

This Declaration is submitted to provide support for Rural Road Assessment District #3's application a Conditional Use Permit and Goal 5 resource designation of a portion of Tax Lot 1500, Map 17S4719, Reference No. 6954, Malheur County, 594 Ontario Heights Rd.

To: Malheur County Planning Commission and Planning Director Eric Evans

From: Karl Shrum, Supervisor, Rural Road Assessment District No. 3

Quantity and Quality of Aggregate on site.

1. Quantity. In the professional opinion of a geologist and professional engineers at Materials Testing & Inspection Co, the quantity of aggregate at the proposed mining site is approximately 638,000 tons, which is more than enough to meet the 500,000 ton DLCD standard for quantity of aggregate at a significant Goal 5 Resource site. This opinion is documented in September 17, 2019 report from Materials Testing & Inspection Co and two others reports submitted in support of this application.

2. Quality. In the professional opinion of a geologist and professional engineers at Materials Testing & Inspection Co, the aggregate at the proposed mining site exceeds each of the ODOT quality specifications for base rock by meeting ODOT standards on tests for Oregon air degradation, abrasion, and soundness. This opinion is documented in the Materials Testing & Inspection Co September 17, 2019 report.

This analysis uses an impact area of 1,500 feet though a smaller impact area may be allowed.

Controls on Potential Impacts on Nearby Property.

3. Noise Control. As indicated in the operations plan, Noise generated by equipment and processing activities will be controlled and mitigated in three different ways. **First**, the mining and crushing activity will take place behind sound absorbing berms that are created by removing overburden soil piling it on the perimeter of the mine. **Second**, the processing will take place in the excavated pit area below grade, so the walls of the pit will also provide a sound absorbing barrier. **Third**, the crushing activity will all take place over 200 feet north of Ontario Heights road, placing it substantially further from the nearest residence

than the minimum required by County Ordinance. **No blasting** will take place on the site because will be required to mine the rock because it is in the form of aggregate sand and gravel. Together the effect of the berms, processing on the pit floor and the extended setback distance for processing will substantially mitigate any noise impact affecting the neighboring properties.

4. Dust Control. Dust will be controlled by watering in the mine and on access roads with the District's water truck as needed, and by seeding the berm areas. The water and seeding will substantially mitigate any dust impacts on surrounding property.

5. Viewpoints. As indicated in the operations plan, the general appearance of the property from the neighborhood will not be affected by the mining because it will be below grade and sight of it will be obscured by berms. There are no Goal 5 inventoried scenic views in the vicinity and none are affected.

6. Fish and Wildlife/Endangered Species. As indicated in the operations plan, there are no Threatened or Endangered species or habitat at the mine site or on the adjoining property. There is no sage grouse habitat on the property. The property is currently being used to farm alfalfa and there are no streams or ponds on the mine site.

7. Wetlands. There are no wetlands on the mining site and the nearest wetland is over 650 feet from the mining site.

Controls on Potential Impacts on Community

8. Reclamation Required and performed in stages. A reclamation plan approved by the Oregon Department of Geology and Mineral Industries will be required as a condition before the permit can take effect. As indicated in the operations plan applicant will reclaim the property in stages as the mining takes place to minimize the impact on surrounding property. As an area is mined and the usable rock is depleted, the applicant will replace the overburden back into the pit and put the reclaimed area back into agricultural use. The result will be less dust, less noise, and less of a visual impact on the community.

9. No Significant Traffic Impacts. As indicated in the operations plan There will be very little traffic generated by the mine during nine months of the year, probably no more than 2 truck trips per day. During the months of April and

May there may be as many as 18 truck trips per day spread out between 7:30 am and 5:00 pm plus one round trip for each employee on site. In the month of June when the District is laying chip seal there may be as many as 55 to 60 truck trips per day spread out between 7:30 and 5:00. Existing traffic on Community Road and Ontario Heights Road from other sources is very light because of the rural nature of the area. The combined traffic of the mine plus the existing traffic can be easily handled by both roads without creating delays of more than a few seconds, if any. Both roads are in good condition and will maintained in good condition by the District as part of its normal maintenance activities.

10. No Standing Water and No impact on Water Table. As indicated in the operations plan, mining will be kept above the water table so as a result the mine will not create standing water and will have no effect on the water table. There will be no open water impoundments anywhere on the site, and there will be no other bird attractants.

11. No mining impacts will force changes in the area's Agricultural Uses. The area's agricultural uses are growing alfalfa and small-scale livestock. None of those uses will be forced to change because of the mining activity because of the mitigation measures that will be taken to control noise and dust. The minor amount of additional traffic on the roads created by the mine will not require any changes in agricultural traffic.

12. No increased costs of Agricultural Uses. There will be no increase in the costs of agricultural uses because there will be no impact on agricultural uses. The minor amount of additional traffic on the roads created by the mine is so small it will not increase costs for agricultural traffic.

13. No lighting impacts. As indicated in the operations plan, the mine and processing will be operated only in daylight hours and there will be no lighting to create impacts on neighboring property.

14. No Conflicts with other Goal 5 Resources. The only identified Goal 5 resource in the impact area is another rock quarry. The uses will be so similar that there will be no conflict between them.

15. No significant impact on Utility providers. As indicated in the operations plan, no utilities will be used in the mine so there will be no impacts on

utility providers. The risk of fire is minimal. The mining and processing operation themselves are not prone to fire hazards because the exposed rock and soil creates a natural fire break. The mining and processing of rock will not generate any solid waste requiring disposal.

I affirm this declaration based upon my own personal knowledge, my experience as superintendent of the Rural Road Assessment District #3, and the professional assistance of the engineers who prepared the exhibits attached to the District's application.

Karl Shrum, Supervisor
County Rural Road Assessment District No. 3