presented, the Board of County Commissioners makes the following findings of fact with respect to this application. Where factual conflict arose, the Board of County Commissioners has resolved them consistent with these findings:

- 1.1 The Board of Commissioners finds that proper legal notice was sent to Applicant, Affected Agencies, Interested Parties and Property Owners within a 1,000 foot radius of the parcel to be used for aggregate removal or surface mining, to residences within ½ mile of the mining site, and to owners of property adjacent to the private aggregate site access roads, consistent with and pursuant to the Noticing requirements of JCLDO 2.7.5(B)(2)(d).
- 1.2 The subject properties have frontage on and access to Dry Creek Road, a County owned and maintained public road. Alternative access for the landfill properties is a private access road from the landfill facilities north where it ultimately connects to Hwy 140, east of the Jackson County Sports Park facilities.
- 1.3 The subject properties are within Jackson County Fire District No. 3.
- 1.4 The subject properties are primarily used for a regional landfill with accessory uses and associated improvements as described in the submitted application.
- 1.5 For the Comprehensive Plan Map Amendment to Aggregate Resource, the Board of Commissioners finds as follows:
 - 1.5.1 The current Comprehensive Plan Map Designation is primarily Agricultural Land with a small area of Forestry/Open Space Land.
 - 1.5.2 Substantial evidence was submitted that the proposed mining area contains over 14 million tons of recoverable aggregate that meets ODOT quality specifications.
 - 1.5.3 The application analyzed the potential for significant impacts beyond the standard 1,500 foot impact area.
 - 1.5.4 The application evaluated potential conflicts within the impact area and determined the extent to which potential conflicts could be minimized.
- 1.6 For the zoning map amendment to Aggregate Removal (AR), the Board of Commissioners finds as follows:

- 1.6.1 The current Zoning Map Designation for these properties is primarily Exclusive Farm Use (EFU) with a small area of Open Space Reserve (OSR).
- 1.6.2 The Aggregate Removal zoning district (AR) is consistent with the Aggregate Resource comprehensive plan map designation.
- 1.7 The Board of Commissioners finds that the following agencies responded with comments to this application and their comments were considered by the Planning Commission: Oregon Department of Fish and Wildlife, Jackson County Fire District No. 3, Jackson County Roads Department, and ODOT. The Board of Commissioners finds that no additional evidence or testimony was provided by any agencies following the Planning Commission's recommendation.
- 1.8 The Board of Commissioners finds that property owners were notified and comments were received from two (2) property owners. The property owners' comments were considered by the Planning Commission. The Board of Commissioners finds that no additional evidence or testimony was provided by property owners in the area following the Planning Commission's recommendation.

SECTION 2. LEGAL FINDINGS

To amend the Official Comprehensive Plan Map in order to designate the property Aggregate Resource and amend the Official Zoning Map in order to designate the property Aggregate Removal (AR), the Board of Commissioners must find that the amendment is consistent with the Jackson County Land Development Ordinance (JCLDO) Chapter 3.7, which requires compliance with applicable Statewide Planning Goals, Oregon Administrative Rules, Jackson County Land Development Ordinance and the Jackson County Comprehensive Plan (JCCP). The Jackson County Board of Commissioners concludes that all applicable legal requirements have been satisfied, and where factual conflicts arose, the Board of Commissioners has resolved them consistent with the following specific findings:

- 2.1 The Board of Commissioners herewith incorporates and adopts as its own those legal findings that pertain to the Comprehensive Plan amendment or Zoning Map amendment in Section 2 of the Planning Commission recommendation, attached hereto as Exhibit A.
- 2.2 The Board of Commissioners finds that additional evidence was submitted to the record from Applicant's registered professional geologist regarding potential conflicts from blasting impacts on domestic wells in the area. The Board of Commissioners relies on said evidence in finding that no significant conflicts or impacts are expected.

SECTION 3. CONCLUSIONS

Based upon the evidence included in the record, the Board of Commissioners concurs with the Planning Commission recommendation attached hereto as Exhibit A in its conclusion that the proposed amendment is in compliance with the Jackson County Land Development Ordinance, Statewide Planning Goals, Oregon Administrative Rules, and the Jackson County Comprehensive Plan. Consistent with this concurrence, the Jackson County Board of Commissioners hereby incorporates and adopts as its own the conclusions that pertain to the Comprehensive Plan Map amendment and Zoning Map amendment as set forth in Section 3 of the Planning Commission recommendation, attached hereto as Exhibit A.

SECTION 4. DECISION

Based on the evidence in the record and testimony at the public hearing, the Board of Commissioners hereby approves Planning File LRP2012-00006 and ordains the following decisions:

- 4.1 The subject properties shall be added to the Jackson County inventory of significant Goal 5 aggregate resources and a 1,500-foot impact area around the mining area is hereby established, as depicted in the attached Exhibit B.
- 4.2 The Official Comprehensive Plan Map is hereby amended to remove the subject properties from the Agricultural Land designation and add them to the Aggregate Resource designation as shown in the attached Exhibit B. The properties affected by this amendment are Township 36 South, Range 1 West, Section 35, a portion of tax lot 300; Township 37 South, Range 1 West, Section 01, tax lots 204, 205, 209, 299, and 300; Township 37 South, Range 1 West, Section 02, tax lots 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 122, 200, 201, and 202; a portion of Township 37 South, Range 1 West, Section 12, tax lot 200.
- 4.3 The Official Zoning Map is hereby amended to remove the subject properties from the Exclusive Farm Use (EFU) zoning designation and add them to the Aggregate Removal (AR) zoning designation as shown in attached Exhibit C. The properties affected by this amendment are Township 36 South, Range 1 West, Section 35, a portion of tax lot 300; Township 37 South, Range 1 West, Section 01, tax lots 204, 205, 209, 299, and 300; Township 37 South, Range 1 West, Section 02, tax lots 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 122, 200, 201, and 202; a portion of Township 37 South, Range 1 West, Section 12, tax lot 200.
- 4.4 Section D.3 of the attached Exhibit D is hereby adopted as the site development ordinance to implement the County's Goal 5 program for this

specific resource site and to apply this site development ordinance in accordance with the Master Plan Map attached hereto as Exhibit E.

ADOPTED this 5 day of December, 2012, at Medford, Oregon.

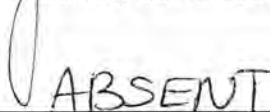
JACKSON COUNTY BOARD OF COMMISSIONERS



Don Skundrick, Chair



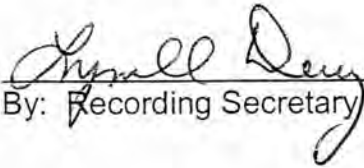
John Rachor, Commissioner



ABSENT

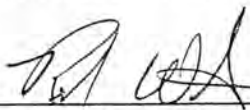
Dennis C.W. Smith, Commissioner

ATTEST:



By: Recording Secretary

APPROVED AS TO LEGAL SUFFICIENCY:



County Counsel

The Board of Commissioners' Ordinance is the final decision on this action. This decision may be appealed to the Oregon Land Use Board of Appeals (LUBA). You must appeal this decision within 21 days of the date it is mailed. This decision is being mailed on December 7, 2012, 2012, and the LUBA appeal period will expire on December 28, 2012, 2012. Please contact LUBA for specific appeal information. They are located at 550 Capitol Street N.E. Suite 235, Salem, Oregon 97301-2552. They can be reached at (503) 373-1265.

EXHIBIT A

BEFORE THE JACKSON COUNTY PLANNING COMMISSION
STATE OF OREGON, COUNTY OF JACKSON

IN THE MATTER OF CONSIDERATION OF A)
CONSOLIDATED REVIEW FOR A MINOR)
COMPREHENSIVE PLAN MAP AMENDMENT,)
ZONING MAP AMENDMENT, TYPE IV PERMIT)
TO MODIFY AN EXISTING LANDFILL, AND A)
TYPE II AGGREGATE SITE PLAN REVIEW.)
APPROXIMATELY 672 ACRES WILL BE)
REMOVED FROM THE AGRICULTURAL LAND)
DESIGNATION AND WILL BE ADDED TO THE)
AGGREGATE RESOURCE COMPREHENSIVE)
PLAN MAP DESIGNATION AND WILL BE)
REMOVED FROM THE EFU ZONING DISTRICT)
AND WILL BE ADDED TO THE AR ZONING)
DISTRICT. A SITE MASTER PLAN IS BEING)
ADOPTED TO IMPLEMENT THE AR ZONING)
AND THE TYPE IV LANDFILL MODIFICATION)
FOR THE SITE. THE FOLLOWING)
PROPERTIES ARE AFFECTED BY THE MAP)
AMENDMENTS AND ASSOCIATED MASTER)
PLAN: TOWNSHIP 36 SOUTH, RANGE 1)
WEST, SECTION 35, A PORTION OF TAX LOT)
300; TOWNSHIP 37 SOUTH, RANGE 1 WEST,)
SECTION 01, TAX LOTS 204, 205, 209, 299,)
AND 300; TOWNSHIP 37 SOUTH, RANGE 1)
WEST, SECTION 02, TAX LOTS 108, 109, 110,)
111, 112, 113, 114, 115, 116, 117, 122, 200, 201,)
AND 202; A PORTION OF TOWNSHIP 37)
SOUTH, RANGE 1 WEST, SECTION 12, TAX)
LOT 200. DRY CREEK LANDFILL, INC.,)
APPLICANT. FILE NO. LRP2012-00006;)
LRP2012-00007; SIT2012-00009.)

RECOMMENDATION
FOR APPROVAL

Jackson County Planning Commission: Recommends approval of a consolidated review for a Minor Comprehensive Plan Map amendment to plan the subject properties Aggregate Resource; to amend the zoning map to designate the subject properties Aggregate Removal (AR), approval of a Type IV landfill modification, and Type II permit for aggregate site plan review, on properties described as follows:

1. Township 36 South, Range 1 West, Section 35, a portion of tax lot 300; Township 37 South, Range 1 West, Section 01, tax lots 204, 205, 209, 299, and 300; Township 37 South, Range 1 West, Section 02, tax lots 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 122, 200, 201, and 202; a portion of Township 37 South, Range 1 West, Section 12, tax lot 200, see JCPC Exhibits 1, 2, 4 and 5 to this recommendation.

RECITALS:

1. Pursuant to Chapter 197 and 215 of the Oregon Revised Statutes, and in conformance with the Statewide Planning Goals, Jackson County's Comprehensive Plan (JCCP), Oregon Administrative Rules, and implementing ordinances which have been acknowledged by the Oregon Land Conservation and Development Commission (LCDC).
2. A notice of the proposed amendment was submitted to the Oregon Department of Land Conservation and Development (DLCD) on August 1, 2012, 43 days prior to the first evidentiary hearing. A notice was published on Sunday, September 2, 2012 in the Medford Mail Tribune that a first evidentiary hearing was scheduled before the Jackson County Planning Commission on Thursday, September 13, 2012 at 9:00 a.m. in the Jackson County Auditorium. Written notice was provided to surrounding property owners entitled to notice.
3. A Minor Comprehensive Plan Map Amendment with Minor Zoning Map Amendment application was submitted to Jackson County by the applicant's agent, CSA Planning, Ltd., on July 11, 2012. A Type IV Permit for Landfill Modification was submitted to Jackson County by the applicant's agent, CSA Planning, Ltd., on July 11, 2012. A Type II Permit for Aggregate Site Plan Review was submitted to Jackson County by the applicant's agent, CSA Planning, Ltd., on July 11, 2012. The applications were deemed complete by the Applicant at the time of submittal. Planning staff acknowledgment of completeness was made on July 23, 2012.
4. A public hearing before the Jackson County Planning Commission was scheduled for September 13, 2012. The hearing was opened on September 13, 2012. The Applicant requested the hearing be postponed two weeks to provide additional time to address a procedural concern raised in the staff report. This request was granted by the Planning Commissioners and the hearing was continued to September 27, 2012.
4. A consolidated public hearing on the plan amendment, zoning map amendment, Type IV permit for landfill modification, and aggregate site plan review was held on Thursday, September 27, 2012. Following testimony and arguments regarding this application, the Planning Commission voted to recommend approval of LRP2012-00006, LRP2012-00007, and SIT2012-00009.

Now, therefore,

The Jackson County Planning Commission finds, concludes, and RECOMMENDS as follows:

SECTION 1, FINDINGS:

Based upon the evidence and arguments presented, the Planning Commission makes the following findings of fact with respect to this application.

- 1.1 The Planning Commission finds that proper legal notice was sent to Applicant, Affected Agencies, Interested Parties and Property Owners within a 1,000 foot radius of the parcel to be used for aggregate removal or surface mining, to residences within ½ mile of the mining site, and to owners of property adjacent to the private aggregate site access roads, consistent with and pursuant to the Noticing requirements of JCLDO 2.7.5(B)(2)(d).

**2-File Nos. LRP2012-00006; LRP2012-00007; SIT2012-00009
CSA Planning, Ltd., Agent; Dry Creek Landfill, Inc., Applicant**

- 1.2 The subject properties have frontage on and access to Dry Creek Road, a County owned and maintained public road. Alternative access for the landfill properties is a private access road from the landfill facilities north where it ultimately connects to Hwy 140, east of the Jackson County Sports Park facilities.
- 1.3 The subject properties are within Jackson County Fire District No. 3.
- 1.4 The subject properties are primarily used for a regional landfill with accessory uses and associated improvements as described in the submitted application.
- 1.5 For the Comprehensive Plan Map Amendment to Aggregate Resource, the Planning Commission finds as follows:
 - 1.5.1 The current Comprehensive Plan Map Designation is primarily Agricultural Land with a small area of Forestry/Open Space Land.
 - 1.5.2 Substantial evidence was submitted that the proposed mining area contains over 14 million tons of recoverable aggregate that meets ODOT quality specifications.
 - 1.5.3 The application analyzed the potential for significant impacts beyond the standard 1,500 foot impact area.
 - 1.5.4 The application evaluated potential conflicts within the impact area and determined the extent to which potential conflicts could be minimized.
- 1.6 For the zoning map amendment to Aggregate Removal (AR), the Planning Commission finds as follows:
 - 1.6.1 The current Zoning Map Designation for these properties is primarily Exclusive Farm Use (EFU) with a small area of Open Space Reserve (OSR).
 - 1.6.2 The Aggregate Removal zoning district (AR) is consistent with the Aggregate Removal comprehensive plan map designation.
- 1.7 For the Type IV Permit for Landfill Modification, the Planning Commission finds as follows:
 - 1.7.1 The applicant filed a Type IV application on the forms required by Jackson County.
 - 1.7.2 The landfill modification was analyzed for compatibility with the Jackson County Comprehensive Plan's program for protection of significant aggregate resources.
- 1.8 For the Type II Aggregate Site Plan Review, the Planning Commission finds as follows:
 - 1.8.1 The applicant filed a Type II application on the forms required by Jackson County.
 - 1.8.2 The applicant submitted a generalized site plan for purposes of satisfying Jackson County's map designation requirements for AR.
- 1.9 The Planning Commission finds that the following agencies responded with comments to this application and their comments were considered by the Planning Commission: Oregon

Department of Fish and Wildlife, Jackson County Fire District No. 3, Jackson County Roads Department, and ODOT. Agency comments were considered by the Planning Commission.

- 1.10 The Planning Commission finds that property owners were notified and comments were received from two (2) property owners. The property owners' comments were considered by the Planning Commission.

SECTION 2, LEGAL FINDINGS:

To recommend approval of an amendment to the Official Comprehensive Plan Map in order to designate the property Aggregate Resource and amend the Official Zoning Map in order to designate the property Aggregate Removal (AR), the Planning Commission must find that the amendment is consistent with the Jackson County Land Development Ordinance (JCLDO) Chapter 3.7, which requires compliance with applicable Statewide Planning Goals, Oregon Administrative Rules, Jackson County Land Development Ordinance and the Jackson County Comprehensive Plan (JCCP). To recommend approval of the Type IV Permit to modify the landfill and the Type II Aggregate Site Plan Review, the Planning Commission must conclude that all relevant and substantive JCLDO criteria for each respective permit has been identified and that there is substantial evidence in the record demonstrating such criteria are satisfied.

