

Questions and concerns for Malheur Planning and Zoning Commission Members, submitted June 24, 2021, by Dinah and Mike Lord

We respectfully request a poll of the members as to who has inspected the proposed quarry operations site as well as Jasmine Road or the “proposed” new access road to be built off of Mesquite Road.

The property owners questioned water usage at the proposed quarry/mining operations. Test holes were dug at this proposed site and these test holes are green, which indicates groundwater at these sites. What will Mr. Lee do for water at this proposed site for dust mitigation? Will he transport water in or will Mr. Lee drill a well? If Mr. Lee does dig a commercial well, the impact on the surrounding homes will be substantial and devastating, as many of these homes can only draw from their individual wells using one source at a time, meaning that we are unable to run a washer and a dishwasher at the same time. Our pumps shut off and we must wait 20-30 minutes for the pumps and tanks to refill.

There was a comment made by a board member at the last hearing that Mr. Head has the right to use his property as he sees fit. Mr. Head’s property has been used in the past to grow dry-land crops, so a quarry/mining operation is not the only source of income that Mr. Head has for this property.

**Members of the county road department recently went to the active quarry on Moore’s Hollow Road that Darren Lee is currently hauling from. These individuals inspected the condition of this roadway and stated that the “road is tore up and needs to be repaired”. The condition of this road is a direct result of the heavy hauling that Darren Lee is conducting. Malheur County has not received taxation dollars to offset repairs on roadways from Mr. Lee’s heavy hauling. Mr. Lee previously stated during the hearing conducted on May 27<sup>th</sup>, that “he is hauling the aggregate from this quarry into Washington County, and Payette County, Idaho”. Malheur County will bear the costs of repairing this road, with no monies received into Malheur County coffers to offset these costs.**

Mr. Lee stated at the end of the hearing on May 27<sup>th</sup>, that he would “**pull the portion of the conditional use permit application that pertains to temporary concrete batch plant and asphalt plant**”. **Have these two plants been removed from Mr. Lee’s application as stated under “detailed specific written request”?**

On page 5 of the CUP application, Item #5: What effect will the proposed use have on the stability of the community’s social and economic characteristics? Mr. Lee states, “decrease in gravel costs for community. Provide local job opportunities”. **There is no decrease in gravel costs for Malheur County as Mr. Lee stated both on his application and during the May 27<sup>th</sup> hearing, that he is hauling to Washington County and Payette County, so the direct benefit goes to communities in Idaho, not Oregon.**

No additional job opportunities for Malheur County, or communities in Idaho, as Mr. Lee stated during the hearing that he employs 1-2 persons at the DeHaven quarry and on his application he states that he

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will employ 1-2 persons at the proposed Jasmine Road quarry/mining operation. **No additional employment opportunities for either Malheur County or Idaho exist for this proposed quarry/mining operation.**

With Mr. Lee's statement during the May 27<sup>th</sup> hearing that he is transporting and selling aggregate from Oregon to be consumed in Idaho, has Mr. Lee submitted paperwork to IFTA outlining the mileage travelled in Malheur County, Oregon, with the appropriate taxation monies, as well as IFTA for Washington County, Payette County, and other outlying counties in Idaho?

Mr. Lee's conditional use permit application has a statement from Petra Blasting and Drilling...

Borrow pit one...equating to 2.4m tons

Borrow pit two...equating to 560k tons

Two miscellaneous gravel pits 100k tons

**Hauling from the proposed quarry/mining operations on Jasmine Road will result in the following:**

**Borrow pit one, equating to 2.4m tons, hauled by belly dump,** which is a 6 or 8 axle

tractor/trailer combination, (using an average 7 axle combination) depending on the number of drop axles used, the weight for this combination loaded, is 105,000 lbs GVWR

**2.4m tons, divided by 27 tons per load equals 88,888.89 one-way trips, hauling out loaded, returning empty**

**-or- a dump truck,** is 56,000 lbs GVWR, depending on drop axles

**2.4 m tons, divided by 14 tons per load equals 771,429 one-way trips, hauling out loaded, returning empty**

**Borrow pit two, equating to 560,000k tons**

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tractor/trailer combination, (using an average 7 axle combination) depending on the number of drop axles used, the weight for this combination loaded, is 105,000 lbs GVWR

