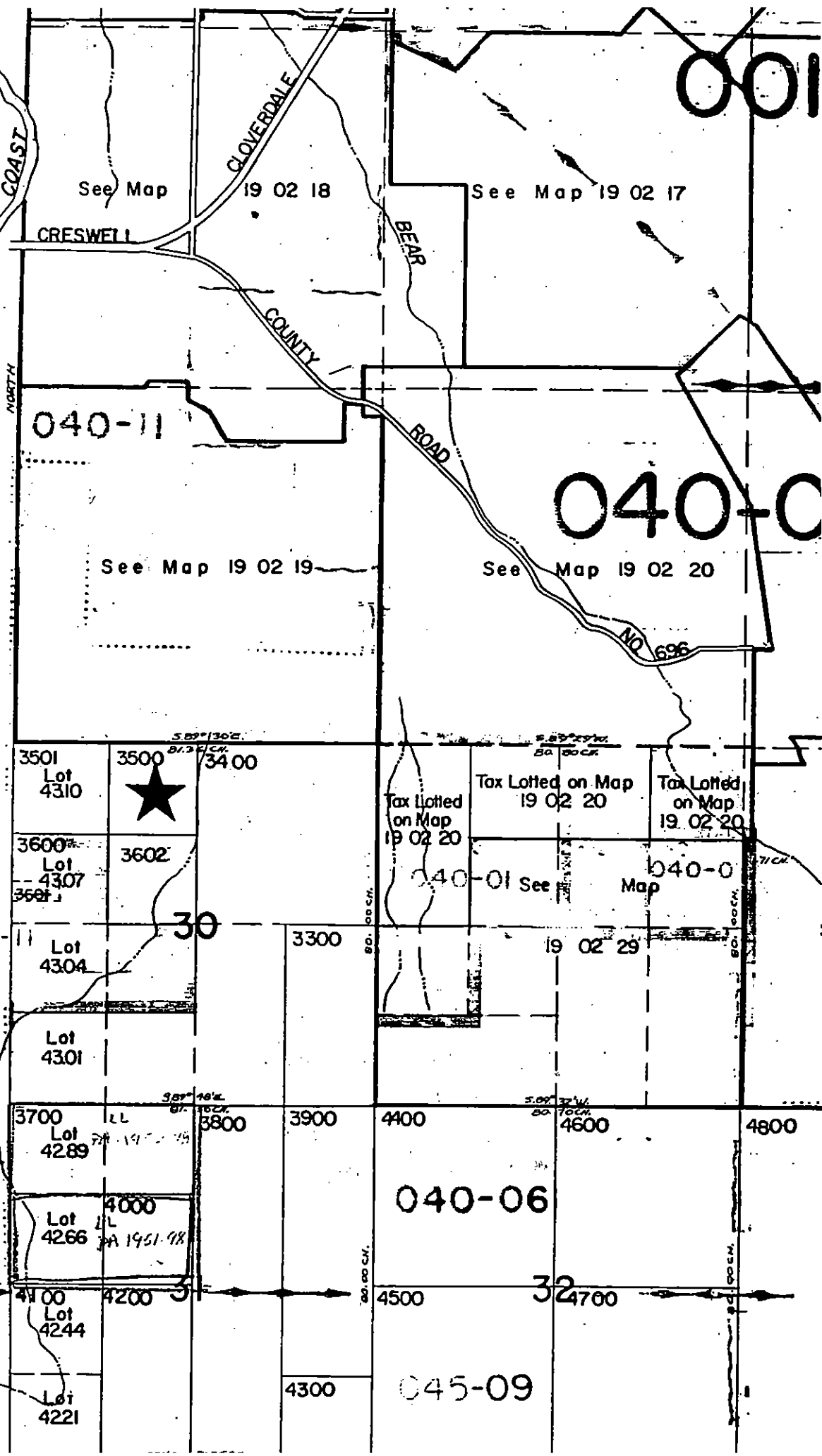


AN

001

See Map 19.03



040-11

040-C

See Map 19 02 19

See Map 19 02 20

3501
Lot
4310

3500
34.00



3600
Lot
4307

3602

04-11

Lot
4304

30

3300

Lot
4301

3700
Lot
4289

3800

3900

Tax Lotted
on Map
19 02 20

Tax Lotted on Map
19 02 20

Tax Lotted
on Map
19 02 20

040-01 See

Map 040-0

19 02 29

Lot
4266

4000

040-06

Lot
4244

4500

32
4700

Lot
4221

4300

045-09

File No. PA 98-5144
Applicant: Ross Bradford B. J. Equipment Company
TRS/TL: 19-02-00 #3500

Date Dec. 7 1998

From: Dale Burgess
82613 Meadow Lane
Creswell, OR. 97426

Comments, Complaints ,Reasons to REFUSE Mining Application !!

Step # 3. Conflict # 3. 660-23-180(4)(b(A)&(B)

(a) Our home is LEGAL ,PERMITTED , and approved by LANE COUNTY BUILDING DEPT. In a very legal Subdivision by David Keller as part of the CEDARCROFT P.U.D. 6-9-1986. Our property is part of the South East boundary of Cedarcroft road. We are very- very close to the IMPACTED HOUSING AREAS, that have been ignored in applications for zoning changes.

(A) Dust, noise, soil and gravel roads with heavy truck traffic cause large clouds of dust, the soil is red and white clay. Truck tires on clay produce dust as fine as talcum powder. Our LOG HOME, freshly refinished, was covered, the green metal roof was white. A terrible dust problem exists, plants , trees and all foliage are covered with dust, look very sick. Of course, no one steps up to the expense of repairs or redo's. MORE trucks And MORE OF THE SAME DUST !!

NOISE, trucks running produce noise, trucks running up hill make more Noise! Trucks loaded make more noise any time , any place, especially Up hill !! Down hill another noise maker, the engine brake or Jake brake which , in conjunction with transmission gear restricts speed of vehicle, VERY NOISY !!

Other truck noise, RATTLES and SQUEAKS, traveling over dirt and gravel, busy narrow roads, all can be very damaging to equipment. In the cities these days FOLIAGE is not good enough for a sound barrier !! A high masonry wall is used !! Other object able concerns are Diesel exhaust emissions need to be approached and investigated in the confines of this valley. With the number of vehicles to be used , added to the vehicles in use, could be a CLEAN AIR QUALITY pollution problem.

Property lines, boundaries are ignored, south east corner of property is being over run with truck turning right going up to mine also coming down loaded ,left turn is cut short across our land. Not a satisfactory condition.

ALL GOOD REASONS TO DENY ZONING CHANGES !!

(B) Conflicts with local roads for access and egress to mining site.

The intersection at Bear Creek road, and Cedarcroft is being badly abused by Truck Traffic !! The south east corner road shoulders are being over run across the unpaved culvert area BRAKING DOWN asphalt edges of road. A section from the edge of Bear Creek road to the white painted line outside edge of traffic lane, The damaged asphalt is an area about 3' (Three Feet),long .

I suppose Lane County Road Dept. Will make repairs?? This type damage is all they need to keep them busy. Who Is responsible for repair cost?

Cause of damage could be from dump truck drivers pushed by Mine Principles, to hurry to get ANOTHER load! Some drivers RACE for better Position , Drivers also are PAID by loads hauled, Unsafe conditions ?

Sharp crushed Quarry rock (about 3/4"+) accumulate on the roads making walking difficult, hard on car tires. Spills of larger quantities occur at intersections from turning trucks, more trucks, more rock spills!

THESE EXPENSIVE DAMAGES ARE FURTHER REASONS TO DENY ZONING CHANGE!!!.

The space on this page is provided for your written comments.

File No.: PA.98-5144
Applicant: Ross Bradford B.J. Equipment Company
TRS/TL: 19-02-00 #3500

You may write your comments on this page and return this document to the attention of Thom Lanfear, Lane County Land Management Division, Public Service Building, 125 East 8th Ave., Eugene, OR. 97401. ... Fax 687-3947 ...

Date: Dec. 7 - 1998

From: M.W. Harroun and Kathleen D. Wells
82722 Bear Creek Rd.
Creswell, Or. 97426

Comments:

1. This area is prime Elk and Deer habitat
2. Flood plain and Wetlands
3. Road maintenance. Increased maintenance cost.
4. Traffic and frequency of trucks going and returning.
5. Noise and dust and dirt
6. Rock was removed from R. Bradford property - either sold or donated to County road maintenance very recently.
7. Property value is sure to decline
8. A gravel and rock mine is already located near us on Sears Rd.

Exhibit
21

File No.: PA98-5144
Applicant: Ross Bradford B.J. Equipment Company
TRS/TL: 19-02-00 #3500

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Date: December 7, 1998

DEC - 8 1998
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From: Julie A. Cartmill
82710 South Bradford Road
Creswell, Oregon 97426

I object to granting Mr. Bradford and B.J. Equipment Company's application to rezone 40 acres of F-1/Non-Impacted Forest Land to QM (Quarry and Mine Operations) for the following reasons:

1. The current access onto Bear Creek Road from South Bradford Road is treacherous due to a blind curve on Bear Creek Road. Cars traveling on Bear Creek are traveling at a high rate of speed and do not slow down measurably for that curve. With 86 trucks a day traveling down Bear Creek to Cloverdale Road, it makes the entrance onto to Bear Creek Road from South Bradford Road extremely dangerous and harmful for any resident of or around South Bradford as well as all school buses servicing the area.

2. Our well is currently fed by an underground aqueduct. It is our fear that the dynamiting for rock might impact on that aqueduct, changing its course and causing our well to either lose water or dry up altogether. This is a good possibility over a 40 year period.

3. Any use of South Bradford Road for hauling in or out of the quarry will not be permitted. The use of South Bradford Road for hauling, would require trucks to pass over our property. Currently, Mr. Bradford holds an easement across our property for ingress and egress to his property only. This easement does not allow commercial use. The road is a one lane gravel road and was not designed for commercial use nor will it be permitted by this owner.

4. The mining destroys the quiet enjoyment of country property by use of dynamite to extract rock and the constant use of large machinery and flow of dump trucks (an estimate of 86 trucks per day). I moved to the country for peace and quiet and to surround myself with forest land and wildlife. If I wanted to listen to machinery, trucks and blasting, I would have remained in town.