The Planning Commission herewith incorporates and adopts Findings in the Staff Report at Exhibit 11 of LRP2012-00006, LRP2012-00007 and SIT2012-00009, except where such Findings conflict with the Findings at Exhibit 36 of LRP2012-00006 also herewith incorporated and adopted and applied to all three planning files. In addition, the Planning Commission herewith incorporates and adopts fully the applicant's findings of fact and conclusions of law at LRP2012-00006 Exhibit 13, Record Pages 114-206, except for Section 4 of the submitted application at Record Pages 148-162 which is replaced by the Master Plan attached to this recommendation as JCPC Exhibit 3. These findings and conclusions demonstrate that the application is in compliance with the Statewide Planning Goals, Oregon Administrative Rules, the Jackson County Comprehensive Plan, and the Jackson County Land Development Ordinance. Where factual conflicts arose, the Jackson County Planning Commission has resolved them consistent with the following specific findings:

- 2.1 For the Goal 5 Review and Comprehensive Plan Map Amendment, the Planning Commission finds as follows:
 - 2.1.1 Based upon evidence in the record and testimony at the public hearing, the Planning Commission finds the location, quality and quantity of the resource exceeds the 500,000 ton threshold for a significant aggregate site and thus requires a determination of protection under OAR 660-023-0180 as implemented by Jackson County's Comprehensive Plan Map Designations Element for Aggregate Resource Land.
 - 2.1.2 Based upon evidence in the record and testimony at the public hearing, the Planning Commission finds that no significant conflicts are expected beyond the standard 1,500 foot impact area and therefore application of the standard 1,500 foot impact area to the mining area is appropriate, see JCPC Exhibit 1.
 - 2.1.3 Based upon evidence in the record and testimony at the public hearing, the Planning Commission finds that all conflicts, if any, will be minimized through compliance with the operating standards of the JCLDO and adherence to the conditions of approval applied to this recommendation.

- 2.1.4 Based upon evidence in the record and testimony at the public hearing, the Planning Commission finds that the subject properties can properly be planned Aggregate Resource under the County's Comprehensive Plan.
- 2.2 For the zoning map amendment, the Planning Commission finds as follows:
 - 2.2.1 An Aggregate Site Plan application was submitted and the application is sufficient to demonstrate that all aggregate operations requirements are met by the plan or can feasibly be met prior to the initiation of aggregate mining.
 - 2.2.2 The Aggregate Removal zone (AR) can properly be applied to the subject properties consistent with the Aggregate Resource Comprehensive Plan Map Designation.
 - 2.2.3 Section C.3 of the attached JCPC Exhibit 3 shall function as the site development ordinance for the aggregate site consistent with the Map Designations Element of the Comprehensive Plan for Aggregate Removal.
- 2.3 For the Type IV Landfill Modification Permit, the Planning Commission finds as follows:
 - 2.3.1 No significant impacts on adjacent lands are expected to occur as a result of the modification.
 - 2.3.2 The landfill modification, as permitted in Section C.3 of the attached JCPC Exhibit 3, is consistent in all ways with the AR zoning district. The Planning Commission finds the primary use is a Sanitary Landfill and that all other uses described therein are accessory uses that may be allowed in the AR zone where and only where a Sanitary Landfill is also an approved use.
 - 2.3.3 Under JCLDO Section 3.2.4 (Site Plan Review), the only general development standards in Chapter 9 that apply to landfill development are Sections 9.4 (off-street parking) and 9.6 (signs).
- 2.4 For the Type II Site Plan Review for Aggregate, the Planning Commission finds as follows:
 - 2.4.1 The site and operations master plan either complies with all applicable requirements or can feasibly and will comply prior to the commencement of mining operations.
 - 2.4.2 Under JCLDO Section 3.2.4 (Site Plan Review), the only general development standards in Chapter 9 that apply to aggregate operations are Sections 9.4 (off-street parking) and 9.6 (signs).

SECTION 3, CONCLUSION:

Based upon the evidence included in the record, the Planning Commission concludes that the proposed amendment is in compliance with the Jackson County Land Development Ordinance, Statewide Planning Goals, Oregon Administrative Rules, and the Jackson County Comprehensive Plan. Where factual conflicts arose, the Jackson County Planning Commission has resolved them consistent with these conclusions.

- 3.1 Statewide Planning Goals: The Planning Commission concludes that this application complies with Statewide Planning Goals, specifically Goal 5. Discussion of compliance with Statewide Planning Goals is contained in Sections VII of the staff report at Record Pages 95-96, and in the Application Submittal at Exhibit 13, conclusions of law at Record Pages 165-170.
- 3.2 Oregon Administrative Rules (OAR), 660-023-0180 and OAR 660-012-0060: The Planning Commission concludes this application complies with the Oregon Administrative Rules. Discussion of compliance with the OAR's is contained in Section V of the staff report at Exhibit 11, Record Pages 72-74 and in the Supplemental Staff Findings at Exhibit 36, Record Pages 717-720, and in the conclusions of law in the Application Submittal at Exhibit 13, Record Pages 163-165.
- 3.3 Jackson County Comprehensive Plan and the Jackson County Transportation System Plan (TSP): The Planning Commission concludes this application complies with the Jackson County Comprehensive Plan, including the TSP. Discussion of compliance with Comprehensive Plan is contained in Section VI of the staff report at Exhibit 11, Record Pages 74-94, except for those staff conclusions that the subject application is an impermissible text amendment that are resolved at Exhibit 36 of the Record and the conclusions of law in the Application Submittal at Exhibit 13 Record Pages 175-189.
- 3.4 Jackson County Land Development Ordinance: The Planning Commission concludes that this application complies with the Jackson County Land Development Ordinance. Discussion of compliance with the JCLDO is contained in Section VIII of the staff report for LRP2012-00006 at Record Page 97 and at Section III of the staff report for LRP2012-00007 at Record Pages 68-75 and at Section III of the staff report for SIT2012-00009 at Record Pages 67-76 excepting thereto any and all conclusions in such staff reports that the subject application is an impermissible text amendment that are resolved at Exhibit 36 of the Record. The conclusions of law in the Application Submittal at Exhibit 13 demonstrate compliance with the LDO criteria at Record Pages 171-174 and 190-204.

SECTION 4, RECOMMENDATION:

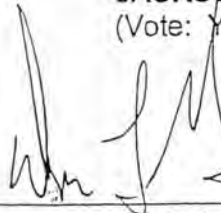
- 4.1 Based on the evidence in the record and testimony at the public hearing, the Planning Commission recommends the Board of Commissioners adopt an ordinance to approve Planning File LRP2012-00006 and to ordain the following:
 - 4.1.1 To add the subject properties to the Jackson County inventory of significant Goal 5 aggregate resources and establish a 1,500 impact area around the mining area as depicted in the attached JCPC Exhibit 1.
 - 4.1.2 To amend the Official Comprehensive Plan Map to remove the subject properties from the Agricultural Land designation and add them to the Aggregate Resource designation as shown in the attached JCPC Exhibit 1. The properties affected by this amendment are Township 36 South, Range 1 West, Section 35, a portion of tax lot 300; Township 37 South, Range 1 West, Section 01, tax lots 204, 205, 209, 299, and 300; Township 37 South, Range 1 West, Section 02, tax lots 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 122, 200, 201, and 202; a portion of Township 37 South, Range 1 West, Section 12, tax lot 200.


- 4.1.3 To amend the Official Zoning Map to remove the subject properties from the Exclusive Farm Use (EFU) zoning designation and add them to the Aggregate Removal (AR) zoning designation as shown in attached JCPC Exhibit 2. The properties affected by this amendment are Township 36 South, Range 1 West, Section 35, a portion of tax lot 300; Township 37 South, Range 1 West, Section 01, tax lots 204, 205, 209, 299, and 300; Township 37 South, Range 1 West, Section 02, tax lots 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 122, 200, 201, and 202; a portion of Township 37 South, Range 1 West, Section 12, tax lot 200.
- 4.1.4 To adopt Section C.3 of the attached JCPC Exhibit 3 as the site development ordinance to implement the County's Goal 5 program for this specific resource site and to apply this site development ordinance in accordance with the Master Plan Map attached hereto as JCPC Exhibit 4.
- 4.2 The Planning Commission recommends the Board of Commissioners adopt an order to approve Planning File No. LRP2012-00007, a Type IV permit for landfill modification. The Type IV permit approval for landfill modification includes a waste area modification as shown in JCPC Exhibit 5 and changes operating conditions applicable to the site. The operating conditions for the site are to be set forth in the site development ordinance (JCPC Exhibit 3), see 4.1.4 above.
- 4.3 The Planning Commission recommends the Board of Commissioners adopt an order to approve Planning File No. SIT2012-00009, a Type II Aggregate Site Plan Review. The Type II permit approves the general site plan to be followed for future aggregate mining of the site and establishes operating conditions for the site as set forth in the site development ordinance (JCPC Exhibit 3), see 4.1.4 above.

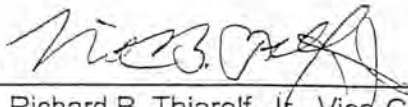
This recommendation for APPROVAL adopted this 11th day of October, 2012, at Medford, Oregon.

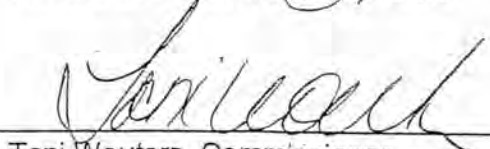
JACKSON COUNTY PLANNING COMMISSION

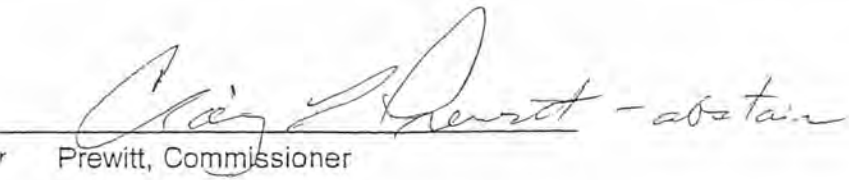
(Vote: Y=Yes; N=No; A=Abstain)


Don Greene, Chair

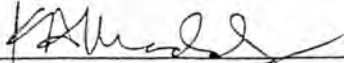

Joel Gekunzzi, Commissioner


Richard B. Thierolf, Jr., Vice-Chair


Tani Wouters, Commissioner


r Prewitt, Commissioner

ATTEST:


Kelly Madding, Development Services Director

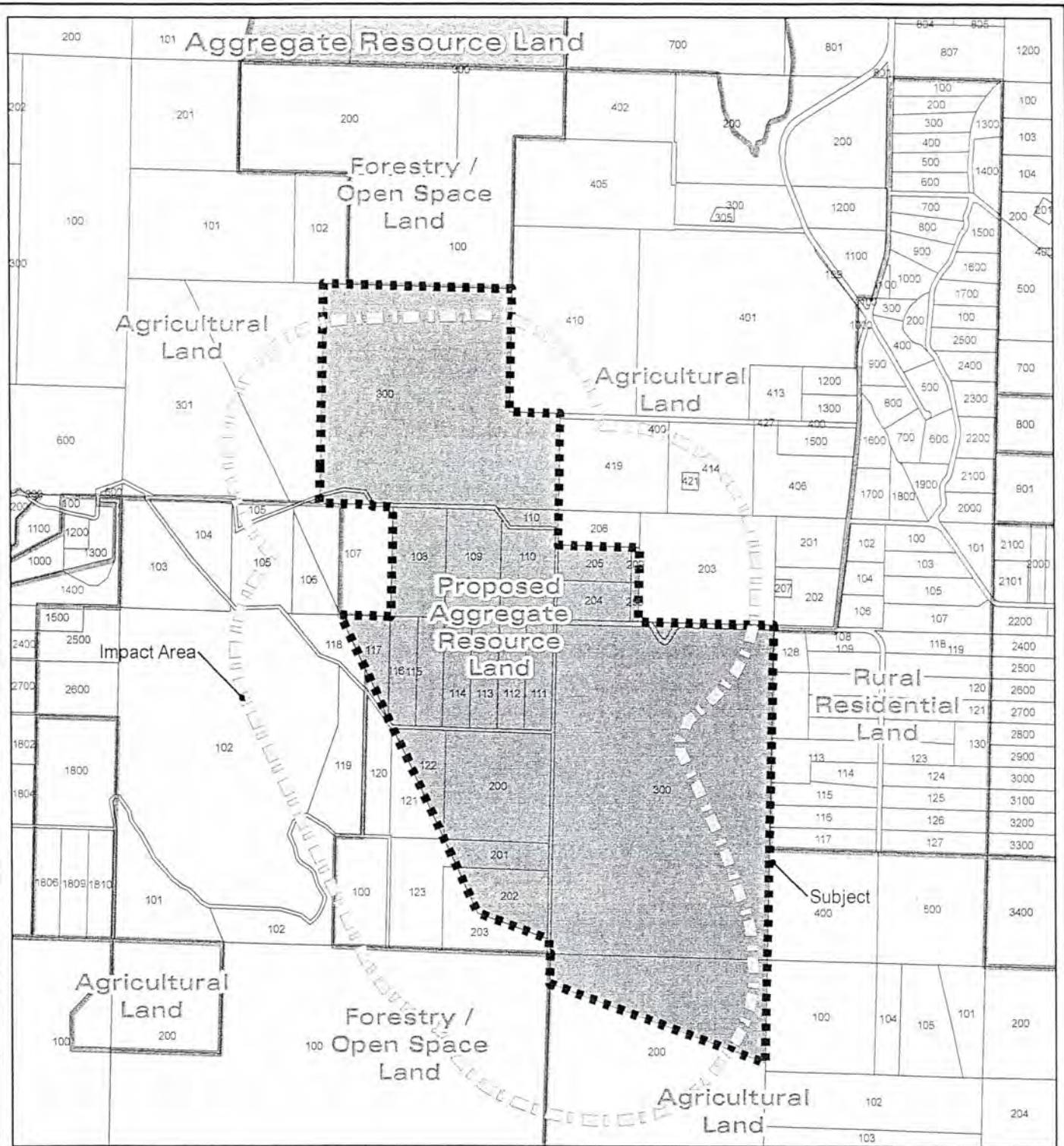
JCPC Exhibit 1: Official Comprehensive Plan Map, as recommended for amendment

JCPC Exhibit 2: Official Zoning Map, as recommended for amendment

JCPC Exhibit 3: Regional Landfill and Aggregate Operations Site and Operations Master Plan, (Plan Text)

JCPC Exhibit 4: Regional Landfill and Aggregate Operations Site and Operations Master Plan Map

