



Wasco County Planning Department

"Service, Sustainability & Solutions"
2705 East Second St. • The Dalles, OR 97058
(541) 506-2560 • wcplanning@co.wasco.or.us
www.co.wasco.or.us/planning

NOTICE OF DECISION

FILE #: PLASAR-16-09-0013

DECISION DATE: October 26, 2016
APPEAL DEADLINE: November 10, 2016

REQUEST: Scenic Area Review to restore approximately 1.5 acre of the "Shooting Quarry" to reduce lead contamination in the soil. The project includes:

1. Excavating 7,800 +/- cubic yards of impacted material;
2. Screening of excavated material to remove rocks 2" (1/2 of the material will be replaced on-site);
3. On-site treatment of up to 3,900 cubic yards of lead-impacted soil;
4. Removal of impacted soil to an approved facility for disposal
5. Site reclamation; and
6. Decommissioning ground water monitoring well

DECISION: Approved with **Conditions**

APPLICANT/OWNER INFORMATION:

Applicant/Owner: Oregon Department of Transportation, 3313 Bret Clodfelter Way, The Dalles, OR 97058

PROPERTY INFORMATION:

Location: The property is located west of Highway 30 West, approximately 0.5 mile north of Division Street in the City of The Dalles, Oregon; more specifically described as:

<u>Existing Tax Lot</u>	<u>Acct#</u>	<u>Acres</u>
2N 13E 20 800	13760	11.04

Zoning: A-1(160), Large Scale Agriculture in the General Management Area of the Columbia River Gorge National Scenic Area.

Attachments:

Staff Reviewer: Dawn Baird, Associate Planner

- A. Conditions of Approval
- B. Time Limits & Appeal Information
- C. Maps
- D. Staff Report
- E. Outdoor Lighting Standards

After recording, please return to:
Wasco County Planning Department

ATTACHMENT A – CONDITIONS OF APPROVAL

Pursuant to Wasco County National Scenic Area Land Use Development Ordinance, Chapter 2 – Development Approval Procedures, Section 2.120.A., Notice of a Decision by the Director, the following shall be recorded as conditions of approval and binding upon the owners, developers or assigns.

A. Cultural Resources:

- 1.** If cultural resources are discovered during development of any new structure or building, all construction shall cease within 100' of the discovered cultural resource. The cultural resource(s) shall remain as found and further disturbance is prohibited. The owners shall notify the Wasco County Planning Department and Gorge Commission within 24 hours of the discovery. If the cultural resources are prehistoric or associated with Native Americans, the owners shall also notify the Confederated Tribes of Warm Springs, Confederated Tribes of Umatilla, Perce Nez, and Yakama Indian Nation within 24 hours of discovery.
- 2.** If human remains are discovered, all work on the parcel shall cease and the owners shall immediately notify the Wasco County Sheriff's Office, the Wasco County Planning Department, the Gorge Commission, and the four Indian tribal governments.

B. Miscellaneous Conditions:

- 1.** ODOT shall provide the Planning Department with a copy of the "No Further Action" determination by DEQ after completion of the project.
- 2.** Grading:
 - a.** All grading shall be completed within one year of the date the applicant begins on-the-ground-work.
 - b.** The applicant may request a one-year extension to the one year grading time frame if a project is unexpectedly delayed by adverse weather or emergency/disaster. An extension request will be handled as an administrative action by the Planning Department. An applicant shall submit the request to the Wasco County Planning Department after grading has commenced and before the one year grading time frame has expired.
- 3.** Excavation is limited to clean-up activities only. Excavation should be minimized to limit grading and maintain and enhance the conditions of the quarry.

4. Landscaping:

- a. All disturbed areas shall be replanted with the proposed seed mix within one year of completion of the grading.
 - b. The applicant may request one six-month extension to the one year landscaping time frame if a project is unexpectedly delayed by adverse weather or an emergency/disaster. Such request will be processed as an administrative action. The applicant shall submit a request to the Wasco County Planning Department after landscaping has commenced and prior to the expiration of the one-year landscaping time frame.
 - c. Existing vegetation outside of the project area shall be retained to the greatest extent possible
- 5.** If a trailer is placed on-site during grading, screening and reclamation, it shall be removed upon completion of that portion of the project. In addition, all temporary construction equipment/structures shall be removed from the property upon completion of the project.
- 6.** Existing berms shall be retained to the greatest extent possible. Any removal or alteration to the berms shall be restored to their pre-development condition.
- 7.** Outdoor lighting shall be sited, limited in intensity, shielded and hooded in a manner that prevents the lighting from projecting onto adjacent properties, roadways, and waterways. Shielding and hooding materials shall be composed of nonreflective, opaque materials.
- 8.** Extension of Time: If the project takes longer than two years, an extension of time will be required.

SIGNED THIS 26th day of October, 2016, at The Dalles, Oregon.

Dawn Baird, Associate Planner
Wasco County Planning Department

State of Oregon
County of Wasco

Signed or attested before me on October 26, 2016, by Dawn Baird, Associate Planner.