Julie A. Cartmill

FILE # PA 98-5144
EXHIBIT # 22

The space on this page is provided for your written comments.

File No.: PA 98-5144
Applicant: Ross Bradford B.J. Equipment Company
TRS/TL: 19-02-00 #3500

You may write your comments on this page and return this document to the attention of Thom Lanfear, Lane County Land Management Division, Public Service Building, 125 East 8th Ave., Eugene, OR. 97401. ... Fax 687-3947 ...

Date: 12-7-98

From: James D Crews

82714 Bear Creek

Creswell Ore. 97426

Comments:

We have several concerns regarding
this proposal

1. Increased truck traffic & speed

2. Noise from trucks

3. Predawn hours of activity

4. Possible decrease in property value

all of this is due to the close
proximity of CedarCrest road
to our home.

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File No.: PA98-5144
Applicant: Ross Bradford B.J. Equipment Company
TRS/TL: 19-02-00 #3500

Date: December 7, 1998

From: Carl E. Cartmill
82710 South Bradford Road
Creswell, Oregon 97426

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1. The current access onto Bear Creek Road from South Bradford Road is treacherous due to a blind curve on Bear Creek Road. Cars traveling on Bear Creek are traveling at a high rate of speed and do not slow down measurably for that curve. With 86 trucks a day traveling down Bear Creek to Cloverdale Road, it makes the entrance onto to Bear Creek Road from South Bradford Road extremely dangerous and harmful for any resident of or around South Bradford as well as all school buses servicing the area.

2. Our well is currently fed by an underground aqueduct. It is our fear that the dynamiting for rock might impact on that aqueduct, changing its course and causing our well to either lose water or dry up altogether. This is a good possibility over a 40 year period.

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4. The mining destroys the quiet enjoyment of country property by use of dynamite to extract rock and the constant use of large machinery and flow of dump trucks (an estimate of 86 trucks per day). I moved to the country for peace and quiet and to surround myself with forest land and wildlife. If I wanted to listen to machinery, trucks and blasting, I would have remained in town.



Carl E. Cartmill

FILE # PA 98-5144
EXHIBIT # 24

The space on this page is provided for your written comments.

File No.: PA 98-5144
Applicant: Ross Bradford B.J. Equipment Company
TRS/TL: 19-02-00 #3500

You may write your comments on this page and return this document to the attention of Thom Lanfear, Lane County Land Management Division, Public Service Building, 125 East 8th Ave., Eugene, OR. 97401. ... Fax 687-3947 ...

Date: 12-7-98

From: FRANCIS W. ROGERS
82724 BEARCREEK
CRESWELL, ORE

25

Comments:

I OBJECT!

- Increases Truck Traffic thru a 5 acre + residential area many fold - Look at proposed yardage and Truck loads on applications
- Not necessary - 3 rock pits within 5 miles - Sears Rd - 2 at Guginaw + easy access to Eug. Spfg pits.
- Bad faith - operations this summer (98) of thousands of yards to many places as far away as south Eugene - I followed several beyond the top of Dillard Rd headed west. Many rock haulers participated - Bob Quick, Northwest access, SEARS, JACO - many others - info available - photo's, LISTS, DATES, ETC. ALL THIS WITH NO PERMIT

The space on this page is provided for your written comments.

File No.: PA 98-5144
Applicant: Ross Bradford B.J. Equipment Company
TRS/TL: 19-02-00 #3500

You may write your comments on this page and return this document to the attention of Thom Lanfear, Lane County Land Management Division, Public Service Building, 125 East 8th Ave., Eugene, OR. 97401. ... Fax 687-3947 ...

Date: 12-7-98

From: Beverly R. Rogers, MD
82724 Bear Cr Rd
Creswell, Oregon 97426

26

Comments:

The location of our home is such that traffic
noise from Bear Cr. Rd is quite loud. It seems
like sound is funneled down our hill to our
house. The traffic noise from the dump
trucks is problematic - The crushing
machinery is also very noisy and
disturbing to me - When rock was being
hailed this past summer, I believe without
a permit, the noise was quite a problem.
Part of our property is in the flood zone & I
am concerned about polluted water runoff
from the mining operation into our property.

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Mr. Thom Lanfear
Lane County Management Division
Public Service Building
125 East 8th Avenue
Eugene, OR, 97401

December 6, 1998

Dear Mr. Lanfear:

I am writing in response to your invitation to comment on the proposed development by Ross Bradford and B.J. Equipment Company which requires an amendment to the Rural Comprehensive Plan and Rezoning, listed as File No. PA 98-5144.

In my telephone conversation with you, you indicated that one of the purposes of this comment invitation is to identify areas where further information is needed from the applicant, in order that the application may be properly evaluated. I have identified needs for further information and describe these below, along with the reason such data are needed. I ask that you require the applicants to provide such data in order that the application be fairly evaluated. If the Planning Commission does not have this data, they could easily make a faulty decision.

1 - Ask the applicant to provide a current aggregate resource inventory along with current projected demand for aggregate.

The Planning Commission needs current mineral and aggregate resource inventory data. The document provided with the application is a draft prepared in 1982 and projects "supply and demand for aggregate resources in Lane County for the next 20 years." At the present, we are almost seventeen years into a twenty-year projection. Much has changed in these twenty years, both on the supply and demand side. For example, we know of quarries nearby that are not listed in the site inventory. Clearly, we need current data regarding sites and their capacity before any meaningful assessment of this application can be done. If we could also have current projected demand that would be similarly helpful.

FILE # PA 98-5144
EXHIBIT # 27

2 - The analysis needs to be revised, or amended, to include access roads as a component of the impact area.

You'll recall that I had called you to clarify the meaning of "accessory uses" which I'd noted on p.7 under Goal 5 ... Policy 10: "aggregate extraction and accessory uses shall be substantially compatible with the livability of existing development of the abutting property and the surrounding vicinity...". I had thought accessory use might be the access roads. You replied that the access roads are a core element of the project not merely accessory. "Accessory" refers to tool sheds and other minor items, not something as substantial as the road access. When the impact area is more correctly defined, and analyzed, this will correct many glaring errors such as "no area zoned RR-5 exists within the impact area..."

3 - We need clarification of the employment impact on page 11.

The statement "gross annual revenue expected from the operation will exceed \$100,000" needs more precision. Will this revenue be approximately \$110,000, \$200,000, \$1,000,000 or even more. The relevance of this has to do with both the economic contribution of this project to the area as well as the wage level of the employees. Identifying the specific range of employee wages and benefits, such as retirement and health insurance, is also needed to see whether these are family wages or mere subsistence. If the latter, these employees may pose more of a burden on the county than a contribution. Obviously, these data cannot be provided as exact known quantities, since we can't foresee the future. A range of values for total revenue and employee compensation would be adequate to assess that aspect of the project impact.

4 - Clarify worst case scenario for the Branch Engineering traffic analysis.

Discussion with an Oregon State Department of Transportation engineer revealed that usually this type of analysis is based on a best case scenario. We know that roads have increased stopping distances when wet or covered by leaves, or if vehicles are exceeding the speed limit. All of these occur, quite often actually, on Bear Creek road. Of particular concern is the left turn from Cedarcroft onto Bear Creek with a measured distance of 580 feet and a recommended distance of 550 feet. This is a mere 5% safety factor. If a best case scenario was used, this safety factor could easily be eliminated when conditions are worse. This may require a reanalysis by Branch or simply a clarification of worst case conditions they have already used. Depending on that result, a traffic signal may be needed on Bear Creek Road to provide an adequate safety margin.


5 - Obtain records from BJ Equipment Company on the activity this past July through October at proposed site.

We have observed a significant, and disturbing, level of truck traffic this past Summer. Since we were not able to count each and every truck that came and left, we have no idea how this past level of activity compares to what is being proposed. It could be about average, way below or significantly above what we could expect for the next 20 to 40 years. This needs to be known so those impacted can clarify how our experience in this past Summer would relate to the proposed future activity. (It is my understanding that such records of truck activity are available to the public for a variety of purposes, including this.)

Unless the above five items are provided by the applicants, the application would be incomplete and Step 1 of the PAPA Review and Decision Process must be answered in the negative.

Thank you for inviting me to comment. Please let me know how the application is progressing and if I can be of further help in speeding resolution of this application.

Sincerely,



Gerald Fleischli, M.D.
34977 Meadow Lane
Creswell, OR, 97426-9469
(541) 895-2143

It was only the white man who thought this was a wilderness and it needed to be conquered. The native American never saw it that way. We are only now beginning to realize that our natural world is necessary for our basic survival needs. Nature is a refuge for our survival. It is a refuge from our automated world.

With that belief in mind, I wish to set forth my personal experience in Creswell and my goals for my small, but totally unique piece of property on Meadow Lane in Creswell.

Much of my land runs adjacent to Cedarcroft. When I first bought these 6-acres the land along Cedarcroft was run over with poison oak and blackberries. But hidden in there, I knew instinctively there was a great deal of aesthetic beauty and wonder. Occasionally, I would glimpse some wild flowers in the early springtime peeping through the brush.

Beyond my forested land is a different kind of living vegetation. The former owner of this land was a dreamer. Despite herds of elk, deer, and freezing temperatures, he laboriously planted an orchard of primarily variegated holly trees. Hundreds of those seedlings never survived. However, about 150 are struggling to survive and many are downright magnificent.

I need to tell you all this land is divided into two additional buildable lots besides our homestead. With the shortage of homesites in Creswell I know that I could sell these pieces in a "New York minute." However, when we purchased this land, I made a decision never to sell. I would preserve it for as long as I was able and that would be my legacy. It bothered some of my neighbors that I was not "using" the land. I tried to explain to them my love of trees. I came here from Nebraska. My neighbors laughed at me and said Oregon has nothing but trees. They had never lived in a place which was virtually treeless, except for what man has laboriously planted. They do not know that a tree can save one's life in a blizzard and save one's life in scorching heat. They did not know that the first pioneers cried out in longing for the trees of their homeland. There was just endless prairie and empty space. The soul needs more.

Alas, lest this be too wordy --back to my blackberry patch. Over a period of 5 years I have "by hand" made good progress at removing the brush. What is now there along Cedarcroft is the beginning of an aboretum. Some of the trees there naturally include Savannah oak, grand fir, Douglas fir, madrone, vine maple, cedar. I have begun planting

rhodies, hellebores, lilac, lavender, butterfly bushes. Each year I planned to add specimen trees and continue to care for this remarkable place.