JCPC Exhibit 5: Modified Waste Area for Dry Creek Landfill



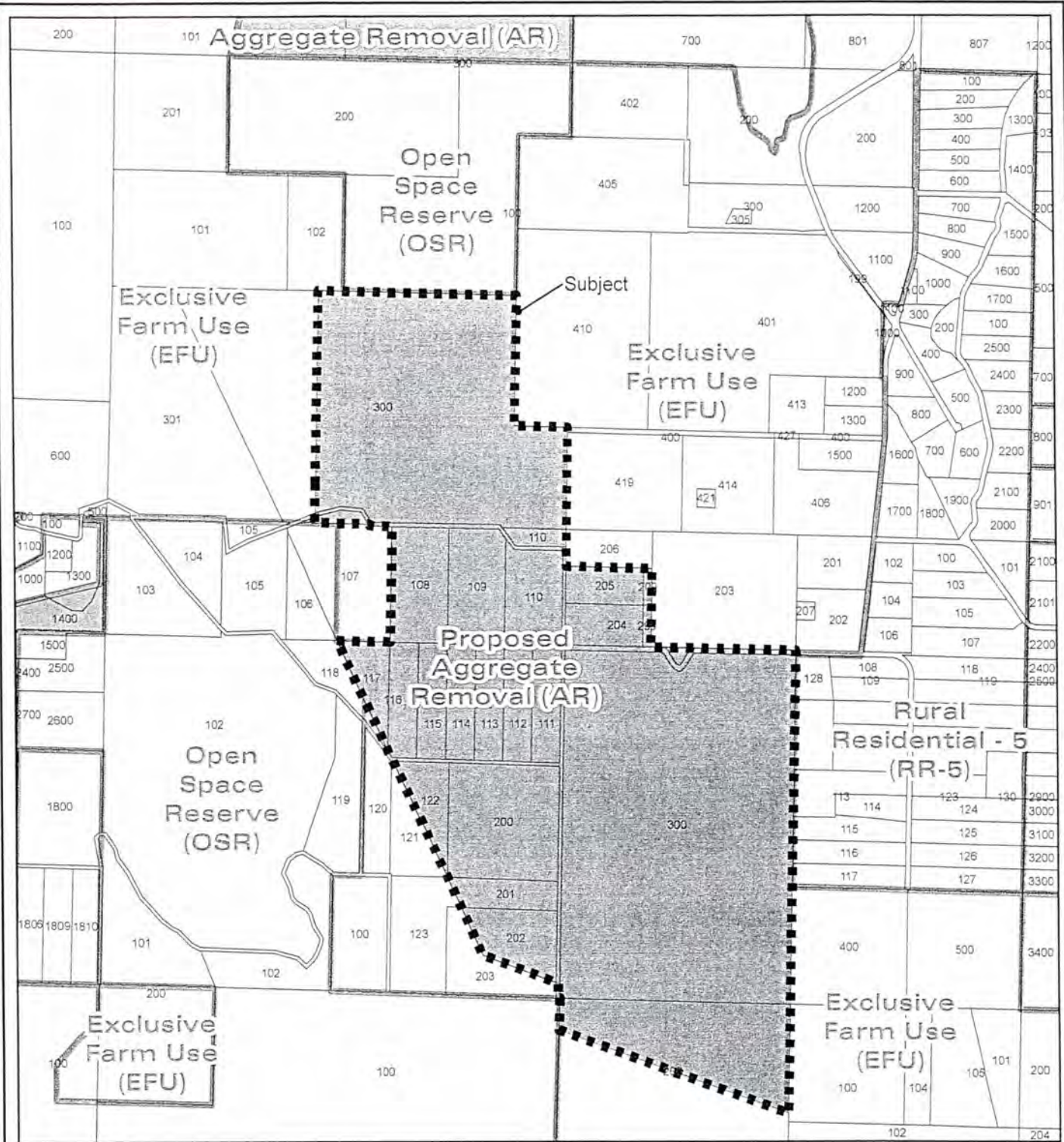
Comprehensive Plan (Proposed)

- | | | | |
|---------------------------|----------------------------|-------------------------|------------------------|
| --- 1500-Foot Impact Area | Comprehensive Plan | Aggregate Resource Land | Rural Residential Land |
| Subject Property | Forestry / Open Space Land | Agricultural Land | Tax Lots |

1,600 800 0 1,600 Feet



LRP2012-00006



Zoning (Proposed)

- | | | | |
|------------------|------------------------|--------------------------------|----------------------------------|
| Subject Property | County Zoning | Rural Residential - 5 (RR-5) | Open Space Reserve (OSR, GI/OSR) |
| Tax Lots | Aggregate Removal (AR) | Rural Residential - 00 (RR-00) | Exclusive Farm Use (EFU) |

1,600 800 0 1,600 Feet

LRP2012-00006

JCPC EXHIBIT 3 - REGIONAL LANDFILL AND AGGREGATE SITE AND OPERATIONS MASTER PLAN

JCPC Exhibit 3 constitutes the site and operations master plan for the regional landfill and aggregate uses. The descriptive text in this section, together with the associated maps, provide context on the proper application of any conditions of approval applicable to the project. The descriptive text in this section, together with the associated maps, provides guidance on use permissibility that may arise as the project builds out over many years.

3.1 Master Plan Maps and Site Plans

The site plan for the regional landfill and aggregate operations is depicted in JCPC Exhibit 4. This site plan is intentionally generalized to show the basic arrangement of uses and their interrelationships to one another and the surrounding area. The site plan guides the location of particular project elements and identifies locations where planned uses can go without the need for amendments to the overall site layout and master plan arrangement.

As specific project components are advanced, more detailed plans may be designed over time as the project proceeds. These will be subject to any applicable land development ordinance provisions and site-specific conditions described in Section C.3 below.

3.2 Landfill/Aggregate Uses; Operational Characteristics

This section sets forth the operating characteristics of the uses as proposed. The characterization of the landfill and related uses are intended to be consistent with all existing land use approvals for the landfill use.

3.2.1 Landfill and Related Uses

Fundamentals: The site is an existing landfill that operates on a regional scale. Technological advancements in the waste disposal and recycling industry have continually increased operational efficiencies for the industry. Waste stream collection and sorting systems have become better and more cost-effective. However, technology advancements require sufficient scale for cost effective implementation. Adequate scale is especially important because many of the new technologies, processes and practices related to recycling, composting, energy capture, and related accessory and by-product uses are often encouraged or mandated by federal, state or local regulatory agencies. Dry Creek Landfill aspires to be at the forefront of these opportunities; changes to the landfill use are expected to occur over time in ways contemplated by JCLDO 6.3.6(D)(2).

Landfill Terminology: For purposes of this application the following terms are defined below to better describe the landfill and related uses.

Waste Area

This is the area where Jackson County has granted land use approval for a landfill. Any area approved by DEQ

for the landfill Footprint must be located within the approved Waste Area..

Footprint

This area is located within the Waste Area and is the boundary of the area approved by DEQ to accept solid waste.

Waste Cell

Each Waste Cell is a specific engineered unit of landfill development. A Waste Cell will typically have its own defined area for liner system, gas collection, and leachate collection. Each Waste Cell's systems are then engineered to connect with rest of the landfill's overall systems. Waste Cells can and sometimes do overlap in 3-dimensional space. All Waste Cells are located within the DEQ approved landfill Footprint.

Active Waste Deposition Area

This is the "active area of the landfill" or the "open face" of the landfill. This is the area where waste is being added to the landfill on a daily basis. This area is typically one acre or less, and located spatially within a given Waste Cell or overlapping a combination of Waste Cells.

Landfill Waste Cell Design, Permitting and Construction: For new Waste Cells and similar project components, the initial steps consist of design and permitting. Significant geotechnical, hydrologic and systems engineering goes into each project step of the landfill operation. Leachate and landfill gas collection systems are engineered. The three-dimensional design of each Waste Cell is engineered and the landfill sub-grade lining system is specified; a graphic of the current western Oregon liner design system is depicted in the Application's Atlas, Page 28. Any necessary pre-construction environmental permit approvals are obtained from the relevant regulatory agency. Once design and any necessary pre-construction permitting is complete, a new landfill Waste Cell is constructed. Landfill Waste Cell construction is expected to occur consistent with past practices under the existing landfill approval permit described above in the Application's Section 3.1.2.3.

Refuse Handling: Refuse handling undergoes several steps depending on the source of the waste. Waste is either deposited from a transfer station or delivered to the landfill by haulers authorized by Dry Creek Landfill, Inc.

Waste not destined for material recovery, recycling or composting is deposited in the landfill. The Active Waste Deposition Area is one acre or less. The Active Waste Deposition Area is covered at the end of each day with a DEQ approved cover material. The Active Waste Deposition Area migrates over the landfill Footprint according to the operational engineering parameters for the Waste Cell accepting the waste. The landfill Footprint is the DEQ approved area where solid waste is to be deposited. The landfill

Footprint is confined to the Waste Area identified on JCPC Exhibits 4 and 5. Over time, new Waste Cells will be designed and constructed in depleted aggregate resource areas. The landfill use will generally be physically separate from areas of aggregate use at a given point in time.

Pre-Disposal Uses (Material Recovery, Recycling, Composting and Processing): The landfill use includes various types of pre-disposal uses, such as material recovery, recycling and composting. These uses reduce the relative size of the waste stream for general waste disposal in the landfill.

COMPOSTING: Where franchisees participate in yard waste collection, deliveries are made to the compost facility. Other potential sources of organic compostable wastes may arise over time, such as new sources of wood waste. Composting converts organic waste into saleable compost. Composting products at the landfill are currently directed at bulk sales markets where compost is for gardening, landscaping and as a soil amendment. The target market could change over time and a bagging operation could be added that would support small-unit direct retail markets (off-site).

RECYCLING: Recycling is the common term used to describe sorting and processing of waste materials to redeploy the material into the economic stream instead of depositing it in the landfill. Typically the processing will result in a product, commodity or retail item for which there is a market. Recycling can take many forms and generally involves some method of selection and sorting the general waste stream for materials that can be recovered and then recycled. Recycling is a complex system that changes with technological innovations, overall scale of the waste stream, market prices of recycled materials and similar factors. Typically, recycled materials will need to be *right-sized* and appropriately packaged for the target market. The following are examples of some of the types of recycling processes that are appropriate for the regional landfill:

- Separation, drying and grinding of woody debris for uses such as *hog fuel (biomass optimized for combustion)*, the production of woodstove pellets, strandboard chips, or as feedstock to the composting use.
- Separation and crushing of glass for production of new glass or specialized construction applications.
- Separation and sorting of metals; most metals can be recycled.
- Separation and concentration of organic wastes. Such wastes can then be processed in anaerobic digesters to produce methane gas for energy production as well as organic compounds that are useful in a wide variety of chemical productions, such as for fertilizer.

Recycling uses, along with any product finishing and packaging, will occur within the Facilities Area, Composting Area or the Waste Area as depicted on the JCPC Exhibit 4.

Pre-disposal waste recovery and processing uses in the future may not necessarily utilize traditional recycling or composting methods. These types of advanced pre-disposal waste recovery and processing may become economic and technologically feasible as the industry continues to evolve. Such uses will be located within either the Composting Area or the Facilities Area depicted on JCPC Exhibit 4.

Leachate Collection and Processing: As earlier explained, leachate is the liquid, typically from rainfall infiltration, that passes through the landfill down to the liner system. While not required, the landfill utilizes tarps to cover areas where waste has been deposited but Waste Cell closure has not been completed; this feature reduces the amount of storm-water infiltration in the landfill and thereby reduces the volume of leachate. The leachate is collected via the engineered leachate collection system. This system uses a combination of gravity feed and pump stations to deliver the leachate to the leachate collection pond. From the leachate collection pond, it is transmitted via pipe to the regional water reclamation facility. Final processing occurs at the regional water reclamation facility. Leachate Collection and Processing, and associated uses, will occur within the approved Waste Area and Facilities Area depicted on JCPC Exhibit 4.

Landfill Gas Collection and Processing: The waste decomposition process produces landfill gas. This gas is collected through a network of gas collection pipes. These pipes transport the landfill gas to the processing facility. Landfill gas consists primarily of methane and carbon dioxide. Currently, the processing facility contains an energy facility, small scale, that runs two 20-cylinder internal combustion engine generators. The excess gas not used to run the electric generators is burned off in a flare. Both the generators and the flare produce waste heat which is currently an unutilized energy source. Landfill Gas Collection and Processing, and associated uses, will occur within the approved Waste Area and Facilities Area depicted on JCPC Exhibit 4.

Post-Landfill Material Recovery: The waste decomposition process that generates leachate and landfill gas produces by-products that are potentially valuable industrial materials that are or may become recoverable. Methane is a major component of the landfill gas and can be used to produce energy directly or can be used as a fuel source. Other industrial gases, such as carbon dioxide, could also be utilized for beneficial purposes.

The typical process to capture and process industrial byproducts, regardless of chemical state, will involve some sort of separation followed by concentration for distribution to market. Concentrated byproducts may also serve as an intermediate input to improve a recycling or composting process. Industrial byproducts capture and processing, and associated uses, will be located within the Facilities Area depicted on JCPC Exhibit 4.

On-Going System Maintenance and Operations: The landfill will continue to require a number of accessory maintenance and operations uses, such as:

- **Office Uses:** Office uses will involve technical operation of the landfill, such as compliance with environmental monitoring schedules, managing landfill development phasing, and similar activities.
- **Equipment Maintenance and Storage:** The landfill and associated uses have heavy equipment and systems to maintain, such as dozers, excavators, refuse and recycling collection vehicles, water trucks. Facilities will continue to be necessary to support maintenance and operations.
- **Outreach:** The landfill will sometimes host tours for school children, dignitaries and similar activities.

Maintenance and/or operations uses will be allowed throughout the site, but permanent maintenance and/or operations buildings are intended to be located within the Facilities Area depicted on JCPC Exhibit 4. Placement of permanent landfill maintenance and/or operations buildings outside of the Facilities Area may be allowed pursuant to subsequent review, to ensure conflicts between Aggregate use and landfill uses are minimized.

Closure and Reclamation: At the appropriate time, the respective landfill Waste Cells will be closed. Closures occur in accordance with an engineered closure system plan and in accordance with DEQ closure requirements. Post-closure monitoring occurs in accordance with landfill permit requirements and the closure plan prescriptions.

3.2.2 Aggregate Removal

Fundamentals: The significance of the Dry Creek Aggregate Resource site is determined by the Goal 5 map amendment adopting the AR zone. The uses described in this Section C.2.2 implement the County's program to achieve Goal 5 for the subject AR zoned resource site, *see JCPC Exhibit 4*.

Mining Area: JCPC Exhibit 4 depicts the mining area. The mining area overlaps the Waste Area in spatial extent. However, these uses will be temporally separated. Landfill disposal activities will occur following aggregate extraction. The need to coordinate the aggregate and landfill operations within the same physical space over time does necessitate a sufficient mining area with sufficient room to keep the aggregate operations adequately separated from the landfill operations. The mining area on Atlas Page 16 is sufficiently large that processing and stockpiling areas can be accommodated outside the area where significant aggregate resources have been identified. This will assure there is adequate space for both the landfill and mining uses to operate efficiently and safely in accordance with standards for each industry's operations.

Liability Insurance: The aggregate operation can feasibly and will carry a minimum of \$500,000 insurance against liability and tort arising from surface mining, processing, or incidental activities conducted by virtue of any law, ordinance, or condition. Terms of such insurance shall not be less than one year and the operation will provide evidence to the County of the required insurance prior to mining operations being undertaken and such evidence shall be transmitted to the County each year thereafter.

Permitting: Except for the presence of the landfill and coordination of activities that will be required between the aggregate use and the complimentary landfill use, the aggregate site lays out and is configured in a manner that is typical of hard rock aggregate mines. Based upon the geologist's report, there is no reason to believe the subject mining site will be infeasible or substantially more difficult to permit through the Department of Geology and Mineral Industries (DOGAMI), DEQ and any other applicable regulatory agencies than other hard rock aggregate mines in the region. Applicant acknowledges and accepts that all facets of the operation must and will be conducted in a manner that complies with applicable DEQ air quality, water quality, and noise standards, and in conformance with the DOGAMI permit; and in compliance with the County's land use decision

Setbacks: Based upon the site plan depicted on Atlas Page 16, no extraction or removal of aggregate will occur within 25 feet of any improved public road right-of-way. Based upon the site plan depicted in JCPC Exhibit 4, there is no proposed processing equipment, batch plants, manufacturing, and fabricating plants within 50 feet of another property or an improved public road right of way or within 200 feet of a residence or residential zoning district.

Applicant observes that there are unimproved public rights-of-way within and around the proposed mining area. Applicant has agreed to stipulate to prosecuting street vacations pursuant to Oregon law. Applicant further stipulates that the mining operation shall not commence until effected rights-of-way have been vacated.