Notary Public – State of Oregon

NOTE: Any new land uses or structural development such as residences; garages, workshops or other accessory structures; or additions or alterations not included in the approved application or site plan will require a new application and review.

NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER: Oregon Revised Statutes, Chapter 215, requires that if you receive this notice, it must promptly be forwarded to the purchaser.

ATTACHMENT B – TIME LIMITS AND APPEAL INFORMATION

The approved use shall not commence until the appeal period has expired, and conditions of approval are adhered to.

Section 2.240 of the Wasco County National Scenic Area Land Use and Development Ordinance, this approval shall expire: (1) when construction has not commenced within two years of the date the land use approval was granted, or (2) when the structure has not been completed within two years of the date of commencement of construction. The expiration date for the validity of a land use approval is from the date of expiration of the appeal period and not the date the decision was issued.

Please Note!

No guarantee of extension or subsequent approval either expressed or implied can be made by the Wasco County Planning Department. Please take care in implementing your proposal in a timely manner.

APPEAL PROCESS:

The decision date for this land use review is **Wednesday, October 26, 2016**. The decision of the Director shall be final unless an appeal from an aggrieved party is received by the Director within fifteen (15) days of the mailing date of this decision, **Thursday, November 10, 2016, at 4:00 p.m.**, or unless the Planning Commission or Board of County Commissioners on its own motion orders review within fifteen (15) days of the date of decision. A complete record of the matter is available for review upon request during regular business hours or copies can be ordered at a reasonable price at the Wasco County Planning Department. Notice of Appeal forms may also be obtained at the Wasco County Planning Department. **The filing fee for an appeal is \$250.00. Fees are refunded if appellant prevails.**

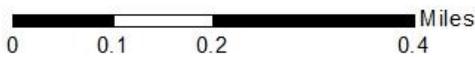
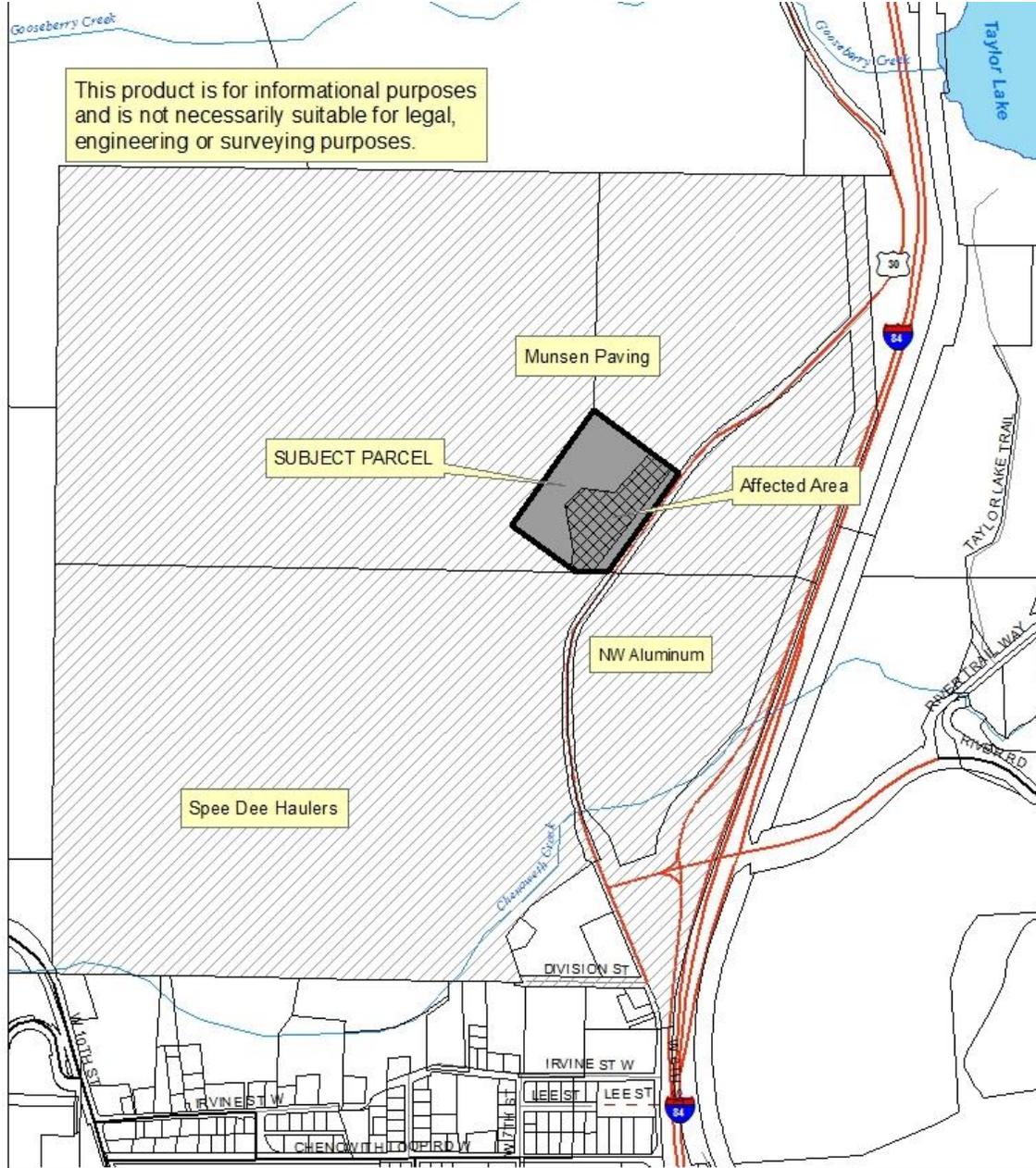
FINDINGS OF FACT:

Findings of fact approving this request may be reviewed at the Wasco County Planning Department, 2705 East Second Street, The Dalles, Oregon, 97058, or are available on the Wasco County Planning Department website at <http://co.wasco.or.us/planning>. Look under the tab entitled "Pending Land Use Decisions" The table is sorted alphabetically by the name of the application. The information will be available until the end of the appeal period.

ATTACHMENT C – MAPS

Applicant/Owner: Oregon Department of Transportation
2N 13E 20, Tax Lot 800; Account #13760

Vicinity Map



DBaird, 10/4/16

Legend

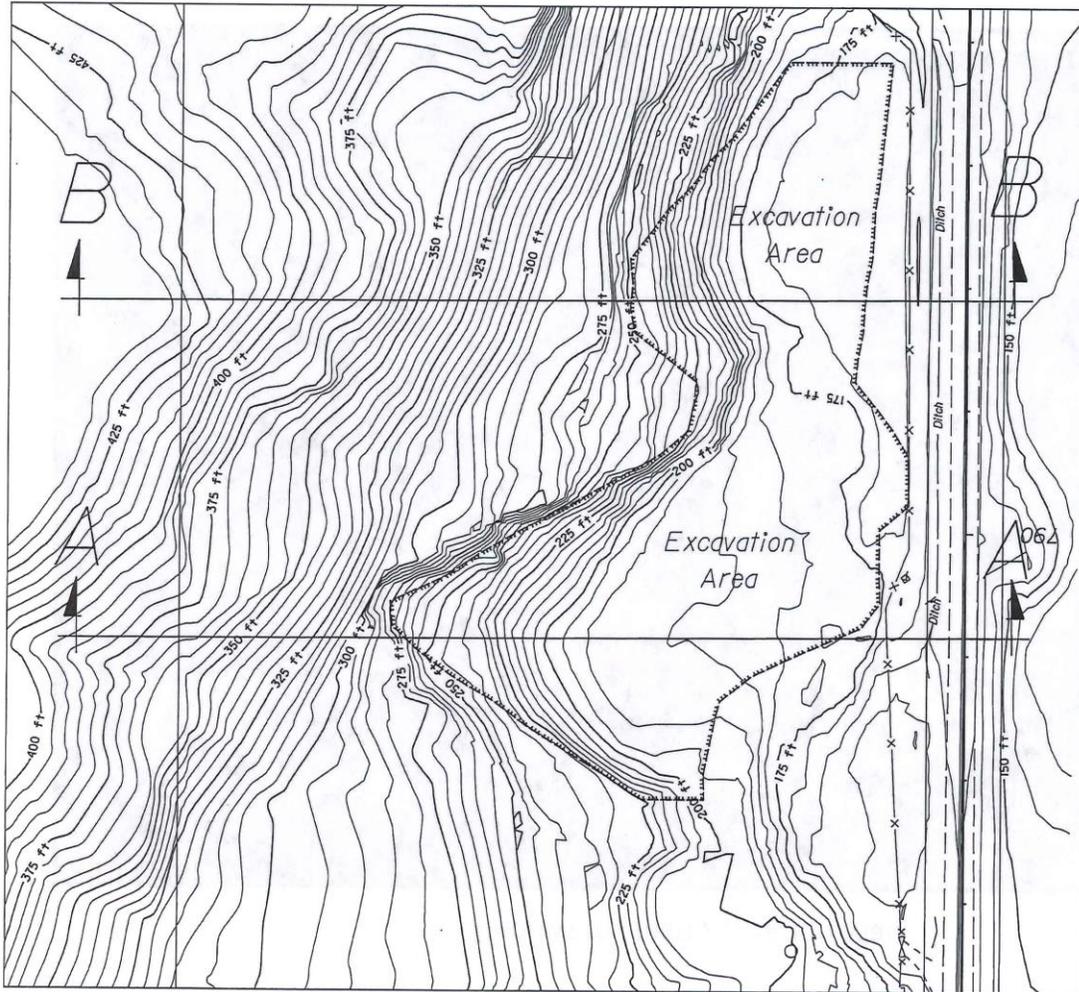
- Taxlots
- Shooting Quarry
- Property within 500'

ATTACHMENT C – MAPS

Applicant/Owner: Oregon Department of Transportation
2N 13E 20, Tax Lot 800; Account #13760

Vicinity Map

Site Plan



PROPOSED CLEANUP PLAN
CHENOWETH QUARRY
SOURCE # OR-33-000-4
HWY. 002, M.P. 82.07
SE¼SE¼ Sec. 20, T.2 N., R.13 E. W.M.