But something different happened this summer. Huge gravel trucks were coming down Cedarcroft at alarming regularity. Something had changed. The frogs weren't chirping at night. The deer were not hanging out in my woods. There were blasts coming from up the mountain. The kind of blasts that make you stop whatever you are doing and say "what was that?" When I tried to work, I would become nauseated after a truck went by. As the summer went on I developed an allergy which had never bothered me before. My flowers were not thriving, even though I kept watering. My young andromeda plants looked like they were dying. The hostas never did much of anything. It slowly came into my consciousness that the environment was not the same. When I tried to take my evening walks down Cedarcroft or go out to the mailbox, I was very uncomfortable. I had to watch for huge trucks going by and move out of the way. Sometimes they overlapped--one entering and one exiting. I saw tire ruts on the land where one truck had pulled over to allow another one to pass. Rocks were on the road which one had to avoid. At one point the trucks were coming through--some at considerable speed--from 5 a.m. until dark, seven days a week.

At this point, I began to seek the help of the Planning Department and began to understand how different my neighbor's goals were from my own. In fact, they are totally incompatible. We absolutely cannot live together. Every time he blasts I feel personally the pain of the earth. Every time a truck leaves here I feel another blow is being struck upon our planet. The ecosystem here is being totally challenged and altered forever if this is allowed to continue. We have a choice today. We can't save the whole world, but we can take a step here and now to save this wondrous little ecosystem on Cedarcroft. Are we so overcivilized there will be no place for the trees, the wildlife, and the dreamers?

To: Thom Lanfear
Lane Co. Land Management Div.

The space on this page is provided for your written comments.

File No.: PA 98-5144
Applicant: Ross Bradford B.J. Equipment Company
TRS/TL: 19-02-00 #3500

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You may write your comments on this page and return this document to the attention of Thom Lanfear, Lane County Land Management Division, Public Service Building, 125 East 8th Ave., Eugene, OR. 97401. ... Fax 687-3947 ...

Date: 12-10-98

From: Jesse Castillo, P.O. Box 235
82706 S. Bradford Rd
Croswell Oregon, 97426

Comments:

Negative Impact on streams, water supply
Animal life, noise and dirt pollution
and causing property values to decrease.
The biggest problem would be the amount
of traffic on all road involved,
especially during the school season.

Jesse Castillo

To: Thom Lanfear,
Lane Co. Land Management Div.

The space on this page is provided for your written comments.

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LAND MANAGEMENT

File No.: PA 98-5144
Applicant: Ross Bradford B.J. Equipment Company
TRS/TL: 19-02-00 #3500

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You may write your comments on this page and return this document to the attention of Thom Lanfear, Lane County Land Management Division, Public Service Building, 125 East 8th Ave., Eugene, OR. 97401. ... Fax 687-3947 ...

Date: December 10, 1998

From: Evelyn Z. Lemon

P.O. Box 235, 82706 S. Bradford Rd.
Creswell, OR, 97426

Comments:

I am opposed to the approval of this mining claim. Current residents in the immediate vicinity will be faced with increasing levels of noise and dirt, excessive levels of heavy truck traffic and decreased property values if the mine is approved. The mine ~~will~~ seeks to add approximately 85 heavily loaded trucks ^{per day} to secondary roads over the next 30 to 40 years. Safety issues presented by this increase have not been addressed, nor have road maintenance costs. I feel the only issues addressed in the application are those advantageous to the developer. Disadvantages and costs to the ² county and other taxpayers have been ignored.

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The space on this page is provided for your written comments.

File No.: PA 98-5144
Applicant: Ross Bradford B.J. Equipment Company
TRS/TL: 19-02-00 #3500

4

You may write your comments on this page and return this document to the attention of Thom Lanfear, Lane County Land Management Division, Public Service Building, 125 East 8th Ave., Eugene, OR. 97401. ... Fax 687-3947 ...

Date: 12-7-98

From: Carol and David Matthews
82750 South Bradford Rd.
Preswell, Ore. 97426

30

Comments: The following is a list of reasons why a 40 acre quarry shouldn't go in above our neighborhood:

1. The present roads will not carry 86 trucks per day (it will cost the county "big" money to keep up the country roads). Already damage from summer trucks evident on Bear Creek Rd.
2. Trucks/traffic - huge impact on neighborhood - danger to homeowners in area - school buses -
3. Too many gravel pits in area already - can hear trucks on Sears Road etc.
4. Noise (traffic - blasting - machines)
5. Dust
6. Water - ground water concerns - impact on "Wild Creek" - impact on wells - run off, etc
7. This neighborhood is full of homes, small acreages (1 to 6 acres). Terrific impact on the neighborhood - traffic - noise - dust - will hurt

quality of life in this residential area —
8. Will adversely effect the values
of our properties

9. No objective analysis from the
application - misleading picture. This
is a neighborhood - not just forest land,

10. Impact on wild life (the deer -
elk herd that lives on the area -
the other wild-life ie Black bears)

11. Impact on wet lands - this area
is an endangered wet lands -

12. The neighborhood is a neighborhood!
If trucks go on S. Bradford, Bear
Creek Rd, Meadow Lane - Cedar Croft,
they will be going right past the
yards and houses (some only 30 to 50
feet back from the road) of this
neighborhood.

* Come see the neighborhood
as it is now in 1998. You
have some out-dated information
in the application.

ROBERT L. ACKERMAN, P.C.
ATTORNEY AT LAW
870 WEST CENTENNIAL BOULEVARD
SPRINGFIELD, OR 97477-5298

TELEPHONE (541)746-6589

FAX (541)746-3201

December 10, 1998

VIA FACSIMILE TO: 682-3947

Thom Lanfear
Lane County Land Management Division
Public Works Department
125 E. 8th Avenue
Eugene, OR 97401

Re: Your File : PA98-5144
Property Owner : Ross Bradford
Location : Cedar Croft Road
Our File No : 4490-1

Dear Mr. Lanfear:

I represent Helen Falk in this matter. My client owns 40 acres of real property which is located immediately to the south of the subject property, and is designated on the map that you provided as Lot No. 3602.

My client has no objection the proposed zone change, as long as it will not impact her real property by decreasing its value, causing real property taxes to raise, or place any increased burden on any easements which the applicant may have across her property.

Very truly yours,

ROBERT L. ACKERMAN, P.C.


Robert L. Ackerman

RLA/gen
cc: Helen Falk

FILE # PA 98-5144
EXHIBIT # 31

ROBERT L. ACKERMAN, P.C.

870 W. CENTENNIAL BLVD.
SPRINGFIELD, OR 97477
TELEPHONE (541) 746-6589
FAX (541) 746-3201

FAX/TELECOPY TRANSMISSION COVER SHEET

TO : Thom Lanfear
FAX NO : 682-3947
FROM : ROBERT L. ACKERMAN
DATE : December 10, 1998
TOTAL PAGES: 3 (including cover sheet)
MESSAGE : RE: Your File No. PA98-5144
My client: Helen Falk
Our File No. 4490-1

See attached letter of this date regarding property located on Cedar Croft Road.

- Original being sent via mail
- Original being hand delivered
- Original available upon request
- Facsimile transmittal only

Sender's initials: gen

CONFIDENTIALITY NOTICE

The document(s) accompanying this fax contain confidential information which is legally privileged. The information is intended only for the use of the intended recipient named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of the intended recipient named above is strictly prohibited. If you have received this fax in error, please notify us immediately at (541) 746-6589. Thank you.

If you do not receive all of the described material, please telephone us immediately.

Comment on File No. PA 98-5144 – Ross Bradford Zoning Change Application

December 10, 1998

Comments:

I oppose the zoning change requested to permit a quarry on land owned by Ross Bradford, for reasons including, but not limited to the following:

- 1) The impact area included in the application is not realistic. All activity and traffic from quarry operations will be funneled into the residential area located between Cedarcroft and Cloverdale roads. This is the true impact area that must be considered.
- 2) The application has substantial omissions in analysis. The traffic analysis in the application really amounts to a most favorable case, rather than a worst case scenario. The analysis conveniently omits the intersection of S. Bradford Road and Bear Creek Road. The S. Bradford Road intersection is even omitted from the map. There is a “blind corner” of limited visibility and stopping distance for west-bound Bear Creek traffic, and S. Bradford traffic entering Bear Creek. Traffic safety will be severely effected by the type and quantity of truck traffic from the proposed operations.
- 3) Impact on residential area: As stated in item 1 above, virtually all quarry activity will be through what is now a quiet, residential area. This IS the impact area. An obvious conflicting use exists between a quiet, residential area and an industrial zone that the proposed quarry would be. I beg the planners to consider the tangible adverse impact that would be created by 86 loaded rock trucks passing within 100 feet of your house each day. With empty truck returns, that amounts to a truck passing every 3-4 minutes.

In summary, the rezoning of this area will have significant adverse effects on the area. Most of these impacts have been conveniently omitted from the application. Please consider the real effects on property values, noise and dirt levels, and traffic safety, and deny this application.

Sincerely,



Robert Meyers
82701 S. Bradford Road
Creswell, OR 97426

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LAND MANAGEMENT

DEC 11 1998
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FILE # PA 98-5144
EXHIBIT # 32

Comment on File No. PA 98-5144 – Ross Bradford Zoning Change Application

December 10, 1998

I oppose the proposed zone change; my concerns are:

Emotional Concerns:

1) I don't want to put my kids on the school bus each morning knowing that they are potentially on a collision course with a gravel truck at the intersection of S. Bradford and Bear Creek. I would feel remiss in my responsibility as a parent if I knowingly subjected my children to that risk.

2) A year ago I changed jobs and moved to this particular community, rather than to Eugene, because I fell in love with the peaceful serenity I found here; I invested in my "dream house" in this wonderful community. If the quarry zone change is made that dream will be shattered. My dream does not include dynamite blasting and near continuous gravel truck traffic in my back yard.

Objective Concerns:

1) The application states:

* that the pit is "isolated from surrounding ownerships....2,600 feet".

* that the impact from the site will be "site specific".

* the "impact area ¼ mile.... [is] generally considered".