Blasting: Existing land use approvals for the site allow for landfill operation (*i.e.*, construction of landfill Waste Cells which involves blasting). Applicant does not expect that the aggregate operation will require additional blasting specifically for aggregate mining that would not otherwise have been required for the landfill construction in the Waste Area as modified. However, aggregate specific blasting, while unlikely, cannot be categorically ruled out. If aggregate specific blasting occurs it will occur in substantial manner to the methods described for landfill Waste Cell construction described above in the Application's Section 3.2.1.3. To the extent past blasting practices have not included the notification procedures at JCLDO 4.4.8(6) the Applicant herewith stipulates to utilizing such notification procedures for any blasting within the mining area approved through the plan amendment to which this permit action is dependent. The Applicant herewith designates the person holding the position of general manager of Dry Creek Landfill as the responsible contact person for inquiries or complaints unless and until the Applicant notifies Jackson County that such other person has assumed the role of responsible contact person pursuant to JCLDO 4.4.8.

Screening: The Application's Atlas Pages 25, 26, and 27 depict aerial photography, topographic screening and elevation contours of the mining area and associated impact area. Hills and ridges screen most all properties beyond the impact areas. Within the impact area, lands wrapping from the northwest around the mining area all the way to the east (in a counter clockwise direction) contain just three uses- the PacifiCorp transmission facilities, Prescott Park, and other portions of the landfill operation and or

holdings. These areas are no more exposed to the aggregate mining area than they are the existing landfill and no screening issues are known to be occurring. Lands to the north of the impact area contain the operating compost facility and this is not a use that needs to be screened from the aggregate use. Lands to the east-northeast will be screened by the landfill itself over time. Two smaller hills screen most of the mining area from lands within the impact area to the northeast. This leaves only two narrow drainage swaths, which contain no dwellings or other sensitive uses, between the two small hills northeast of the mining area where a portion of the impact area may be unscreened from mining area.

Retention of Vegetation: The Application's Atlas Page 17 depicts a 25-foot setback from Prescott Park and all existing natural vegetation in this area will be maintained. Best management practices will retain vegetation within 25 feet of residential property.

Reclamation Plan: The DOGAMI operating permit requires submittal of a reclamation plan. The reclamation plan is to be approved by DOGAMI prior to issuance of a permit to operate the mine. DOGAMI also requires a sufficient security be posted to assure the reclamation plan can be implemented. The amount of the security is derived from the approved reclamation plan. DOGAMI, like most State agencies, requires a land use compatibility statement (LUCS) from Jackson County before they will issue any permits. Thus, it is not possible to supply an *approved* reclamation plan or provide issued permits in advance of the site plan review.

Moreover, significant portions of the proposed mining area are also proposed as landfill Waste Area. Thus, "mine reclamation" will have two temporal phases. The first will involve a significant period after the aggregate has been mined. During that period, the mined site will be constructed into landfill Waste Cell (s) after which the constructed Waste Cell (s) will accept waste. Thus, the waste deposition phase can go on for many years. The second phase will occur when both the mining and the waste disposal uses are complete. The second phase represents the *ultimate reclamation*. This *ultimate reclamation* must comply with both DOGAMI reclamation requirements and DEQ landfill closure requirements, as applicable. The *spatial overlap* of the mining and landfill uses were expressly evaluated in tandem through the Goal 5 review, see Section 3 herein above. The Goal 5 review for the site contemplates that mine reclamation is not incompatible with a landfill closure process. However, the landfill closure review process expressly prioritizes safety and environmental health in reclamation of the mine and landfill closure over and above other reclamation/closure objectives such as aesthetics.

While the dual agency permitting of both the Landfill (DEQ) and the aggregate mine (DOGAMI) will make the reclamation planning somewhat more involved, Applicant has demonstrated experience with complex State permitting processes. A DOGAMI and DEQ approved reclamation plan can feasibly and will be completed prior to mining operations beginning on the site.

3.2.3 General Site-wide Operating Parameters and Facilities

Hours of Operation: The landfill use is authorized to operate everyday. Seven days a week operational authorization is necessary for monitoring and to respond to any mission critical maintenance issues. The landfill's current regular operations are six days a week from 7:00am to 5:00pm. As a practical matter, most of the intensive landfill use occurs Monday through Friday with lower intensity of use on Saturday. The aggregate operation will observe similar, but not identical regular operating hours Monday through Saturday from 6:00am to 7:00pm. The aggregate use will not regularly operate on Sundays or on New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, and Christmas Day. The hours of operation for the aggregate use do not apply to hauling for public works projects which may vary based upon the aggregate demands for the construction schedule of the public works project.

Internal Site Access and Circulation: The on-site access roads and service drives will be designed and constructed for the equipment that will use them, which typically includes large and heavy vehicles and machinery. There are no access roads (except the haul road that is paved for its entire length) which are within 100 feet of a paved public road. There will not be any access roads or service drives within 250 feet of any residences nor dust-sensitive conflicting uses. Nevertheless, Applicant has agreed to stipulate that reasonable efforts will be made to maintain all internal site access roads and service drives in a dust-inhibiting condition for both the landfill and aggregate uses and any accessory or related uses thereto.

Dust Control: In addition to the permitting requirements, DCLF utilizes a number of best management practices to control dust and particulate emissions and these measures are planned to be utilized in the future, as follows:

- DCLF maintains and operates an automated wheel wash. This system uses high pressure nozzles to wash the undercarriage and tires of virtually every vehicle that leaves the landfill site. This minimizes track-out on the haul road and thus reduces particulates on the road way and keeps them from being suspended into the air by passing vehicles. The wheel wash functions in conjunction with the paved haul road surface to minimize transportation based particulate emissions.
- DCLF has an on-site street sweeper with water washing and mechanical sweeping technologies.
- DCLF has on-site water truck that keeps all unpaved roads damp all year round. Water applications are actively managed and vary according to weather conditions.
- Lignin Sulfonate is applied to the unpaved interior access roads twice per year to reduce dust production.
- Water is applied to key uses, such as the rock crusher, the "tipper" that lifts the semi trailers filled with refuse for deposition in the landfill, and on the compost piles themselves.
- DCLF tarps the portions of Waste Cells that are neither within the Active Waste Deposition Area (see definition/terminology in Section 4.2.1) nor ready for Waste

Cell capping. The tarping reduces such areas' potential to generate windborne emissions.

Stormwater Management Facilities: All stormwater management systems will be engineered and operated in accordance with DEQ and DOGAMI requirements for the respective landfill and aggregate uses. There are no identified technical challenges to on-site stormwater management that are unique or unusual, or which are expected to present significant engineering challenges. *See*, the Application's Appendix F. A large area has been designated on JCPC Exhibit 4 for stormwater detention (shown as Area G "sedimentation ponds" on the plan). However, it is expected that not all of this area will be necessary to adequately manage stormwater for the site.

Utilities: Water, sewer, and electricity appropriate for the uses can feasibly and will be provided. *See*, the Application's Appendix F.

3.3 Site Development Ordinance

Section 4 under the Jackson County Comprehensive Plan Map Designations Element for Aggregate Resource Land requires the adopting ordinance for the property to serve as the development ordinance for land uses on the subject property. Said Element, provides in relevant part, the following:

"The site plan will be adopted by ordinance concurrent with the Post Acknowledgement Plan Amendment and zone change application. The approving ordinance will serve as the development ordinance for land uses on the subject property."

This section C.3 is proposed for adoption with the approving ordinance for the subject AR zoning district to serve as the development ordinance for land uses on the subject property in accordance with Section 4 under the Jackson County Comprehensive Plan Map Designations Element for Aggregate Resource Land,.

3.3.1 Applicability

Uses established in the Dry Creek AR zoning district will comply with the regulations set forth herein. These regulations are requirements and conditions placed on the site through the Goal 5 process at the time the site is designated AR.

3.3.2 Master Site Plan

General Use Areas are designated on the adopted Master Site Plan, see JCPC Exhibit 4. Uses may be established within the General Use Areas in accordance with the Master Plan Table of Permitted Uses and the Additional Use-Specific Regulations. Only Sections 9.4 and 9.6 on the General Development Regulations of Chapter 9 of the JCLDO are applicable to mining and landfill uses within the AR zone.

3.3.3 Table of Permitted Uses

Consistent with the Goal 5 review for the site, Table 3 sets forth the locational requirements for contemplated Mineral, Aggregate, Oil and Gas uses; Transportation Uses; and Utility/Solid Waste Disposal Facilities to be permitted within the General Land Use Areas depicted on the adopted Master Plan Map, see JCPC Exhibit 4. Table 3 is specific to use of the Dry Creek aggregate resource site.

Uses in Table 3 under the Utility/Solid Waste Disposal Facilities category are either the principal Sanitary Landfill Use or uses that are accessory to the Sanitary Landfill, pursuant to JCLDO 6.4, Accessory Uses and Structures and JCLDO 6.3.6(D) Waste Disposal, Modification of Existing Waste Disposal Facilities.

General Use Area boundaries overlap in some locations. Any column where an “X” is noted in the table, the use on that row of the table may be permitted in that area, notwithstanding that a portion of that area may overlap spatially with an area that does not allow the use. Within an overlapped area, all the uses specified in the use table for each respective General Use Area shall be allowed. The below Figure 1 illustrates an example of how use permissibility is resolved spatially for a specific use,

Figure 1
Overlapped General Use Area Example

Source: CSA Planning Ltd.

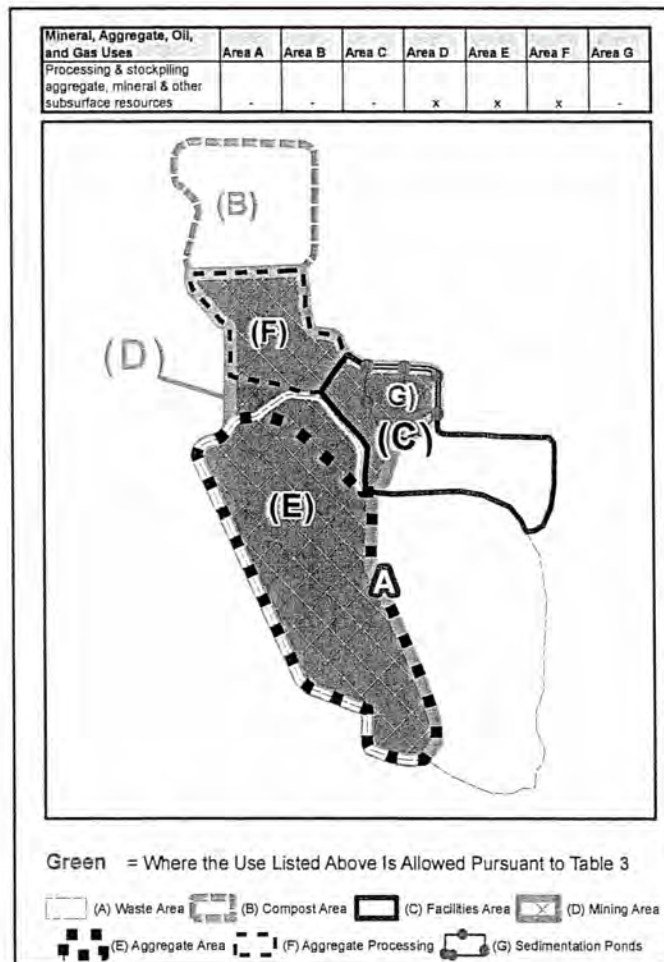


Table 3
Table of Permitted Uses by General Use Area
Dry Creek Aggregate Resource Site

Source: CSA Planning, Ltd.

Use Table for Master Site Plan Areas [X] = Use is Allowed Subject to Applicable Planning Review; [-] = Not Permitted [A] = Waste Area [B] = Compost Area [C] = Facilities Area [D] = Mining Area [E] = Aggregate Area [F] = Aggregate Processing Area [G] = Sediment Ponds								
Mineral, Aggregate, Oil, and Gas Uses	Area A	Area B	Area C	Area D	Area E	Area F	Area G	Notes:
Processing & stockpiling aggregate, mineral, & other subsurface resources	-	-	-	x	x	x	-	See JCLDO 13,3(6)(f) for definition of processing.
Mining of aggregate, mineral, and other subsurface resources (<i>actual resource quarry activities</i>)	-	-	-	-	x	-	-	See Condition 7
Processing of aggregate from a new or expansion site at an existing processing site or at an AR zoned site with an approved site plan (PAPA approved)	-	-	-	x	x	x	-	
Equipment or structures accessory to mining operations	x	x	x	x	x	x	x	
Manufacture, fabrication & sale of concrete & aggregate products in conjunction with aggregate operations	-	-	-	x	x	x	-	
Processing and stockpiling of aggregate or mineral resources from offsite where processing and stockpiling of materials has been lawfully established	-	-	-	x	x	x	-	
Processing and stockpiling of aggregate or mineral resources where no operating permit or preexisting use has been lawfully established	-	-	-	x	x	x	-	
Sedimentation ponds in conjunction with mining operations	x	x	x	x	x	x	x	
Storage or repair of heavy equipment in conjunction with a mining operation	x	x	x	x	x	x	x	
Emergency extraction				x				See, JCLDO 4.4.8(B)
Transportation Uses	Area A	Area B	Area C	Area D	Area E	Area F	Area G	Notes:
Transportation related to any use permitted in the zone.	x	x	x	x	x	x	x	
Transportation improvements (all types)	x	x	x	x	x	x	x	

Use Table for Master Site Plan Areas								
[X] = Use is Allowed Subject to Applicable Planning Review; [-] = Not Permitted								
[A] = Waste Area [B] = Compost Area [C] = Facilities Area [D] = Mining Area [E] = Aggregate Area								
[F] = Aggregate Processing Area								
[G] = Sediment Ponds								
Utility/Solid Waste Disposal Facilities	Area A	Area B	Area C	Area D	Area E	Area F	Area G	Notes:
Sanitary Landfill	x	x	x	x	x	x	x	Pursuant to Sections 3 and 4 herein above and JCLDO 6.4 or 6.3.6(D)(2), the following uses are accessory and subordinate to the Dry Creek Sanitary Landfill
Accessory Sanitary Landfill Uses	Landfill Waste Cell Design and Construction	x	-	-	-	x	-	-
	Material Recovery, Recycling and Processing	x	x	x	-	x	-	x
	Composting and Composting Operations	x	x			x		
	Leachate Collection and Processing	x	x	x	-	x	-	x
	Landfill Gas Collection and Processing	x	x	x	-	x	-	x
	Post-Landfill Material Recovery	x	x	x	-	x	-	x
	Energy Facility, Small Scale	-	x	x	-	-	-	x
	On-going System Maintenance and Operations (including storage or repair of heavy equipment)	x	x	x	x	x	x	x
	Landfill Closure and Reclamation	x	x	x	x	x	x	x
	Development of Structures for landfill related uses smaller than 1500 square feet	x	x	x	x	x	x	x
	Development of Structures for landfill related uses larger than 1500 square feet	-	x	x	-	-	-	x
	Sedimentation ponds in conjunction with landfill operations	x	x	x	x	x	x	x

3.3.4 Relationship to Earlier Approvals; Approval Conditions

The Application's Section 3.2.1.1 describes various land use approvals related to the subject property and the Dry Creek Landfill operation. Chief among these were the conditional use permit granted in 1994 which approved the landfill (File 94-13-CUP), the approval in 1999 for a composting facility (1999-17-CUP), and on June 16, 2007, the Board of Commissioners approved amended 94-13-CUP and 99-17-CUP through Order No. 373-07 to allow the alternate access (haul road) proposed by the Applicant. Approval conditions were appended to these land use approvals.