**560,000 tons, divided by 27 tons per load equals 20,741 one-way trips, hauling out loaded, returning empty**

-or- a dump truck is 56,000 lbs GVWR, depending on drop axles

**560,000 tons, divided by 14 tons per load equals 40,000 one way trips, hauling out loaded, returning empty**

**Two miscellaneous gravel pits, 100k tons, hauled by a belly dump (tractor/trailer combination)**

**100,000 tons, divided by 27 tons per load equals 3,704 one way trips, hauling out loaded, returning empty**

-or- a dump truck is 56,000 lbs GVWR, depending on drop axles

**100,000 tons, divided by 14 tons per load equals 7,143 one way trips, hauling out loaded, returning empty**

**See conditional use permit application, page four, item number 4, roads – No new impact on roadways**

These stated number of hauls will have a direct impact on the longevity and safety of Jasmine Road, Mesquite Road, Schoolhouse Road, Buckhorn Road (Mr. Lee has been seen hauling on this road as well, which runs from the DeHaven property in a north/south direction and intersects with Hwy 201 west of the Hwy 95 spur into Weiser), and Highway 201.

These trips hauling aggregate do not take into effect the transport of equipment and water.

What types of environmental testing have been conducted for this proposed site? Noise abatement, water, and many more.

Water is a precious resource. A quarry will have serious, negative effects on the water supply. As it stands at the present time, 9 of the 10 homes in the immediate area are unable to operate more than

one water source at a time without our pumps shutting down, then having to wait 20-30 minutes for our water storage systems to refill.

Quarries drain the aquifer, robbing surrounding properties of water. Large amounts of water will need to be removed from the quarry pit and be reabsorbed by the ground using an irrigation pond, which has not been proven to work in any quarry application.

When the residents of Mesquite and Jasmine Roads purchased their properties, they had a reasonable expectation that future zoning changes and/or conditional use permit applications would not adversely impact their property values.

Changing from residential/agricultural to heavy industrial zoning with a conditional use permit for a quarry is the most radical change possible and will destroy the character of the surrounding area for hundreds of years. The majority of the residents of Mesquite and Jasmine Roads have diligently worked to improve their homes and surrounding property and the devaluation of that property would be devastating financially for all of us.

The quarry/mining operation will have zero impact on area employment and personal income for Malheur County. Therefore, it is an activity that does not generate significant new income or a revenue stream that will offset the costs to Malheur County for road maintenance.

Mr. Lee has not established a need for Malheur County aggregate capacity, in that his sales go to Idaho.

### **Property Devaluation**

Using a statistical regression technique on the effects of environmental disamenities, such as a quarry and mining operations, these have a significant negative effect on the price of a residential property. The loss in property values results from the negative consequences of the mining operation and reflects the deterioration in the area's quality of life due solely to the operation of the gravel mine. In other words, the loss in home value is a way to quantify in dollars the deterioration in quality of life, as capitalized in the price of the home. It captures the price reduction the homeowner would have to offer to induce a new buyer to purchase the property. Even if the homeowners do not move as a result of the quarry/mining operation, the homeowners will lose equity as the potential sale price of our homes is less.

Address	Assessment	Devalue
451 Jasmine Road	500,000	-175,000
458 Jasmine Road	450,000	-150,000

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Devaluation - continued

478 Jasmine Road	450,000	-150,000
464 Jasmine Road	500,000	-175,000, plus one add'l residence
5100 Power Road	450,000	-150,000
5120 Power Road	750,000	-250,000
5151 Power Road	1,200,000	-300,000, plus one add'l residence

The above are tax assessments and do not reflect the current market trends, which are considerably higher than assessed amounts.

Is Malheur County prepared to decrease our tax assessments to reflect the negative impact on homeowner property values? Is Malheur County prepared to compensate the property owners for the devaluation of our homes. Homeowners are prepared to have this matter heard before the court should the permit application be approved.

Are Dallas Head and/or Darren Lee prepared to compensate the property owners for the devaluation of our homes?

**You, as members of the Planning and Zoning Commission, would be comfortable and amenable to have this sort of operation in your front and/or back yard? Would you want to smell this operation, deal with the dust, health wise, have your wells contaminated or dry up as a result of these operations, have the heavy vehicle traffic on your residential roadways???**

**Finally, is Malheur County prepared to absorb the costs associated with continued damage and maintenance to Highway 201, Mesquite Road, Schoolhouse Road, Jasmine Road, Power Road and Buckhorn Road?**

Respectfully submitted and requested to be made part of the permanent record,

Dinah and Mike Lord

458 Jasmine Road

Ontario, OR 97914