*"would not have any substantial detrimental impact on the use of surrounding properties."

2) My response to all these statements is: The pit itself may be 2,600 feet from any building, but the activity (blasting, processing, and hauling) is not an "isolated" event. Further, it would have quite "substantial detrimental impact" on how livable my property is.

3) The application also states:

*there will be "social costs to those who live here"... [if the pit is not approved because of added transportation expenses incurred while obtaining needed gravel from distant locations.

My response to that is: What is the justification for this statement? His map shows 6-8 sites south of Eugene and north of Cottage Grove. Further, that particular chart appears to be quite old and at the end of it's intended life; it appears an updated study needs to take place to determine the actual needs of the area.

4) The application does not mention S. Bradford Road.

My response to this is: Why not? As a homeowner on S. Bradford I am concerned about the traffic impact here. There are safety issues (previously discussed) as well as maintenance issues to address; this road is only an oiled gravel road that would be destroyed with the volume of traffic potentially generated from his employees, vendors and/or trucks.

Sincerely,

Vicky Curry
Vicky Curry

82766 S. Bradford Road

Creswell, OR 97426

(541) 895-5509

RECEIVED BY
LAND MANAGEMENT

DEC 11 1998

AM 7,8,9,10,11,12,1,2,3,4,5,6 PM

FILE # PA 98-5144
EXHIBIT # 73

Mr. Tom Lanfear
Lane County Land Management Division
Public Service Building
175 E. 8th Ave.
Eugene, OR 97401

William N. & Carolyn S. Kent
82865 Bradford Rd., S.
Creswell, OR 97236-9459
(hm. ph. 895-4898)

December 10, 1998

RE: File No. 98-5144
Applicant: Ross Bradford / B.J. Equipment Co.
TRSTL / TL: 29-02-00 #3500

Dear Mr. Lanfear:

Thank you for this opportunity to comment on Mr. Bradford's application for an ammendment to the Lane County Rural Comrehensive Plan from "Forest" to "Natural Resource" to construct a 40 acre open pit aggregate mine in our neighborhood.

We have reviewed his application for a Plan Amendment and Zone Change, with supporting documents. Also reviewed was the February, 1982 Comprehensive Plan Revision pertaining to Mineral & Aggregate Resources DRAFT.

We have many concerns regarding the proposed mining pit.

The 1982 Mineral & Aggregate Resources DRAFT details the aggregate mineral resources in Lane County. It is noteworthy that Lane County is particularly rich in aggregate materials. Because of this fact, we question the need for this particular mining pit.

This applicants proposed site was not in The 1982 DRAFT. The DRAFT concludes there is a sufficient supply of aggregate to service Lane Countys needs for many years to come, based on upon already identified sources.

We recently read an article in the Register-Guard concerning Wildish's request to construct a bridge over the McKenzie River, so Wildish can mine 500 acres of land they own on the Coburg side of the river. This would appear to raise the inventory of aggregate substantially for Lane County.

Before action on this application, we pose these questions:

1. Is there an update for the DRAFT planned?
2. If not, should an update be mandated before this unidentified aggregate resource zoning request be processed?
3. Is there really a need for this particular aggregate pit on a county basis?
and;
4. Is there already a sufficient supply in South Lane County? (There is already a producing operation on Sears Road, very near to the proposed site.)

Also worthy of consideration is the location of the proposed pit. We live in a rural residential neighborhood (1 to 5 + acre parcels) which virtually surrounds the proposed site, These neighbors are not mentioned in the application.

FILE # PA 98-5144
EXHIBIT # 34

The proposed pit sits atop a 1000 foot hill which drains directly into Wild Creek watershed and sensitive wetlands. These environmental factors should be investigated.

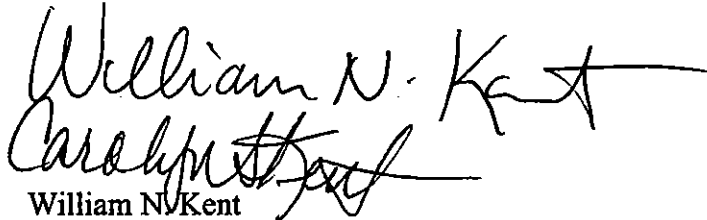
Also, other potential problems are evident. Disruption of the water table is an issue since all residents are dependent on private wells for their water, noise pollution (this small valley produces a huge echo), air pollution, excessive and dangerous road traffic, the impact on the roads themselves, and the impact on the wildlife (much of which is protected and endangered).

In sum, we submit there is no need for this pit and that the potential impact on this residential neighborhood would be profound and detrimental to all.

Please include us on your mailing list regarding all county actions on this application. Also, please advise us of all deadlines and hearing dates concerning this matter.

Thank you for your consideration.

Very truly yours,

Handwritten signatures of William N. Kent and Carolyn S. Kent. The signature of William N. Kent is written in a cursive style with a long horizontal line extending to the right. Below it, the signature of Carolyn S. Kent is also written in a cursive style with a horizontal line extending to the right.

William N. Kent
Carolyn S. Kent

John Bianco
PO Box 271
Creswell, OR 97426

Lane County Land Management
Eugene, OR
VIA FAX 682-3947

Dear Sir,

12/11/98

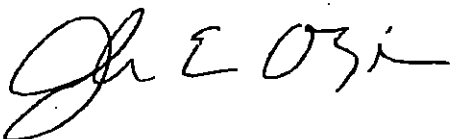
Yesterday I learned that a rock quarry is proposed for F-1 zoned land west of Creswell in the Bear Creek area. As a forest land owner, I am opposed to the conversion of forest land out of timber production.

I do not believe that there is a need for the proposed quarry. There is currently a quarry approximately 4 miles south west of the proposed development. This facility, on Sears Road, has a abundant supply of material and is not located near existing residences.

Locating a new quarry in an area with numerous rural homes creates conflict with existing uses. Ground water resources will be effected by quarrying. Roads are not wide enough and may not be strong enough to support heavy truck traffic.

I request that I be informed of future developments in this matter, such as hearings or opportunity to submit comments.

Sincerely,



John Bianco

MAP 19-03-19 401

FILE # PA 98-5144
EXHIBIT # 35

RECEIVED
LAND MANAGEMENT

DEC 14 1998

AM 7,8,9,10,11,12,1,2,3,4,5,6

The space on this page is provided for your written comments.

File No.: PA 98-5144
Applicant: Ross Bradford B.J. Equipment Company
TRS/TL: 19-02-00 #3500

You may write your comments on this page and return this document to the attention of Thom Lanfear, Lane County Land Management Division, Public Service Building, 125 East 8th Ave., Eugene, OR. 97401. ... Fax 687-3947 ...

Date: 12-4-98

From: David Calder
Marilyn Calder

Comments:

We live on Cloverdale Rd. about 1 block ^{west} of Bear Creek Rd.

We are concerned about the development of another gravel pit in our area for a # of reasons. (#1) There is already a gravel pit on Sean Rd with adequate gravel stores that result in heavy truck traffic on Sean Rd + Cloverdale, noise + dust.

#2) The proposed gravel pit in the area of Bear Creek Rd. will significantly effect our quality of life with increased dust, noise from the pit and dangerous truck traffic on Cloverdale Rd. He plans to haul out 80+ loads a day 7 AM to 5 PM, which is over 160 trips by our home each day or about one truck ever 4-5 min. The noise of the trucks plus the safety issue is a concern.

#3) Safety issue for people living on Cloverdale, due to the increased truck traffic. ²

RECEIVED BY
LAND MANAGEMENT

January 4, 1999

JAN - 5 1999

AM 7,8,9,10,11,12,1,2,3,4,5,6 P11

△

Thom Lanfear
Lane County Land Management Division
Public Service Building
125 East 8th Avenue
Eugene, OR 97401

File No: PA 98-5144
Applicant: Ross Bradford B.J. Equipment Company
TRS/TL: 19-02-00 #3500

Date: January 4, 1999
From: Rick Millhollin

Comments:

I respectfully request that the above referenced application for rezoning submitted by Ross Bradford be denied for the reasons listed below. The application completely ignores the true land use nature of adjacent properties, and would have serious negative social and economic impact on dozens of families living on those properties.

- ◆ The application misrepresents the proximity of the proposed quarry site to a basically rural residential neighborhood on the north side, and ignores the fact that any access to the site would be via narrow roads that run directly through these residential areas. That makes this neighborhood a primary part of the impact area that needs to be considered. Thus the proposal is incomplete as well as totally incompatible with the current land use in the area. The operation already conducted last summer had major negative impacts on the residences along the access road used, in terms of noise and dust pollution, even though it was on a much smaller scale than that proposed.
- ◆ The potentially tremendous increase in heavy truck traffic on all of the effected roads would pose a serious safety problem, as well as a considerable nuisance given the residential nature of the area. These roads are frequently used by bicyclers and pedestrians as well as vehicular traffic, and are not wide enough to also accommodate the nature and volume of the proposed additional traffic. The intersection of South Bradford and Bear Creek in particular is already a very dangerous blind corner.
- ◆ Road maintenance required by the proposed truck traffic would increase greatly. It would be grossly unfair for residents of the area to have to pay the potential additional taxes required to cover this cost.
- ◆ The proposed quarry site lies at the very top of the entire north-sloping drainage into what is known as Wild Creek. A large number of residences are dependent on this forested

FILE # PA 98-5144
EXHIBIT # 37

drainage for their well water. Water availability varies widely in this area, with some wells providing high volume while other are barely adequate. For example our well produces over 25 gpm while the neighbor's located less than 50 ft away is deeper and produces less than 5 gpm. Several properties have drilled multiple wells to obtain a suitable water supply. There is no way to guarantee that blasting and excavating on the proposed scale would not have catastrophic consequences on this unpredictable aquifer.

- ◆ As a teenager living with my parents, I saw the structural damage caused to our house by construction blasting being done a considerable distance away. My current home is closer to the proposed quarry than that house was to the blasting. Blasting damage to homes can not be ruled out with any degree of certainty. At best the blasting would, and already has, been quite noticeable across a wide area to the north of the site, and is not compatible with existing residential land use.
- ◆ All of the above factors would lead to an inevitable loss in property values throughout the entire neighborhood. Most of the current residents would not have purchased the homes they currently own if the quarry had been present, and future buyers will feel the same way. There is no justification for inflicting economic loss, not to mention a degraded quality of life, on so many families for the benefit of one.
- ◆ The actual need for the gravel to be extracted as cited in the application is based on an outdated inventory. It does not mention several nearby sources, either because they are newer than the inventory, or because of an artificial drawing of inventory boundaries.