The Planning Commission has examined the conditions imposed by Jackson County in its approval of the three key land use actions that affect Dry Creek Landfill. In doing so, it became clear that many of the conditions can and should be eliminated by reason that:

1. The condition has already been satisfied and does not deal with on-going operation. For example, conditions that speak to haul road engineering; the haul road is built.
2. The condition relates to circumstances that no longer exist. For example, conditions that relate to deer/elk mitigation should no longer be applied to the property since the ASC-90-1 Wildlife Overlay has since been removed.

The conditions that follow reflect this examination and are those which should carry forward. Some have been modified rather than eliminated. Conditions from the three earlier approvals which do not appear below have been removed. The Site Development Ordinance herein modifies the earlier approvals to consolidate all of the earlier approval conditions to be only those which follow and to strike those which are not found below:

Requirements and Conditions: In addition to any specific requirements and/or process specified by the use table above, all uses and development shall comply with the following conditions:

1. **Property Line Adjustments:** Prior to County authorization of mining operations, Applicant will adjust the boundaries of parcels such that none will be divided by zoning district boundaries.
2. **Vacation of Paper Streets:** Applicant will take appropriate steps to vacate existing public rights-of-way for streets located within Applicant's tract that have never been (nor are ever intended to be) constructed. Applicant further agrees that the mining operation will not commence until such public rights-of-way have in fact been vacated.
3. **Road Approach Permit:** Prior to County authorization of aggregate operations, the applicant will provide proof of an updated ODOT Road Approach Permit for the Haul Road access to OR 140.
4. **Dedicated Turn Lane:** Prior to County authorization of aggregate operations, the applicant will install a dedicated turn lane at the weigh station exit to the Haul Road.
5. **Grant of Access:** Prior to County authorization of mining operations on Map 37-1W-02, tax lots 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117 & 122, the applicant will provide proof of a Grant of Access for the Haul Road access to OR 140.
6. **Type II Site Plan:** Mining is approved for operation in accordance with the requirements of JCLDO Section 4.4.8(A) [Aggregate Mining and Processing], subject to approval of a Type 2 Site Development Plan Review prior to commencement of

initial mining operation; nothing in this condition shall be construed to limit or delay issuance of a mining permit from DOGAMI or issuance of a LUCS required by DOGAMI for the mining operation.

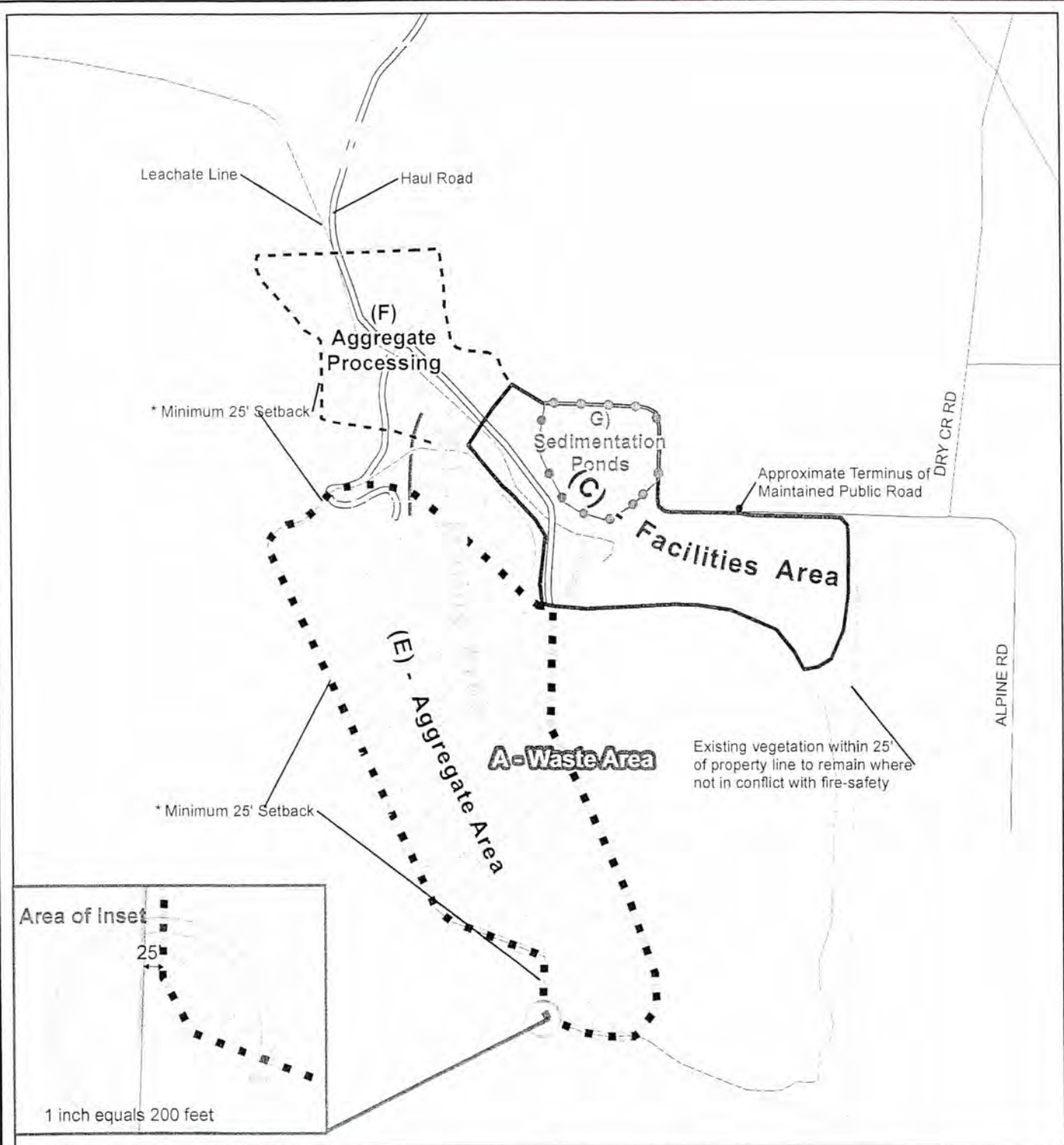
7. **Noise Verification Study:** A noise verification study will be required within 90 days after the aggregate operation is fully operable to demonstrate that noise levels are consistent with the expectations in the noise study supporting the application or else mitigation measures will be implemented to reduce noise to a level commensurate with DEQ standards.

ON-GOING CONDITIONS OF APPROVAL

8. **Regional Landfill and Aggregate Site and Operations Master Plan.** The landfill and aggregate uses will be operated in a manner that is substantially consistent with the Regional Landfill and Aggregate Site and Operations Master Plan in this JCPC Exhibit 3 to the adopting ordinance for the AR zoning designation together with any applicable development standards in the JCLDO.
9. **Section 4 Consistency:** New facilities shall be developed and operated as described in this JCPC Exhibit 3 to the adopting ordinance for the AR zoning designation. Structural permitting shall be subject to at least a Type 1 review for compliance with the adopted operations plan, JCLDO Section 8.7 (Wildfire Safety), these conditions, and applicable building and fire codes.
10. **Blasting Notification Procedures.** To the extent that blasting is required, Applicant will utilize the notification procedures in JCLDO 4.4.8 and Applicant herewith designates its General Manager as the responsible contact person for inquiries or complaints concerning blasting unless and until Applicant notifies Jackson County that such other person has assumed the role of responsible contact person pursuant to JCLDO 4.4.8.
11. **Dust Control.** Reasonable efforts will be made to maintain all internal site access roads and service drives in a dust-inhibiting condition for both the landfill and aggregate uses and any accessory or related uses thereto. Dust control measures specified in Section C.2.3 above shall be implemented on a regular basis, as needed to control dust and particulate emissions.
12. **Litter:** Litter which is inadvertently or illegally deposited along segments of Antelope, Meridian and Dry Creek Roads lying between Highway 140 and the subject property and that which occurs within the boundaries of the property or along the haul road will continue to be routinely picked-up by the applicant and deposited at the landfill.
13. **Composting:** Composting operations that are sited in Area "B" as depicted in JCPC Exhibit 4 will be limited to waste that consists of leaves, grass clippings, prunings and similar organic materials, and such activity will not produce offensive odor which is

detectable from any exterior boundary of the subject property. Direct retail sales of composted material from the composting site shall be limited to bulk sales to be transported in containers holding not less than 7.5 cubic yards.

14. **DOGAMI Permits:** Copies of approved DOGAMI permits shall be submitted to Jackson County Planning & Development Services prior to commencing those operations.
15. **DEQ Permits:** Copies of amended DEQ permits for the modified Waste Area shall be submitted prior to constructing any new Waste Cells in the modified Waste Area.
16. **Hours:** Landfill and composting facilities are approved for operation between the hours of 7 a.m. and 6 p.m., daily and on weekends.



Master Site Plan

LRP2012-00006; SIT2012-00009 &
LRP2012-00007

General Use Areas		
(A) Waste Area	(C) Facilities Area	(E) Aggregate Area
(B) Compost Area	(D) Mining Area	(F) Aggregate Processing
		(G) Sedimentation Ponds

Proposed AR zone

Haul Road

Taxlots

Leachate Line

Conveyor (Approx)

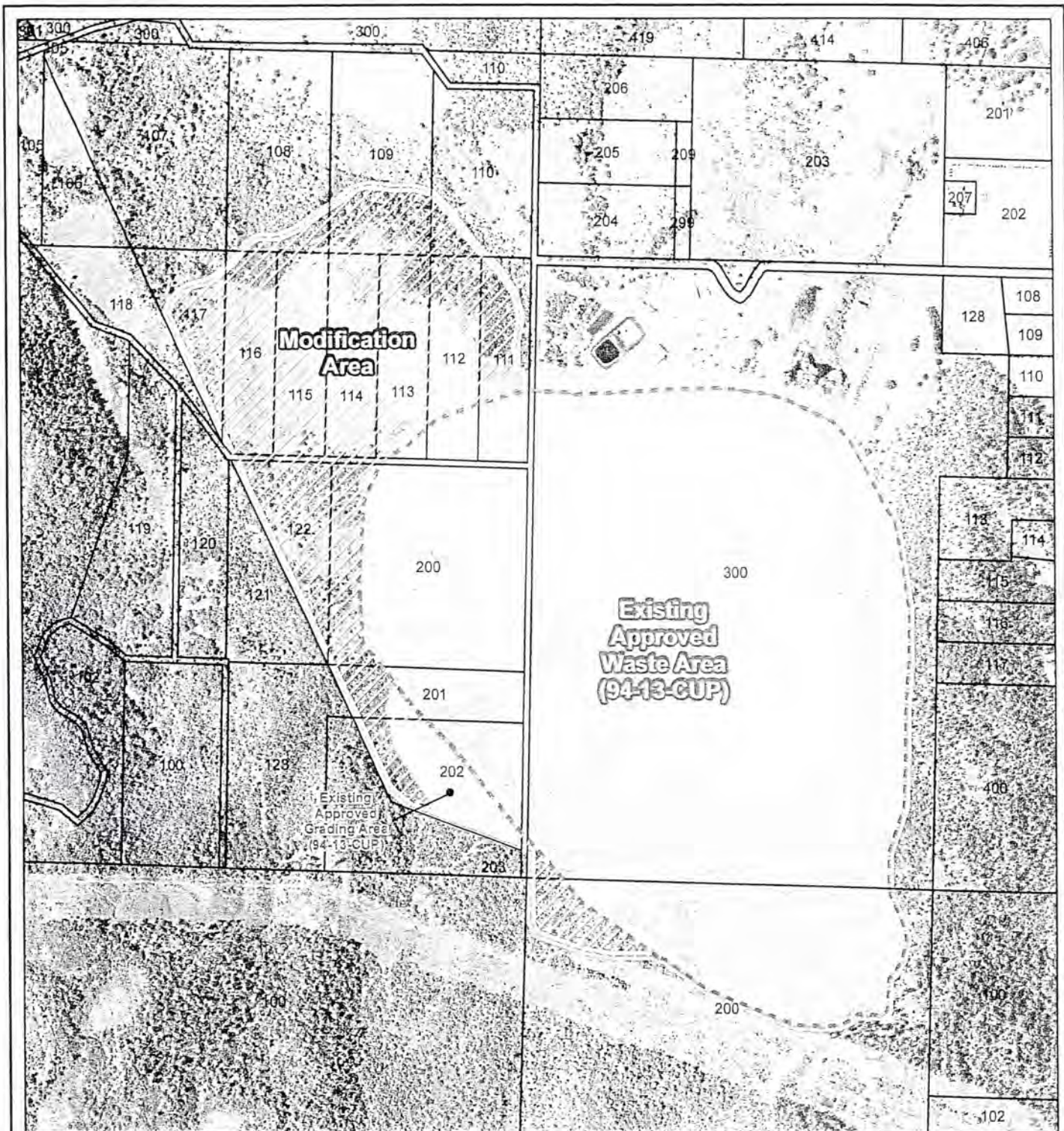
Aggregate Haul Road (Approx)

* Minimum 25' setback from Prescott Park can and will be observed. Where not in conflict with fire-safety, all existing trees and other natural vegetation will remain within said setback. None of the mining area is within 200 feet of a residence, residential zoning district, or public road. Dedicated rights-of-way within the subject property are unimproved and are to be vacated pursuant to ORS 368. See additional Atlas pages for information on buffering and topography.

0 600 1,200 Feet

1:10000





Waste Area Modification



Proposed Waste Area

Modification Area

Taxlots



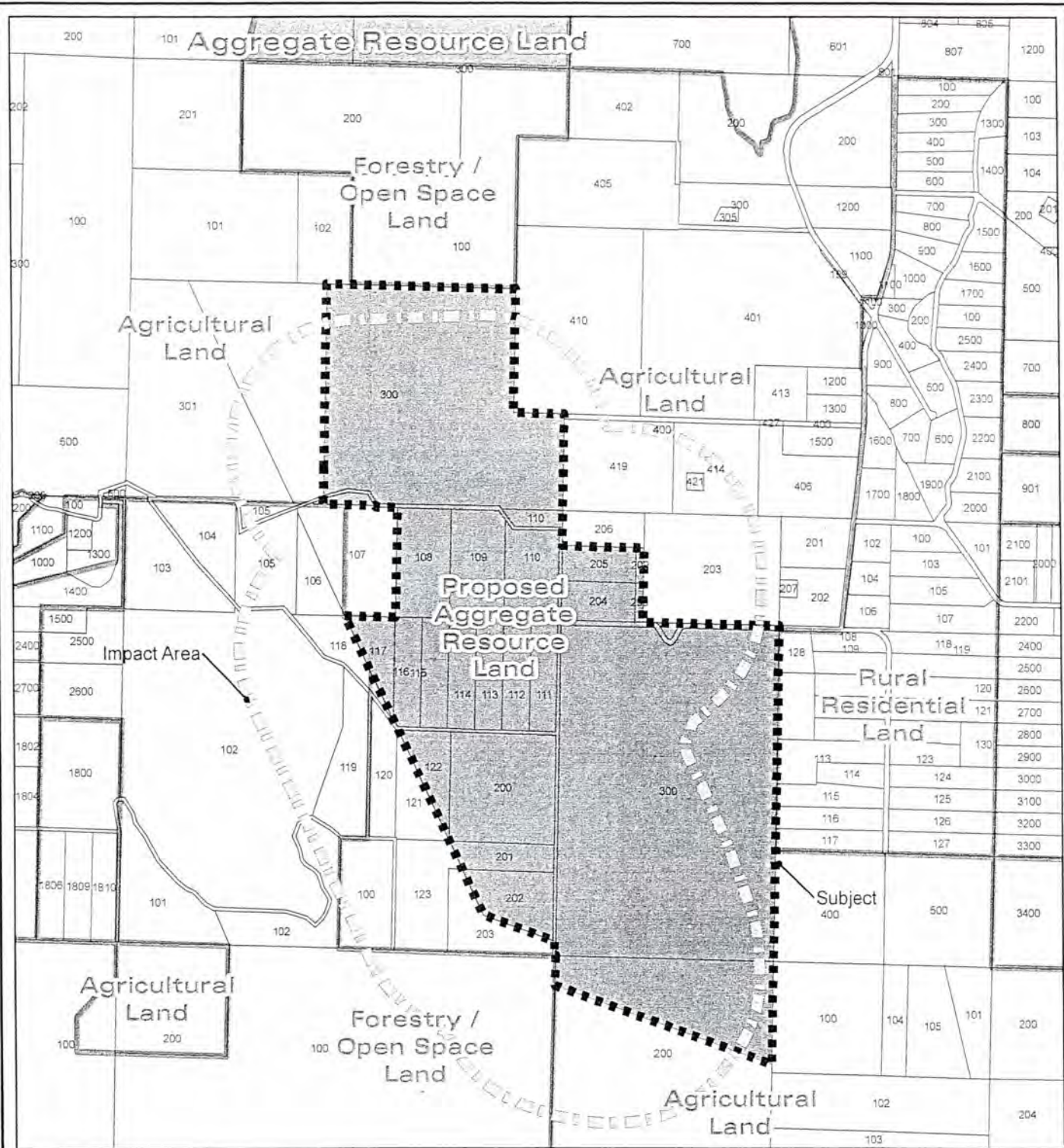
Existing Approved Waste Area (94-13-CUP)