Sincerely,



Rick Millhollin

RECEIVED BY
LAND MANAGEMENT

JAN 12 1999

AM 7.8,9,10,11,12,1,2,3,4,5,6 PM

January 11, 1999

Thom Lanfear
Lane County
Land Management Division
Public Service Building
125 East 8th Avenue
Eugene, OR 97401

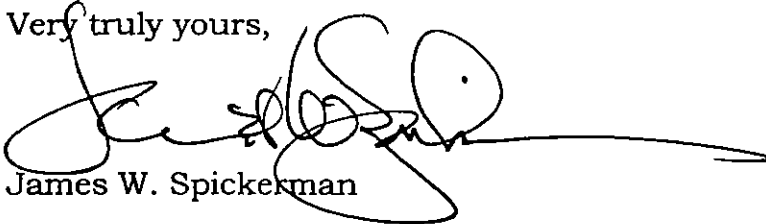
Re: BJ Equipment Zone and Plan Change Application

Dear Thom:

This is to confirm that my clients agree to postponement of the Lane County Planning Commission Public Hearing on this matter to the meeting of March 2, 1999 from the previously scheduled date of February 16, 1999.

If anything further is needed in this regard, please give me a call.

Very truly yours,



James W. Spickerman

jca

cc: BJ Equipment Company

Gleaves
Swearingen
Larsen
Potter
Scott
& Smith LLP



ATTORNEYS
AT LAW

Phone:
(541) 686-8833
Fax:
(541) 345-2034

975 Oak Street
Suite 800
Eugene, Oregon
97401-3156

Mailing Address:
P.O. Box 1147
Eugene, Oregon
97440-1147

E-mail:
info@orbuslaw.com
Web Site:
www.orbuslaw.com

Vernon D. Gleaves
Arlen C. Swearingen
Eric L. Larsen
Standlee G. Potter
Malcolm H. Scott
Bruce E. Smith
A. J. Giustina
Douglas R. Schultz
Stephen O. Lane
William H. Martin
Martha J. Rodman
Michael E. Farthing
James W. Spickerman
Jon V. Buerstatte
Frederick A. Batson
Thomas P. E. Herrmann
James V. Shepherd
Laura T. Z. Montgomery
Chad G. Potter
Ian T. Richardson
Joshua A. Clark
Kurt Wanless

FILE # PA 98-5144
EXHIBIT # 38

Of Counsel
Harold D. Gillis

RECEIVED BY
LAND MANAGEMENT

January 20, 1999

JAN 25 1999

AM
7,8,9,10,11,12,1,2,3,4,5,6
PM

Thom Lanfear
Lane County Land Management Division
Public Service Building
125 East 8th Avenue
Eugene, OR 97401

Re: File No: PA 98-5144
Applicant: Ross Bradford B.J. Equipment Company
TRS/TL: 19-02-00 #3500

Dear Mr. Lanfear:

This letter is a request that the Lane County Land Management Division give careful consideration to the petition of Ross Bradford and B.J. Equipment Company to amend the Rural Comprehensive Plan from "Forest" to "Natural Resource" and rezone 40 acres of real property currently owned by Ross Bradford from "F-1/Non-Impacted Forest Land" to "QM" ("Quarry and Mine Operations").

There certainly is no need for another quarry in this area. There are three existing and operating quarries within a ten mile radius of the proposed Bradford quarry which have supplied the needs of not only area residents over the last 20 years but also the needs of surrounding areas. I fail to see the need for rezoning presently existing forest land to provide for another quarry in this area. In this day and age of trying so hard to establish and maintain our forest lands, it seem rather out of place and against current land management standards to rezone forest land to establish a fourth quarry within a ten mile area.

If Lane County does allow Mr. Bradford's application with conditions and code requirements, I do not believe Mr. Bradford would comply with any conditions or code requirements that the County might require. We have been neighbors of Mr. Bradford's for six years. In that time, I have never known him to feel that County code applies to him. He has allowed refuse dumping on his property, subdivided his property for sale without the knowledge of the County and maintained a mobile home as a rental for approximately six years while allowing the County to believe that it was a hardship residence. While I have great faith in the County's desire to maintain the code and regulations, I do not feel that they have the manpower to enforce compliance of those regulations. I called the County repeatedly for two months trying to obtain some action regarding Mr. Bradford's rental and inquiring how he could subdivide land which I thought was zoned forest land. I still do not know if anything has been resolved regarding that matter.

FILE # PA 98-5144
EXHIBIT # 39

Mr. Thom Lanfear
January 20, 1999
Page 2

Mr. Bradford recently completed a building on a portion of his property along Cedarcroft Road. Pursuant to conversations with him, he had planned to sell his current residence on Bradford Road and move into that structure. When he applied for an address, he was told by the County that if he tried to move into the dwelling, the County would condemn it. He currently has his residence on the market and I do believe that Mr. Bradford will move into that structure. Again, an example how Mr. Bradford does not feel the rules apply to him.

I do believe that if the County allows the rezoning and thus the operation of the quarry, that Mr. Bradford will run it as he sees fit and any regulations that the County might attach to that rezoning regarding blasting, road maintenance or changes would not be complied with nor would the County have the manpower to provide a constant vigil as to compliance.

Mr. Bradford fails even to complete an accurate application in omitting any reference to the residents on Bradford and Cedarcroft Roads and the effect of the truck traffic on the residents of Bear Creek Road. The application does not present the facts, other than those that might benefit the applicant and omits the remainder.

Sincerely,



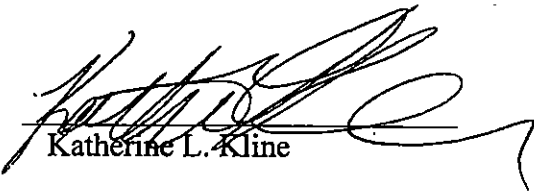
Carl Cartmill
82710 South Bradford Road
Creswell, OR 97426

CERTIFICATION OF NOTIFICATION/DELIVERY

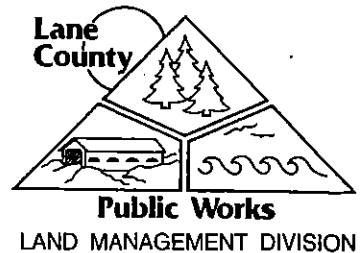
FILE #: PA 98-5144; B.J. Equipment/Bradford

This is to certify that I, Katherine L. Kline delivered by FAX, the attached Legal Ad, to Debbie Buzalsky at the Eugene Register Guard on February 3, 1999 to print on February 10, 1999.

Verified Fax receipt by phone on February 3, 1999 at 11:48 p.m.


Katherine L. Kline

FILE # PA 98-5144
EXHIBIT # 40



February 3, 1999

Register Guard
Legal Ad Department
Eugene, Oregon 97401

Attention: Debbie Buzalsky

Please run the following Legal Ad one time only on February 10, 1999, two columns wide.

Notice is hereby given that the Lane County Planning Commission will hold a public hearing on **March 2, 1999, at 7:00 P.M.**, Harris Hall 125 East 8th Avenue, Eugene, Oregon, during which time the following matter will be heard.

Applicant: B.J. Equipment Company
Owner: Ross Bradford
Location: Cedar Croft Road
Map: 19-02-00 TL 3500
File: PA 98-5144

PROPOSAL: Amend the Rural Comprehensive Plan from "Forest" to "Natural Resource" and rezoning that Land (40 acres) from "F-1/Non-Impacted Forest Land" to "QM" (Quarry and Mine Operations)".

The criteria for Major and Minor Amendments are found in Lane Code 16.400 (6)(h)(iii)(aa through dd) and in L.C. 16.400(8)(a) & (c) (i through iii). These criteria deal generally with the policy basis for the amendment and the impact on nearby resources and services. These criteria also require compliance with applicable Statewide Planning Goals.

The application must also meet the criteria for a zone change as set forth in Lane Code 16.252(2). The criteria deal generally with achieving the purpose of Lane Code, Chapter 16 and the Quarry and Mine Operations zoning district, with the public interest and with the applicable Plan elements and components. Uses authorized by the decision are those permitted in the Quarry and Mine Operations zoning district as provided by LaneCode 16.216.

A staff report will be available for inspection at least 7 days prior to the hearing date. A copy of the minutes from the Lane County Planning Commission hearing may be reviewed at Land Management when they become available.

Failure of an issue to be raised in a hearing in person or by writing, or failure to provide sufficient specificity to afford the Approval Authority who conducts the hearing an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals on that issue. For additional information please contact: Thom Lanfear, Associate Planner, 682-4054.

Lane County complies with state and federal laws and regulations relating to discrimination, including the Americans with Disabilities Act of 1990 (ADA). Individuals with disabilities requiring accommodations should contact Katherine Kline at 682-4287 at least 48 hours prior to the meeting.

CERTIFICATE OF POSTING

PA 98-5144


NAME BJ. EQUIPMENT CO. % ROSS BRADFORD

ADDRESS CEDARCROFT

MAP NO. 19-02-00-00 TL-3500
19-02-19-00 TL, 100,700 # 800

This is to certify that I, D. G. HICKELL
Name

posted the property mentioned above on 2/4/99
Date



Signature

SET POSTING ON FENCE POST (WOODEN)
AT SE CORNER CEDARCROFT AND
BEAR CREEK ROAD, ALSO BEING
AT THE HWY. CORNER TL. 100-19-02-19

FILE # PA 98-5144
EXHIBIT # 41

Change to March 2

SLM'S DATE

REQUEST FORM FOR MAP, NOTIFICATION & REFERRAL

PD	LDRC	TIME 7:00 pm ✓	PLOT NO. 440B
MO	LCPC	DATE 2-16-99	FILE NO. PA 98-5144
BCC	WLPC	PLACE Harris Hall	TAX CODE 40-06

APPLICANT: B.J. Equipment Company

OWNER: Ross Bradford

AGENT:

SITE ADDRESS: CEDARCROFT South Bradford Road

MAP NO: 19-02-00 #3500

ADDITIONAL TAXLOTS 19-02-19 #100, 700, 800

SET POSTING ON WOODEN FENCE POST AT SE COR. CEDARCROFT & BEAR CREEK RD ALSO BEING NW COR TC-100 DON 2/1/99

PROPOSAL: Amend the Rural Comprehensive Plan from "Forest" to "Natural Resource" and Rezoning that Land (40 acres) from "F-1/Non-Impacted Forest Land" to "QM/SR" ("Quarry and Mine Operations with Site Review").