Approximate Approved Grading Area (94-13-CUP)

900 450 0 900 Feet

LRP2012-00007

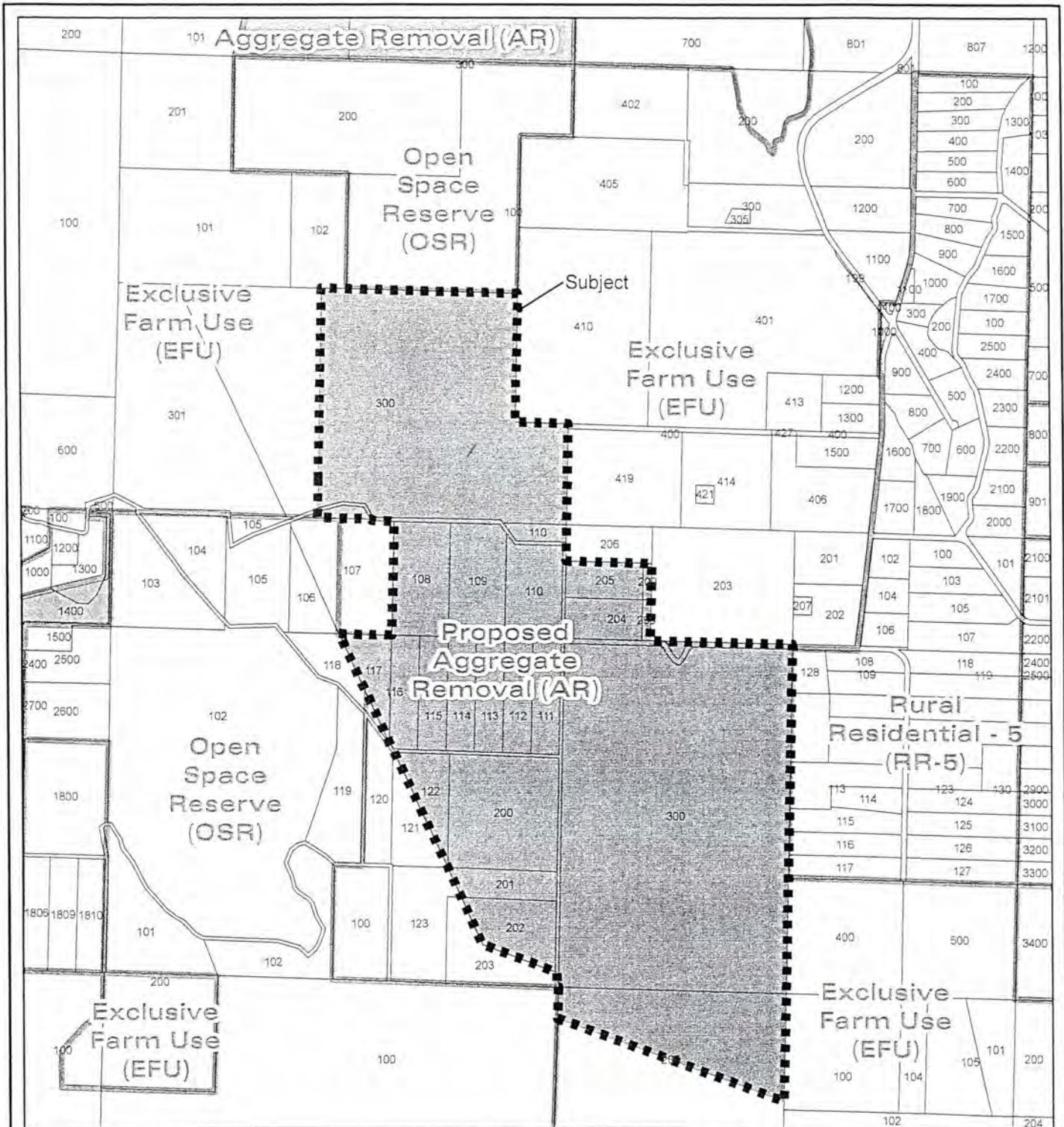


Comprehensive Plan (Proposed)

--- 1500-Foot Impact Area Comprehensive Plan [Pattern] Aggregate Resource Land [Pattern] Rural Residential Land
 - - - - - Subject Property [Pattern] Forestry / Open Space Land [Pattern] Agricultural Land [Pattern] Tax Lots

1,600 800 0 1,600 Feet

LRP2012-00006



Zoning (Proposed)

- | | | | |
|------------------|------------------------|--------------------------------|----------------------------------|
| Subject Property | County Zoning | Rural Residential - 5 (RR-5) | Open Space Reserve (OSR, GI/OSR) |
| Tax Lots | Aggregate Removal (AR) | Rural Residential - 00 (RR-00) | Exclusive Farm Use (EFU) |

1,600 800 0 1,600 Feet

LRP2012-00006

EXHIBIT D - REGIONAL LANDFILL AND AGGREGATE SITE AND OPERATIONS MASTER PLAN

Exhibit D constitutes the site and operations master plan for the regional landfill and aggregate uses. The descriptive text in this section, together with the associated maps, provide context on the proper application of any conditions of approval applicable to the project. The descriptive text in this section, together with the associated maps, provides guidance on use permissibility that may arise as the project builds out over many years.

D.1 Master Plan Maps and Site Plans

The site plan for the regional landfill and aggregate operations is depicted in Exhibit E. This site plan is intentionally generalized to show the basic arrangement of uses and their interrelationships to one another and the surrounding area. The site plan guides the location of particular project elements and identifies locations where planned uses can go without the need for amendments to the overall site layout and master plan arrangement.

As specific project components are advanced, more detailed plans may be designed over time as the project proceeds. These will be subject to any applicable land development ordinance provisions and site-specific conditions described in Section D.3 below.

D.2 Landfill/Aggregate Uses; Operational Characteristics

This section sets forth the operating characteristics of the uses as proposed. The characterization of the landfill and related uses are intended to be consistent with all existing land use approvals for the landfill use.

D.2.1 Landfill and Related Uses

Fundamentals: The site is an existing landfill that operates on a regional scale. Technological advancements in the waste disposal and recycling industry have continually increased operational efficiencies for the industry. Waste stream collection and sorting systems have become better and more cost-effective. However, technology advancements require sufficient scale for cost effective implementation. Adequate scale is especially important because many of the new technologies, processes and practices related to recycling, composting, energy capture, and related accessory and by-product uses are often encouraged or mandated by federal, state or local regulatory agencies. Dry Creek Landfill aspires to be at the forefront of these opportunities; changes to the landfill use are expected to occur over time in ways contemplated by JCLDO 6.3.6(D)(2).

Landfill Terminology: For purposes of this application the following terms are defined below to better describe the landfill and related uses.

Waste Area

This is the area where Jackson County has granted land use approval for a landfill. Any area approved by DEQ for the landfill Footprint must be located within the approved Waste Area..

<i>Footprint</i>	This area is located within the Waste Area and is the boundary of the area approved by DEQ to accept solid waste.
<i>Waste Cell</i>	Each Waste Cell is a specific engineered unit of landfill development. A Waste Cell will typically have its own defined area for liner system, gas collection, and leachate collection. Each Waste Cell's systems are then engineered to connect with rest of the landfill's overall systems. Waste Cells can and sometimes do overlap in 3-dimensional space. All Waste Cells are located within the DEQ approved landfill Footprint.
<i>Active Waste Deposition Area</i>	This is the "active area of the landfill" or the "open face" of the landfill. This is the area where waste is being added to the landfill on a daily basis. This area is typically one acre or less, and located spatially within a given Waste Cell or overlapping a combination of Waste Cells.

Landfill Waste Cell Design, Permitting and Construction: For new Waste Cells and similar project components, the initial steps consist of design and permitting. Significant geotechnical, hydrologic and systems engineering goes into each project step of the landfill operation. Leachate and landfill gas collection systems are engineered. The three-dimensional design of each Waste Cell is engineered and the landfill sub-grade lining system is specified; a graphic of the current western Oregon liner design system is depicted in the Application's Atlas, Page 28. Any necessary pre-construction environmental permit approvals are obtained from the relevant regulatory agency. Once design and any necessary pre-construction permitting is complete, a new landfill Waste Cell is constructed. Landfill Waste Cell construction is expected to occur consistent with past practices under the existing landfill approval permit described in the Application's Section 3.1.2.3.

Refuse Handling: Refuse handling undergoes several steps depending on the source of the waste. Waste is either deposited from a transfer station or delivered to the landfill by haulers authorized by Dry Creek Landfill, Inc.

Waste not destined for material recovery, recycling or composting is deposited in the landfill. The Active Waste Deposition Area is one acre or less. The Active Waste Deposition Area is covered at the end of each day with a DEQ approved cover material. The Active Waste Deposition Area migrates over the landfill Footprint according to the operational engineering parameters for the Waste Cell accepting the waste. The landfill Footprint is the DEQ approved area where solid waste is to be deposited. The landfill Footprint is confined to the Waste Area identified on Exhibits E and F. Over time, new Waste Cells will be designed and constructed in depleted aggregate resource areas. The

landfill use will generally be physically separate from areas of aggregate use at a given point in time.

Pre-Disposal Uses (Material Recovery, Recycling, Composting and Processing): The landfill use includes various types of pre-disposal uses, such as material recovery, recycling and composting. These uses reduce the relative size of the waste stream for general waste disposal in the landfill.

COMPOSTING: Where franchisees participate in yard waste collection, deliveries are made to the compost facility. Other potential sources of organic compostable wastes may arise over time, such as new sources of wood waste. Composting converts organic waste into saleable compost. Composting products at the landfill are currently directed at bulk sales markets where compost is for gardening, landscaping and as a soil amendment. The target market could change over time and a bagging operation could be added that would support small-unit direct retail markets (off-site).

RECYCLING: Recycling is the common term used to describe sorting and processing of waste materials to redeploy the material into the economic stream instead of depositing it in the landfill. Typically the processing will result in a product, commodity or retail item for which there is a market. Recycling can take many forms and generally involves some method of selection and sorting the general waste stream for materials that can be recovered and then recycled. Recycling is a complex system that changes with technological innovations, overall scale of the waste stream, market prices of recycled materials and similar factors. Typically, recycled materials will need to be *right-sized* and appropriately packaged for the target market. The following are examples of some of the types of recycling processes that are appropriate for the regional landfill:

- Separation, drying and grinding of woody debris for uses such as *hog fuel (biomass optimized for combustion)*, the production of woodstove pellets, strandboard chips, or as feedstock to the composting use.
- Separation and crushing of glass for production of new glass or specialized construction applications.
- Separation and sorting of metals; most metals can be recycled.
- Separation and concentration of organic wastes. Such wastes can then be processed in anaerobic digesters to produce methane gas for energy production as well as organic compounds that are useful in a wide variety of chemical productions, such as for fertilizer.

Recycling uses, along with any product finishing and packaging, will occur within the Facilities Area, Composting Area or the Waste Area as depicted on the Exhibit E.

Pre-disposal waste recovery and processing uses in the future may not necessarily utilize traditional recycling or composting methods. These types of advanced pre-disposal waste recovery and processing may become economic and technologically feasible as the

industry continues to evolve. Such uses will be located within either the Composting Area or the Facilities Area depicted on Exhibit E.

Leachate Collection and Processing: As earlier explained, leachate is the liquid, typically from rainfall infiltration, that passes through the landfill down to the liner system. While not required, the landfill utilizes tarps to cover areas where waste has been deposited but Waste Cell closure has not been completed; this feature reduces the amount of storm-water infiltration in the landfill and thereby reduces the volume of leachate. The leachate is collected via the engineered leachate collection system. This system uses a combination of gravity feed and pump stations to deliver the leachate to the leachate collection pond. From the leachate collection pond, it is transmitted via pipe to the regional water reclamation facility. Final processing occurs at the regional water reclamation facility. Leachate Collection and Processing, and associated uses, will occur within the approved Waste Area and Facilities Area depicted on Exhibit E.

Landfill Gas Collection and Processing: The waste decomposition process produces landfill gas. This gas is collected through a network of gas collection pipes. These pipes transport the landfill gas to the processing facility. Landfill gas consists primarily of methane and carbon dioxide. Currently, the processing facility contains an energy facility, small scale, that runs two 20-cylinder internal combustion engine generators. The excess gas not used to run the electric generators is burned off in a flare. Both the generators and the flare produce waste heat which is currently an unutilized energy source. Landfill Gas Collection and Processing, and associated uses, will occur within the approved Waste Area and Facilities Area depicted on Exhibit E.

Post-Landfill Material Recovery: The waste decomposition process that generates leachate and landfill gas produces by-products that are potentially valuable industrial materials that are or may become recoverable. Methane is a major component of the landfill gas and can be used to produce energy directly or can be used as a fuel source. Other industrial gases, such as carbon dioxide, could also be utilized for beneficial purposes.

The typical process to capture and process industrial byproducts, regardless of chemical state, will involve some sort of separation followed by concentration for distribution to market. Concentrated byproducts may also serve as an intermediate input to improve a recycling or composting process. Industrial byproducts capture and processing, and associated uses, will be located within the Facilities Area depicted on Exhibit E.

On-Going System Maintenance and Operations: The landfill will continue to require a number of accessory maintenance and operations uses, such as:

- **Office Uses:** Office uses will involve technical operation of the landfill, such as compliance with environmental monitoring schedules, managing landfill development phasing, and similar activities.
- **Equipment Maintenance and Storage:** The landfill and associated uses have heavy equipment and systems to maintain, such as dozers, excavators, refuse and

recycling collection vehicles, water trucks. Facilities will continue to be necessary to support maintenance and operations.

- Outreach: The landfill will sometimes host tours for school children, dignitaries and similar activities.

Maintenance and/or operations uses will be allowed throughout the site, but permanent maintenance and/or operations buildings are intended to be located within the Facilities Area depicted on Exhibit E. Placement of permanent landfill maintenance and/or operations buildings outside of the Facilities Area may be allowed pursuant to subsequent review, to ensure conflicts between Aggregate use and landfill uses are minimized.

Closure and Reclamation: At the appropriate time, the respective landfill Waste Cells will be closed. Closures occur in accordance with an engineered closure system plan and in accordance with DEQ closure requirements. Post-closure monitoring occurs in accordance with landfill permit requirements and the closure plan prescriptions.

D.2.2 Aggregate Removal

Fundamentals: The significance of the Dry Creek Aggregate Resource site is determined by the Goal 5 map amendment adopting the AR zone. The uses described in this Section D.2.2 implement the County's program to achieve Goal 5 for the subject AR zoned resource site, *see Exhibit E*.