STAFF: Thom Lanfear

SPECIAL INSTRUCTIONS: send notice to everyone with property within 1500 feet of the boundaries of the 40 acre parcel and 500 feet from the perimeter of the contiguous ownership * PARCEL w/STAR ON IT

NAME:
ADDRESS:

NAME:
ADDRESS:

NAME:
ADDRESS:

Sandy we need a posting

LANE COUNTY

1"=400'

CRESWELL

26

CRESWELL

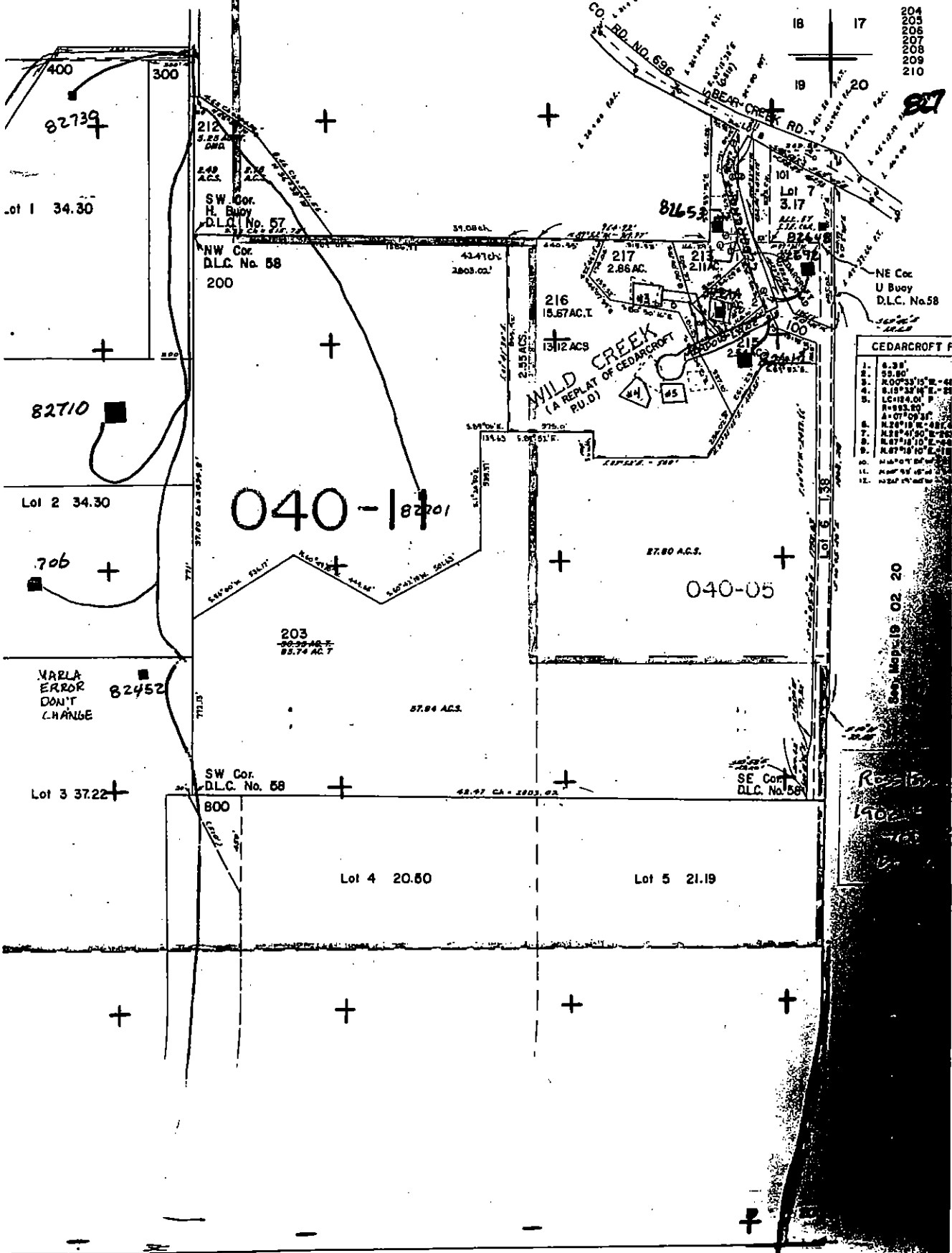
CRESWELL

CANC. 72
INTD PLA
4-13-94
- DIV 0.17A
MAP 10
101

See Map 19 02 18

CANCEL 1

- 204
- 205
- 206
- 207
- 208
- 209
- 210



CEDARCROFT

1. 6.38'
2. 55.80'
3. 8.00°35'15" E - 42'
4. 8.18°32'15" E - 25'
5. LC=184.01' P
6. R=383.80'
7. A=171°59'21"
8. N 22°19'15" E - 487.4'
9. N 22°41'50" E - 200'
10. N 27°18'10" E - 218'
11. N 27°18'10" E - 218'
12. N 27°18'10" E - 218'

See Map 19 02 20

1902

CERTIFICATION OF MAILING

PA 98-5144
BRADFORD/BJ EQUIP. CO

This is to certify that I, Katherine Kline, mailed Notification of

Land Use Hearing on 3-2-99

to the persons(s) shown on the attached copy of *mailing labels

and/or attached letter, and delivered said information to the

authorized agent for the U.S. Post Office in Eugene,

Oregon on 2-10-99


Katherine Kline

*NOTE: Surrounding property owners lists are "the owners of record of all property on the most recent property tax assessment roll" on TAIMS as per LC 14:300(3)(d). If a tax lot appears on the notice list and there are no corresponding addresses, then the tax records have not been updated therefore these property owners were not notified.

FILE # PA 98-5144
EXHIBIT # 42

PA 98-5144
BRADFORD/BJ EQUIP. CO

GLEAVES SEARINGEN LARSEN
JAMES SPICKERMAN
975 OAK STREET, SUITE 800
EUGENE OR 97401-3156

CRESWELL CHRONICLE
ATTN: GERRY O'ROURKE
PO BOX 428
CRESWELL OR 97426

CARL CARTMILL
82710 SOUTH BRADFORD ROAD
CRESWELL, OREGON 97426

JOHN BIANCO
P.O. BOX 271
CRESWELL, OREGON 97426

DAVID & MARILYN CALDER
34606 E. CLOVERDALE ROAD
CRESWELL, OREGON 97426

RICK MILLHOLLIN
82841 BRADFORD ROAD
CRESWELL, OREGON 97426

BRADFORD NICK MAIL RETURNED
%KELLER DAVID M & SYLVIA A
P O BOX 399
CRESWELL OR 97426

BRADFORD NICKEY R & NANCY D
82692 BEAR CREEK RD
CRESWELL OR 97426

BRADFORD ROSS H TE ETAL
82452 BRADFORD RD
CRESWELL OR 97426

BJ EQUIPMENT COMPANY
PO BOX 543
COTTAGE GROVE OR 97424

BURGESS DALE L TE
DALE BURGESS LIVING TRUST
82613 MEADOW LN
CRESWELL OR 97426

COLUMBIA PACIFIC INC
%SMEJKAL LAND & TIMBER CO
42142 NW PALACE DR

BANKS OR 97106

CREWS JAMES D & KAREN L
82714 N BEAR CREEK RD
CRESWELL OR 97426

ENGLE JIMMY K & MELINDA A
82712 N BEAR CREEK RD
CRESWELL OR 97426

FALK BURNELL H & HELEN M
2337 LOCH DR
SPRINGFIELD OR 97477

FLEISCHLI GERALD J & LINDA J
24977 MEADOW LN
CRESWELL OR 97426

J A SARTELLE & SONS BEAR
CREEK RANCH LTD PTRSHP
82531 BEAR CREEK RD
CRESWELL OR 97426

LEMON EVALYN Z
CASTILLO JESUS
82706 S BRADFORD RD
CRESWELL OR 97426

MEYERS ROBERT A & KIMBER L
82701 BRADFORD RD
CRESWELL OR 97426

PETTY EARL S TE ETAL
82755 N SEARS RD
CRESWELL OR 97426

SEARS RANCH LLC
82425 N SEARS RD
CRESWELL OR 97426

SHOOP JAMES R + DOROTHY A
82548 N BEAR CREEK RD
CRESWELL OR 97426

TROXCLAIR BETTIE L 4-12 ETAL
2434 CHARNELTON ST
EUGENE OR 97405

VEERMAN ELIAS I & C A LF EST
MANATT DENNIS M & EMMA M C
82716 N BEAR CREEK RD
CRESWELL OR 97426

WEYERHAEUSER CO
ATTN TAX DEPT
P O BOX 1645
TACOMA WA 98401

US GOVERNMENT
DEPT OF INTERIOR BLM O&C
P O BOX 10226
EUGENE OR 97440

ROBERT ACKERMAN, P.C.
870 WEST CENTENNIAL BLVD
SPRINGFIELD OR 97477

CAROL & DAVID MATTHEWS
82750 S BRADFORD RD
CRESWELL OR 97426

ROBERT & LORRAINE STILL
83076 N BRADFORD
CRESWELL OR 97426

CARL & JULIE CARTMILL
82710 S BRADFORD RD
CRESWELL OR 97426

BEVERLY & FRANCIS ROGERS
82724 BEAR CREEK RD
CRESWELL OR 97426

KATHLEEN WELLS
82722 BEAR CREEK ROAD
CRESWELL OR 97426

CAROLYN KENT
82865 BRADFORD RD
CRESWELL OR 97426

DIANE LANE
82841 BRADFORD RD
CRESWELL OR 97426
KENNETH HARROUN
82722 BEAR CREEK RD
CRESWELL OR 97426

VICKI CURRY
82766 S. BRADFORD
CRESWELL OR 97426

DAN O'GROMAN
82852 BEAR CREEK RD
CRESWELL OR 97426

JIM & KAREN CREWS
82714 BEAR CREEK RD
CRESWELL OR 97426

RON & MARIE WOODS
82846 BRADFORD RD
CRESWELL OR 97426

CHUCK & MARIA SWENSON
82813 BEAR CREEK RD
CRESWELL OR 97426

KEVIN ALLTUCKER
PO BOX 1067
3000 DELTA HWY NORTH
EUGENE OR 97440

ALFREDA DUBROD
36014 E WILLS RD
CRESWELL OR 97426



LAND USE CHANGE BEING PROPOSED IN YOUR AREA

Public Works

LAND MANAGEMENT DIVISION

Department File Number: PA 98-5144

Contiguous Ownership of Property Involved by: 19-02-00 TL 3500

Location: Cedar Croft Road

Owner: Ross Bradford

Applicant: B.J. Equipment Co.