Mining Area: Exhibit E depicts the mining area. The mining area overlaps the Waste Area in spatial extent. However, these uses will be temporally separated. Landfill disposal activities will occur following aggregate extraction. The need to coordinate the aggregate and landfill operations within the same physical space over time does necessitate a sufficient mining area with sufficient room to keep the aggregate operations adequately separated from the landfill operations. The mining area on Exhibit E is sufficiently large that processing and stockpiling areas can be accommodated outside the area where significant aggregate resources have been identified. This will assure there is adequate space for both the landfill and mining uses to operate efficiently and safely in accordance with standards for each industry's operations.

Liability Insurance: The aggregate operation can feasibly and will carry a minimum of \$500,000 insurance against liability and tort arising from surface mining, processing, or incidental activities conducted by virtue of any law, ordinance, or condition. Terms of such insurance shall not be less than one year and the operation will provide evidence to the County of the required insurance prior to mining operations being undertaken and such evidence shall be transmitted to the County each year thereafter.

Permitting: Except for the presence of the landfill and coordination of activities that will be required between the aggregate use and the complimentary landfill use, the aggregate site lays out and is configured in a manner that is typical of hard rock aggregate mines. Based upon the geologist's report, there is no reason to believe the subject mining site will be infeasible or substantially more difficult to permit through the Department of

Geology and Mineral Industries (DOGAMI), DEQ and any other applicable regulatory agencies than other hard rock aggregate mines in the region. Applicant acknowledges and accepts that all facets of the operation must and will be conducted in a manner that complies with applicable DEQ air quality, water quality, and noise standards, and in conformance with the DOGAMI permit; and in compliance with the County's land use decision

Setbacks: Based upon the site plan depicted on Exhibit E, no extraction or removal of aggregate will occur within 25 feet of any improved public road right-of-way. Based upon the site plan depicted in Exhibit E, there is no proposed processing equipment, batch plants, manufacturing, and fabricating plants within 50 feet of another property or an improved public road right of way or within 200 feet of a residence or residential zoning district.

Applicant observes that there are unimproved public rights-of-way within and around the proposed mining area. Applicant has agreed to stipulate to prosecuting street vacations pursuant to Oregon law. Applicant further stipulates that the mining operation shall not commence until effected rights-of-way have been vacated.

Blasting: Existing land use approvals for the site allow for landfill operation (*i.e.*, construction of landfill Waste Cells which involves blasting). Applicant does not expect that the aggregate operation will require additional blasting specifically for aggregate mining that would not otherwise have been required for the landfill construction in the Waste Area as modified. However, aggregate specific blasting, while unlikely, cannot be categorically ruled out. If aggregate specific blasting occurs it will occur in substantial manner to the methods described for landfill Waste Cell construction described above in Section D.2.1. To the extent past blasting practices have not included the notification procedures at JCLDO 4.4.8(6) the Applicant herewith stipulates to utilizing such notification procedures for any blasting within the mining area approved through the plan amendment to which this permit action is dependent. The Applicant herewith designates the person holding the position of general manager of Dry Creek Landfill as the responsible contact person for inquiries or complaints unless and until the Applicant notifies Jackson County that such other person has assumed the role of responsible contact person pursuant to JCLDO 4.4.8.

Screening: The Application's Atlas Pages 25, 26, and 27 depict aerial photography, topographic screening and elevation contours of the mining area and associated impact area. Hills and ridges screen most all properties beyond the impact areas. Within the impact area, lands wrapping from the northwest around the mining area all the way to the east (in a counter clockwise direction) contain just three uses- the PacifiCorp transmission facilities, Prescott Park, and other portions of the landfill operation and or holdings. These areas are no more exposed to the aggregate mining area than they are the existing landfill and no screening issues are known to be occurring. Lands to the north of the impact area contain the operating compost facility and this is not a use that needs to be screened from the aggregate use. Lands to the east-northeast will be screened by the landfill itself over time. Two smaller hills screen most of the mining area from lands

within the impact area to the northeast. This leaves only two narrow drainage swaths, which contain no dwellings or other sensitive uses, between the two small hills northeast of the mining area where a portion of the impact area may be unscreened from mining area.

Retention of Vegetation: The Exhibit E depicts a 25-foot setback from Prescott Park and all existing natural vegetation in this area will be maintained. Best management practices will retain vegetation within 25 feet of residential property.

Reclamation Plan: The DOGAMI operating permit requires submittal of a reclamation plan. The reclamation plan is to be approved by DOGAMI prior to issuance of a permit to operate the mine. DOGAMI also requires a sufficient security be posted to assure the reclamation plan can be implemented. The amount of the security is derived from the approved reclamation plan. DOGAMI, like most State agencies, requires a land use compatibility statement (LUCS) from Jackson County before they will issue any permits. Thus, it is not possible to supply an *approved* reclamation plan or provide issued permits in advance of the site plan review.

Moreover, significant portions of the proposed mining area are also proposed as landfill Waste Area. Thus, “mine reclamation” will have two temporal phases. The first will involve a significant period after the aggregate has been mined. During that period, the mined site will be constructed into landfill Waste Cell (s) after which the constructed Waste Cell (s) will accept waste. Thus, the waste deposition phase can go on for many years. The second phase will occur when both the mining and the waste disposal uses are complete. The second phase represents the *ultimate reclamation*. This *ultimate reclamation* must comply with both DOGAMI reclamation requirements and DEQ landfill closure requirements, as applicable. The *spatial overlap* of the mining and landfill uses were expressly evaluated in tandem through the Goal 5 review, see Section 3 of the reviewed application. The Goal 5 review for the site contemplates that mine reclamation is not incompatible with a landfill closure process. However, the landfill closure review process expressly prioritizes safety and environmental health in reclamation of the mine and landfill closure over and above other reclamation/closure objectives such as aesthetics.

While the dual agency permitting of both the Landfill (DEQ) and the aggregate mine (DOGAMI) will make the reclamation planning somewhat more involved, Applicant has demonstrated experience with complex State permitting processes. A DOGAMI and DEQ approved reclamation plan can feasibly and will be completed prior to mining operations beginning on the site.

D.2.3 General Site-wide Operating Parameters and Facilities

Hours of Operation: The landfill use is authorized to operate everyday. Seven days a week operational authorization is necessary for monitoring and to respond to any mission critical maintenance issues. The landfill’s current regular operations are six days a week from 7:00am to 5:00pm. As a practical matter, most of the intensive landfill use occurs

Monday through Friday with lower intensity of use on Saturday. The aggregate operation will observe similar, but not identical regular operating hours Monday through Saturday from 6:00am to 7:00pm. The aggregate use will not regularly operate on Sundays or on New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, and Christmas Day. The hours of operation for the aggregate use do not apply to hauling for public works projects which may vary based upon the aggregate demands for the construction schedule of the public works project.

Internal Site Access and Circulation: The on-site access roads and service drives will be designed and constructed for the equipment that will use them, which typically includes large and heavy vehicles and machinery. There are no access roads (except the haul road that is paved for its entire length) which are within 100 feet of a paved public road. There will not be any access roads or service drives within 250 feet of any residences nor dust-sensitive conflicting uses. Nevertheless, Applicant has agreed to stipulate that reasonable efforts will be made to maintain all internal site access roads and service drives in a dust-inhibiting condition for both the landfill and aggregate uses and any accessory or related uses thereto.

Dust Control: In addition to the permitting requirements, DCLF utilizes a number of best management practices to control dust and particulate emissions and these measures are planned to be utilized in the future, as follows:

- DCLF maintains and operates an automated wheel wash. This system uses high pressure nozzles to wash the undercarriage and tires of virtually every vehicle that leaves the landfill site. This minimizes track-out on the haul road and thus reduces particulates on the road way and keeps them from being suspended into the air by passing vehicles. The wheel wash functions in conjunction with the paved haul road surface to minimize transportation based particulate emissions.
- DCLF has an on-site street sweeper with water washing and mechanical sweeping technologies.
- DCLF has on-site water truck that keeps all unpaved roads damp all year round. Water applications are actively managed and vary according to weather conditions.
- Lignin Sulfonate is applied to the unpaved interior access roads twice per year to reduce dust production.
- Water is applied to key uses, such as the rock crusher, the "tipper" that lifts the semi trailers filled with refuse for deposition in the landfill, and on the compost piles themselves.
- DCLF tarps the portions of Waste Cells that are neither within the Active Waste Deposition Area (see definition/terminology in Section D.2.1) nor ready for Waste Cell capping. The tarping reduces such areas' potential to generate windborne emissions.

Stormwater Management Facilities: All stormwater management systems will be engineered and operated in accordance with DEQ and DOGAMI requirements for the

respective landfill and aggregate uses. There are no identified technical challenges to on-site stormwater management that are unique or unusual, or which are expected to present significant engineering challenges. *See*, the Application's Appendix F. A large area has been designated on Exhibit E for stormwater detention (shown as Area G "sedimentation ponds" on the plan. However, it is expected that not all of this area will be necessary to adequately manage stormwater for the site.

Utilities: Water, sewer, and electricity appropriate for the uses can feasibly and will be provided. *See*, the Application's Appendix F.

D.3 Site Development Ordinance

Section 4 under the Jackson County Comprehensive Plan Map Designations Element for Aggregate Resource Land requires the adopting ordinance for the property to serve as the development ordinance for land uses on the subject property. Said Element, provides in relevant part, the following:

"The site plan will be adopted by ordinance concurrent with the Post Acknowledgement Plan Amendment and zone change application. The approving ordinance will serve as the development ordinance for land uses on the subject property."

This Section D.3 is referenced in the approving ordinance for the subject AR zoning district to serve as the development ordinance for land uses on the subject property in accordance with Section 4 under the Jackson County Comprehensive Plan Map Designations Element for Aggregate Resource Land.

D.3.1 Applicability

Uses established in the Dry Creek AR zoning district will comply with the regulations set forth herein. These regulations are requirements and conditions placed on the site through the Goal 5 process at the time the site is designated AR.

D.3.2 Master Site Plan

General Use Areas are designated on the adopted Master Site Plan, see Exhibit E. Uses may be established within the General Use Areas in accordance with the Master Plan Table of Permitted Uses and the Additional Use-Specific Regulations. Only Sections 9.4 (Off-Street Parking and Loading) and 9.6 (Signs) on the General Development Regulations of Chapter 9 of the JCLDO are applicable to mining and landfill uses within the AR zone.

D.3.3 Table of Permitted Uses

Consistent with the Goal 5 review for the site, Table 3 sets forth the locational requirements for contemplated Mineral, Aggregate, Oil and Gas uses; Transportation Uses; and Utility/SolidWaste Disposal Facilities to be permitted within the General Land Use Areas depicted on the adopted Master Plan Map, see Exhibit E. Table 3 is specific to use of the Dry Creek aggregate resource site.

Uses in Table 3 under the Utility/Solid Waste Disposal Facilities category are either the principal Sanitary Landfill Use or uses that are accessory to the Sanitary Landfill pursuant to JCLDO 6.4, Accessory Uses and Structures and JCLDO 6.3.6(D) Waste Disposal, Modification of Existing Waste Disposal Facilities.

General Use Area boundaries overlap in some locations. Any column where an "X" is noted in the table, the use on that row of the table may be permitted in that area, notwithstanding that a portion of that area may overlap spatially with an area that does not allow the use. Within an overlapped area, all the uses specified in the use table for each respective General Use Area shall be allowed. The below Figure 1 illustrates an example of how use permissibility is resolved spatially for a specific use,

Figure 1
Overlapped General Use Area Example
Source: CSA Planning Ltd.

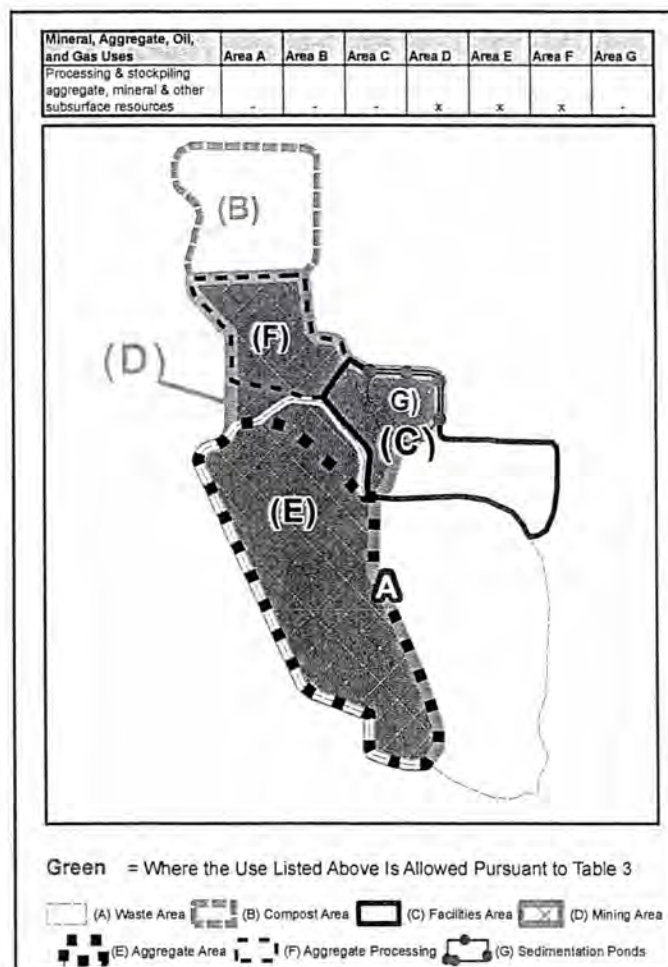


Table 3
Table of Permitted Uses by General Use Area
Dry Creek Aggregate Resource Site

Source: CSA Planning, Ltd.

Use Table for Master Site Plan Areas [X] = Use is Allowed Subject to Applicable Planning Review; [-] = Not Permitted [A] = Waste Area [B] = Compost Area [C] = Facilities Area [D] = Mining Area [E] = Aggregate Area [F] = Aggregate Processing Area [G] = Sediment Ponds								
Mineral, Aggregate, Oil, and Gas Uses	Area A	Area B	Area C	Area D	Area E	Area F	Area G	Notes:
Processing & stockpiling aggregate, mineral, & other subsurface resources	-	-	-	X	X	X	-	See JCLDO 13.3(6)(f) for definition of processing.
Mining of aggregate, mineral, and other subsurface resources (<i>actual resource quarry activities</i>)	-	-	-	-	X	-	-	See Condition 7
Processing of aggregate from a new or expansion site at an existing processing site or at an AR zoned site with an approved site plan (PAPA approved)	-	-	-	X	X	X	-	
Equipment or structures accessory to mining operations	X	X	X	X	X	X	X	
Manufacture, fabrication & sale of concrete & aggregate products in conjunction with aggregate operations	-	-	-	X	X	X	-	
Processing and stockpiling of aggregate or mineral resources from offsite where processing and stockpiling of materials has been lawfully established	-	-	-	X	X	X	-	
Processing and stockpiling of aggregate or mineral resources where no operating permit or preexisting use has been lawfully established	-	-	-	X	X	X	-	
Sedimentation ponds in conjunction with mining operations	X	X	X	X	X	X	X	
Storage or repair of heavy equipment in conjunction with a mining operation	X	X	X	X	X	X	X	
Emergency extraction				X				See, JCLDO 4.4.8(B)
Transportation Uses	Area A	Area B	Area C	Area D	Area E	Area F	Area G	Notes:
Transportation related to any use permitted in the zone.	X	X	X	X	X	X	X	
Transportation improvements (all types)	X	X	X	X	X	X	X	

Use Table for Master Site Plan Areas								
[X] = Use is Allowed Subject to Applicable Planning Review; [-] = Not Permitted								
[A] = Waste Area [B] = Compost Area [C] = Facilities Area [D] = Mining Area [E] = Aggregate Area								
[F] = Aggregate Processing Area								
[G] = Sediment Ponds								
Utility/Solid Waste Disposal Facilities	Area A	Area B	Area C	Area D	Area E	Area F	Area G	Notes:
Sanitary Landfill	x	x	x	x	x	x	x	Pursuant to Sections 3 and 4 herein above and JCLDO 6.4 or 6.3.6(D)(2), the following uses are accessory and subordinate to the Dry Creek Sanitary Landfill
Accessory Sanitary Landfill Uses	Landfill Waste Cell Design and Construction	x	-	-	-	x	-	-
	Material Recovery, Recycling and Processing	x	x	x	-	x	-	x
	Composting and Composting Operations	x	x			x		
	Leachate Collection and Processing	x	x	x	-	x	-	x
	Landfill Gas Collection and Processing	x	x	x	-	x	-	x
	Post-Landfill Material Recovery	x	-	x	-	x	-	x
	Energy Facility, Small Scale	-	x	x	-	-	-	x
	On-going System Maintenance and Operations (including storage or repair of heavy equipment)	x	x	x	x	x	x	x
	Landfill Closure and Reclamation	x	x	x	x	x	x	x
	Development of Structures for landfill related uses smaller than 1500 square feet	x	x	x	x	x	x	x
	Development of Structures for landfill related uses larger than 1500 square feet	-	x	x	-	-	-	x
	Sedimentation ponds in conjunction with landfill operations	x	x	x	x	x	x	x

D.3.4 Relationship to Earlier Approvals; Approval Conditions

The Application's Section 3.2.1.1 describes various land use approvals related to the subject property and the Dry Creek Landfill operation. Chief among these were the conditional use permit granted in 1994 which approved the landfill (File 94-13-CUP), the approval in 1999 for a composting facility (1999-17-CUP), and on June 16, 2007, the Board of Commissioners approved amended 94-13-CUP and 99-17-CUP through Order No. 373-07 to allow the alternate access (haul road) proposed by the Applicant. Approval conditions were appended to these land use approvals.