You are receiving this information because you own or occupy property very near the above referenced property shown on the attached map. Lane County land use regulations require that you receive this notice so that you will have a chance to comment on or participate in the hearing for the land use changes being proposed in your area. You may want to share this information with others in your neighborhood. Lane County only notifies property owners or occupants nearby the property upon which a land use change is proposed, so several of your neighbors may not yet be aware of the proposal. **Notice to mortgagee, lien holder, vendor or seller:** ORS Chapter 215 requires that if you receive this notice, it must be promptly forwarded to the purchaser.

Proposal:

Amend the Rural Comprehensive Plan from "Forest" to "Natural Resource" and Rezoning that land (40 acres) from F-1/RCP Non-Impacted Forest Land" to "QM/RCP Quarry and Mine Operations".

The criteria for Major and Minor Amendments are found in Lane Code 16.400(6)(h)(iii)(aa through dd) and in Lane Code 16.400(8)(a) & (c) (i through iii). These criteria deal generally with the policy bases for the amendment and the impact on nearby resources and services. These criteria also require compliance with applicable Statewide Planning Goals.

The application must also meet the criteria for a zone change as set forth in Lane Code 16.252(2). The criteria deal generally with achieving the purpose of Lane Code, Chapter 16 and the Rural Residential Lands zoning district, with the public interest and with the applicable Plan elements and components. Uses authorized by the decision are those permitted in the Quarry and Mine Operations zoning district as provided by L.C. 16.216.

The Lane County Approval Authority who will conduct the public hearing is the Lane County Planning Commission. The Hearing will be held on **March 2, 1999, 7:00 P.M.**, Harris Hall, 125 East 8th Avenue, Eugene, Oregon, 97401.

The order of procedure for the conduct of the hearing will generally be as follows:

- a. Announcement of the nature and purpose of the hearing
- b. Announcement of opportunities for submission of information and appeal.
- c. Disclosure of ex parte contacts
- d. Abstentions
- e. Report by the Director
- f. Applicant's testimony
- g. Testimony of persons in favor
- h. Testimony of other persons
- i. Any additional comments by the Director
- j. Applicant rebuttal
- k. Conclude the hearing

A staff report will be available for inspection at least 7 days prior to the hearing date. A copy of the Planning Commission minutes may be reviewed at Land Management when they become available. The application, all documents and evidence relied upon by the applicant, and the applicable criteria, are available for inspection at no cost at the Land Management Division, and copies will be provided at a reasonable cost.

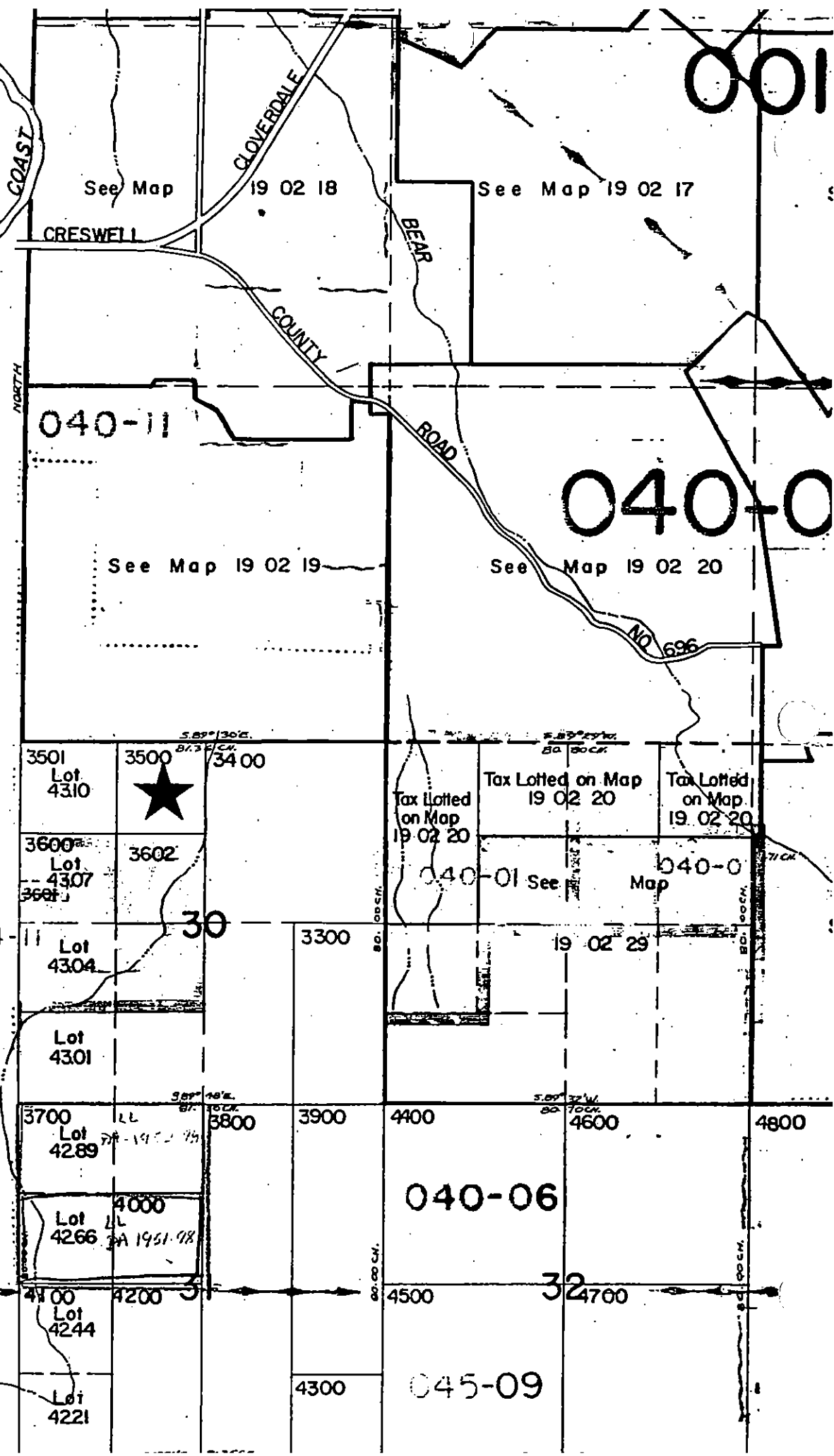
Failure of an issue to be raised in a hearing in person or by writing, or failure to provide sufficient specificity to afford the Approval Authority who conducts the hearing an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals on that issue. For additional information please contact: **Thom Lanfear, Associate Planner,** 682-4054.

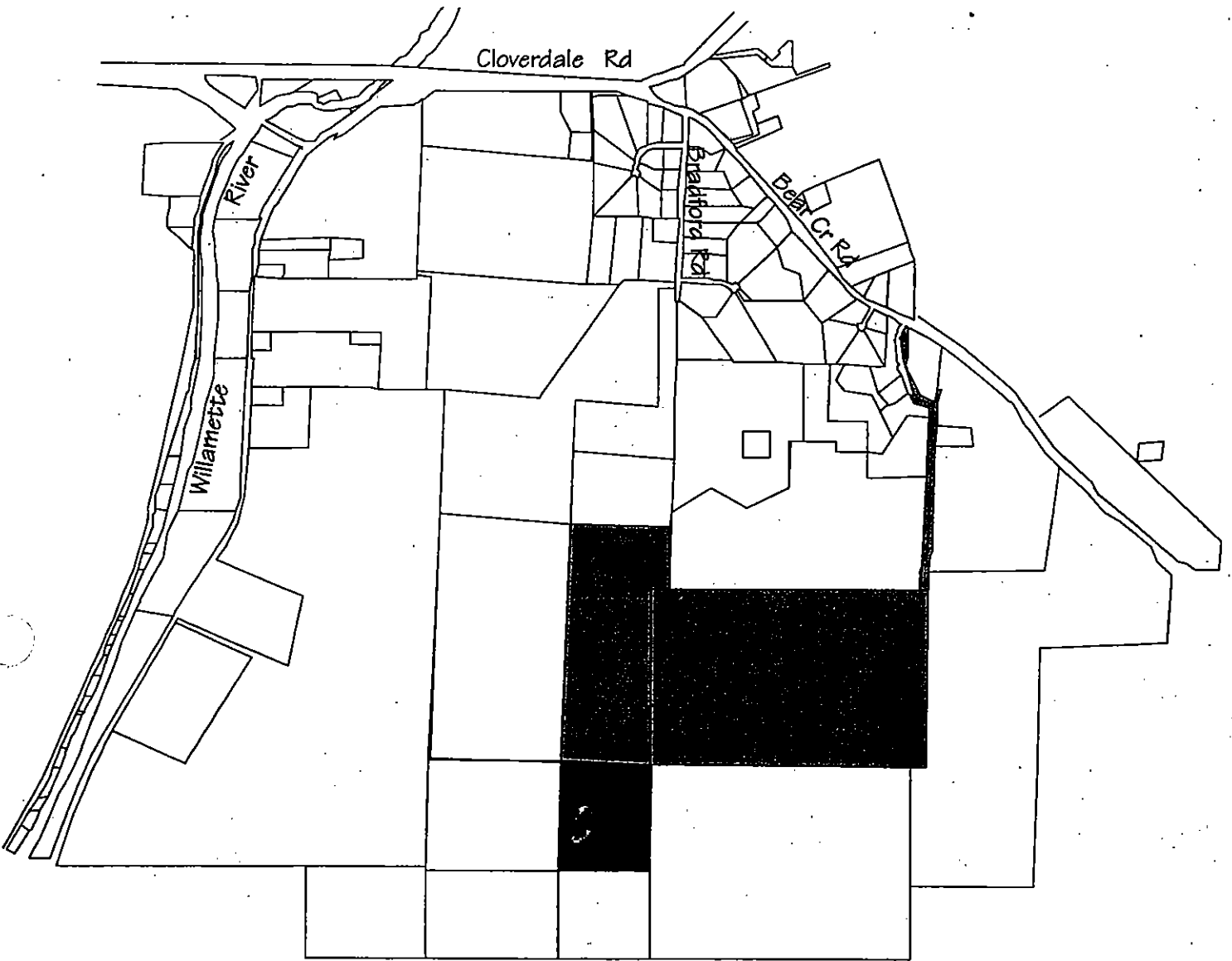
Lane County complies with state and federal laws and regulations relating to discrimination, including the Americans With Disabilities Act of 1990 (ADA). Individuals with disabilities requiring accommodations should contact Katherine Kline at 682-4287 at least 48 hours prior to the meeting.