The Planning Commission has examined the conditions imposed by Jackson County in its approval of the three key land use actions that affect Dry Creek Landfill. In doing so, it became clear that many of the conditions can and should be eliminated by reason that:

1. The condition has already been satisfied and does not deal with on-going operation. For example, conditions that speak to haul road engineering; the haul road is built.
2. The condition relates to circumstances that no longer exist. For example, conditions that relate to deer/elk mitigation should no longer be applied to the property since the ASC-90-1 Wildlife Overlay has since been removed.

The conditions that follow reflect this examination and are those which should carry forward. Some have been modified rather than eliminated. Conditions from the three earlier approvals which do not appear below have been removed. The Site Development Ordinance herein modifies the earlier approvals to consolidate all of the earlier approval conditions to be only those which follow and to strike those which are not found below:

Requirements and Conditions: In addition to any specific requirements and/or process specified by the use table above, all uses and development shall comply with the following conditions:

1. **Property Line Adjustments:** Prior to County authorization of mining operations, Applicant will adjust the boundaries of parcels such that none will be divided by zoning district boundaries.
2. **Vacation of Paper Streets:** Applicant will take appropriate steps to vacate existing public rights-of-way for streets located within Applicant's tract that have never been (nor are ever intended to be) constructed. Applicant further agrees that the mining operation will not commence until such public rights-of-way have in fact been vacated.
3. **Road Approach Permit:** Prior to County authorization of aggregate operations, the applicant will provide proof of an updated ODOT Road Approach Permit for the Haul Road access to OR 140.
4. **Dedicated Turn Lane:** Prior to County authorization of aggregate operations, the applicant will install a dedicated turn lane at the weigh station exit to the Haul Road.
5. **Grant of Access:** Prior to County authorization of mining operations on Map 37-1W-02, tax lots 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117 & 122, the applicant will provide proof of a Grant of Access for the Haul Road access to OR 140.
6. **Type II Site Plan:** Mining is approved for operation in accordance with the requirements of JCLDO Section 4.4.8(A) [Aggregate Mining and Processing], subject to approval of a Type 2 Site Development Plan Review prior to commencement of

initial mining operation; nothing in this condition shall be construed to limit or delay issuance of a mining permit from DOGAMI or issuance of a LUCS required by DOGAMI for the mining operation.

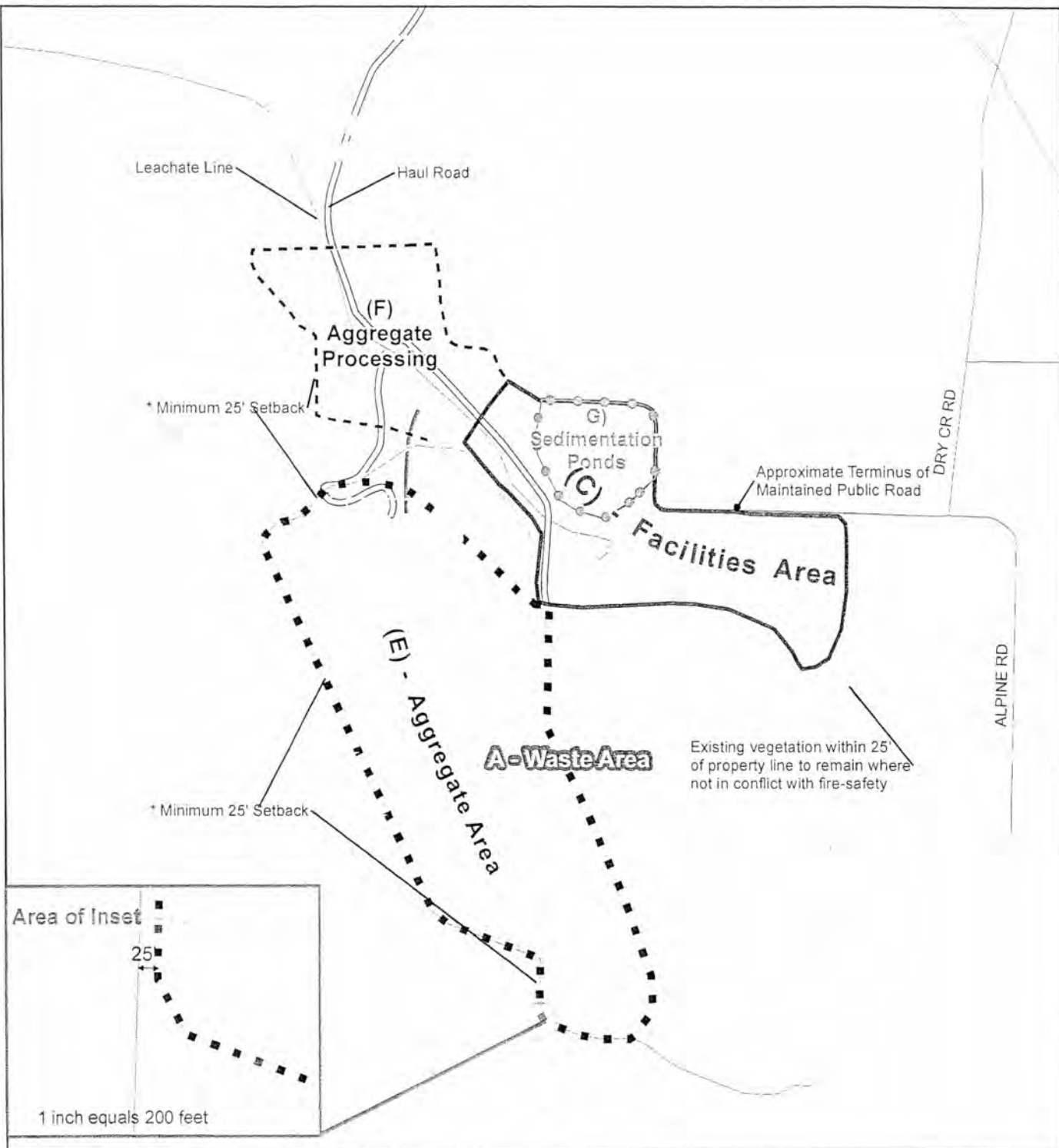
7. **Noise Verification Study:** A noise verification study will be required within 90 days after the aggregate operation is fully operable to demonstrate that noise levels are consistent with the expectations in the noise study supporting the application or else mitigation measures will be implemented to reduce noise to a level commensurate with DEQ standards.

ON-GOING CONDITIONS OF APPROVAL

8. **Regional Landfill and Aggregate Site and Operations Master Plan.** The landfill and aggregate uses will be operated in a manner that is substantially consistent with the Regional Landfill and Aggregate Site and Operations Master Plan in this Exhibit D to the adopting ordinance for the AR zoning designation together with any applicable development standards in the JCLDO.
9. **Section 4 Map Designations Consistency:** New facilities shall be developed and operated as described in this Exhibit D to the adopting ordinance for the AR zoning designation. Structural permitting shall be subject to at least a Type 1 review for compliance with the adopted operations plan, JCLDO Section 8.7 (Wildfire Safety), these conditions, and applicable building and fire codes.
10. **Blasting Notification Procedures.** To the extent that blasting is required, Applicant will utilize the notification procedures in JCLDO 4.4.8 and Applicant herewith designates its General Manager as the responsible contact person for inquiries or complaints concerning blasting unless and until Applicant notifies Jackson County that such other person has assumed the role of responsible contact person pursuant to JCLDO 4.4.8.
11. **Dust Control.** Reasonable efforts will be made to maintain all internal site access roads and service drives in a dust-inhibiting condition for both the landfill and aggregate uses and any accessory or related uses thereto. Dust control measures specified in Section D.2.2 above shall be implemented on a regular basis, as needed to control dust and particulate emissions.
12. **Litter:** Litter which is inadvertently or illegally deposited along segments of Antelope, Meridian and Dry Creek Roads lying between Highway 140 and the subject property and that which occurs within the boundaries of the property or along the haul road will continue to be routinely picked-up by the applicant and deposited at the landfill.
13. **Composting:** Composting operations that are sited in Area "B" as depicted in Exhibit E will be limited to waste that consists of leaves, grass clippings, prunings and similar organic materials, and such activity will not produce offensive odor which is

detectable from any exterior boundary of the subject property. Direct retail sales of composted material from the composting site shall be limited to bulk sales to be transported in containers holding not less than 7.5 cubic yards.

- 14. DOGAMI Permits:** Copies of approved DOGAMI permits shall be submitted to Jackson County Planning & Development Services prior to commencing those operations.
- 15. DEQ Permits:** Copies of amended DEQ permits for the modified Waste Area shall be submitted prior to constructing any new Waste Cells in the modified Waste Area.
- 16. Hours:** Landfill and composting facilities are approved for operation between the hours of 7 a.m. and 6 p.m., daily and on weekends.



Master Site Plan

LRP2012-00006, SIT2012-00009 &
LRP2012-00007

General Use Areas

- | | | |
|------------------|---------------------|--------------------------|
| (A) Waste Area | (C) Facilities Area | (E) Aggregate Area |
| (B) Compost Area | (D) Mining Area | (F) Aggregate Processing |
| | | (G) Sedimentation Ponds |



Proposed AR zone

Taxlots

Conveyor (Approx.)

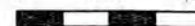
Haul Road

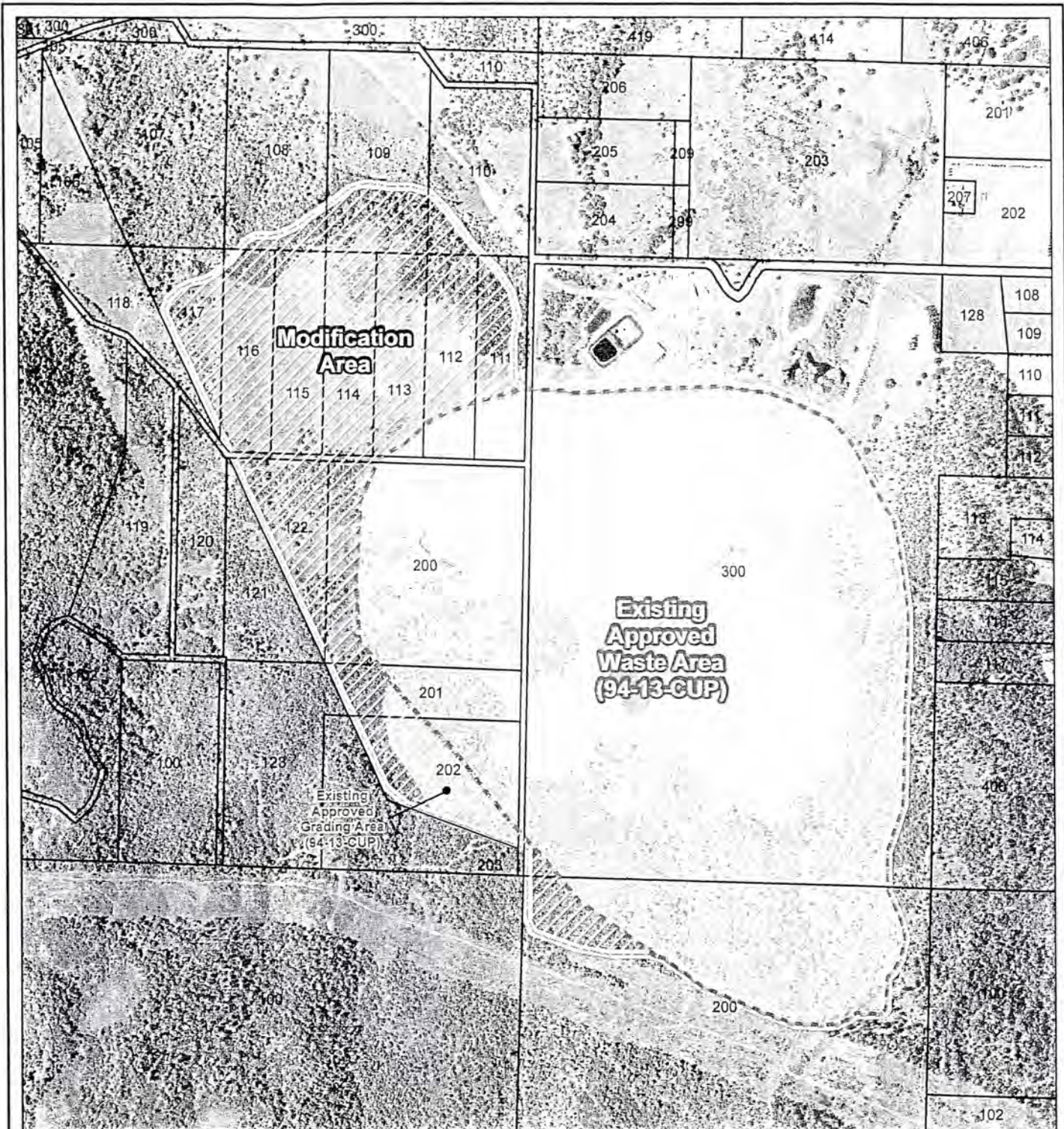
Leachate Line

Aggregate Haul Road (Approx.)

* Minimum 25' setback from Prescott Park can and will be observed. Where not in conflict with fire-safety, all existing trees and other natural vegetation will remain within said setback. None of the mining area is within 200 feet of a residence, residential zoning district or public road. Dedicated rights-of-way within the subject property are unimproved and are to be vacated pursuant to ORS 368. See additional Atlas pages for information on buffering and topography.

0 600 1,200 Feet





Waste Area Modification



Proposed Waste Area

 Modification Area

 Taxlots

Existing Approved Waste Area (94-13-CUP)

 Approximate Approved Grading Area (94-13-CUP)

900 450 0 900 Feet



LRP2012-00007



**JACKSON
COUNTY**
Oregon

Development Services

10 South Oakdale Ave., Room 100
Medford, Oregon 97501-2902



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**LAND CONSERVATION
AND DEVELOPMENT**

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SPECIALIST
635 CAPITOL STREET NE STE 150
SALEM OR 97301-2540