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See Map 19.03





16.400 Rural Comprehensive Plan Amendments.

(6) Plan Adoption or Amendment - General Procedures. The Rural Comprehensive Plan, or any component of such Plan, shall be adopted or amended in accordance with the following procedures:

(h) Method of Adoption and Amendment.

(iii) The Board may amend or supplement the Rural Comprehensive Plan upon making the following findings:

(aa) For Major and Minor Amendments as defined in LC 16.400(8)(a) below, the Plan component or amendment meets all applicable requirements of local and state law, including Statewide Planning Goals and Oregon Administrative Rules.

(bb) For Major and Minor Amendments as defined in LC 16.400(8)(a) below, the Plan amendment or component is:

(i-i) necessary to correct an identified error in the application of the Plan; OR

(ii-ii) necessary to fulfill an identified public or community need for the intended result of the component or amendment; OR

(iii-iii) necessary to comply with the mandate of local, state or federal policy or law; OR

(iv-iv) necessary to provide for the implementation of adopted Plan policy or elements; OR

(v-v) otherwise deemed by the Board, for reasons briefly set forth in its decision, to be desirable, appropriate or proper.

(cc) For Minor Amendments as defined in LC 16.400(8)(a) below, the Plan amendment or component does not conflict with adopted Policies of the Rural Comprehensive Plan, and if possible, achieves policy support.

(dd) For Minor Amendments as defined in LC 16.400(8)(a) below, the Plan amendment or component is compatible with the existing structure of the Rural Comprehensive Plan, and is consistent with the unamended portions or elements of the Plan.

(8) Additional Amendment Provisions. In addition to the general procedures set forth in LC 16.400(6) above, the following provisions shall apply to any amendment of Rural Comprehensive Plan components.

(a) Amendments to the Rural Comprehensive Plan shall be classified according to the following criteria:

(i) Minor Amendment. An amendment limited to the Plan Diagram only and, if requiring an exception to Statewide Planning Goals, justifies the exception solely on the basis that the resource land is already built upon or is irrevocably committed to other uses not allowed by an applicable goal.

(ii) Major Amendment. Any amendment that is not classified as a minor amendment.

(b) Amendment proposals, either minor or major, may be initiated by the County or by individual application. Individual applications shall be subject to a fee established by the Board and submitted pursuant to LC 14.050.

(c) Minor amendment proposals initiated by an applicant shall provide adequate documentation to allow complete evaluation of the proposal to determine if the findings required by LC 16.400(6)(h)(iii) above can be affirmatively made. Unless waived in writing by the Planning Director, the applicant shall supply documentation concerning the following:

(i) A complete description of the proposal and its relationship to the Plan.

(ii) An analysis responding to each of the required findings of LC 16.400(6)(h)(ii) above.

(iii) An assessment of the probable impacts of implementing the proposed amendment, including the following:

(aa) Evaluation of land use and ownership patterns of the area of the amendment;

- (bb) Availability of public and/or private facilities and services to the area of the amendment, including transportation, water supply and sewage disposal;
- (cc) Impact of the amendment on proximate natural resources, resource lands or resource sites, including a Statewide Planning Goal 5 "ESEE" conflict analysis where applicable;
- (dd) Natural hazards affecting or affected by the proposal;
- (ee) For a proposed amendment to a nonresidential, nonagricultural or nonforest designation, an assessment of employment gain or loss, tax revenue impacts and public service/facility costs, as compared to equivalent factors for the existing uses to be replaced by the proposal;
- (ff) For a proposed amendment to a nonresidential, nonagricultural or nonforest designation, an inventory of reasonable alternative sites now appropriately designated by the Rural Comprehensive Plan, within the jurisdictional area of the Plan and located in the general vicinity of the proposed amendment;
- (gg) For a proposed amendment to a Nonresource designation or a Marginal Land designation, an analysis responding to the criteria for the respective request as cited in the Plan document entitled, "Working Paper: Marginal Lands" (Lane County, 1983).

16.252 Procedures for Zoning, Rezoning and Amendments to Requirements.

- (1) Purpose. As the Rural Comprehensive Plan for Lane County is implemented, changes in zone and other requirements of this Chapter will be required. Such Amendments shall be made in accordance with the procedures of this section.
- (2) Criteria. Zonings, rezonings and changes in the requirements of this Chapter shall be enacted to achieve the general purpose of this Chapter and shall not be contrary to the public interest. In addition, zonings and rezonings shall be consistent with the specific purposes of the zone classification proposed, applicable Rural Comprehensive Plan elements and components, and Statewide Planning Goals for any portion of Lane County which has not been acknowledged for compliance with the Statewide Planning Goals by the Land Conservation and Development Commission. Any zoning or rezoning may be effected by Ordinance or Order of the Board of County Commissioners, the Planning Commission or the Hearings Official in accordance with the procedures in this section.
- (5) Planning Commission Public Hearing and Notice – Legislative Matters.
 - (a) The Planning Commission shall hold not less than one public hearing on each proposed legislative zoning or rezoning and amendment to the requirements of this Chapter.
 - (b) Notice of the time and place of hearing shall be given at least 10 days in advance by publication in a newspaper of general circulation in the County or in the territory concerned.
 - (c) The Planning Commission shall review the Application or proposal and shall receive pertinent evidence and testimony as to why or how the proposed change is inconsistent with the criteria provided in LC 16.252(2) above for zoning, rezoning and amendment to the requirements of this Chapter. The Commission shall determine whether the testimony at the hearing supports a finding that the proposal does or does not meet the required criteria, and shall recommend to the Board accordingly that the proposal be adopted or rejected. The Planning Commission and Board may hold one concurrent hearing.

RURAL COMPREHENSIVE PLAN

16.216 Quarry and Mine Operations Zone (QM-RCP).

- (1) **Purpose.** The purpose of the Quarry and Mine Operations Zone (QM-RCP) is to:
- (a) Recognize that minerals and materials within the County are an unrennewable resource, and that extraction and processing are beneficial to the economy of the County and the welfare of its people.
 - (b) Protect major deposits of minerals, rock and related material resources with appropriate zoning.
 - (c) Establish procedures for the protection of public health and safety on and adjacent to land where quarry and mine blasting operations are occurring.
 - (d) Establish County standards in the Lane Manual to be used in reviewing referrals from State and Federal Agencies of Operation and Reclamation Plans, pollution control permits and similar permits.
 - (e) Provide for cooperation between private and governmental entities in carrying out the purposes of this Chapter.
 - (f) To implement the policies of the Lane County Rural Comprehensive Plan.
 - (g) Establish procedures to insure compatibility of a Quarry and Mine Operation use with the area in which it is to be located, establish permitted uses and property development standards.

- (2) **Intent.** The Quarry and Mine Operations Zone shall be available for consideration and use by the County for new or existing operations when requests are received as part of an areawide or legislative rezoning, or a specific property or quasi-judicial rezoning.

When property under consideration for QM zoning is in close proximity to existing and planned uses potentially incompatible with QM uses, the application of the Quarry and Mine Operations Zone may be limited to a specific portion of a property in order to encourage the compatibility and proper management of land uses.

The Quarry and Mine Operations Zone is intended to be applied only to those operations which have been evaluated through the Goal #5 Administrative Rule conflict resolution process, which must be applied at the time of Rural Comprehensive Plan designation and coincident rezoning action per LC 16.216(2) above. Other quarry and mining operations of short-term or intermittent duration should be provided for pursuant to the special use provisions of the various zones.

- (3) **Definitions.** For the purposes of this section only, the following words, terms and phrases are defined and supersede definitions otherwise provided in this Code:

Minerals. Includes soil, coal, clay, stone, crushes hard rock quarry products, metallic ore and any other solid material or substance excavated for commercial industrial or construction use from natural deposits. "Minerals" do not include loam, sand, gravel or other aggregate materials created and/or deposited by water movement.

Mining Refuse. All waste materials, soil, rock, mineral, liquid, vegetation and other materials resulting from or displaced by quarry and mining extraction operations within the operating permit area, including all waste materials deposited in or upon lands within such operating permit area.

Operations Plan. A written proposal submitted to the State Department of Geology and Mineral Industries under the requirements of ORS 517.790.

Operator. Any individual, public or private corporation, political subdivision, agency, board or department of this State, any municipality, partnership, association, firm, trust, estate or any other legal entity whatsoever that is engaged in quarry and extraction operations.

Overburden. The soil, rock and similar materials that lie above natural deposits or minerals.

Owner. The person possessing legal rights to the mineral deposit being mined.

Quarry and Mine Extraction. All or any part of the process of removing mineral deposits exposed by any method, including open-pit mining operations, auger mining operations, shaft mining, the construction of borrow pits, processing of extracted minerals and exploration activities.

Reclamation. The employment of procedures in a quarry and mining extraction operation designed to minimize as much as practicable the impact such operations have on the environment, and to provide for the rehabilitation of land affected by such operations. Reclamation includes the rehabilitation of plant cover, soil stabilization, water resource protection and other measure appropriate to the subsequent beneficial use of such mined and reclaimed lands.

Reclamation Plan. A written proposal for the reclamation of the land area affected by a quarry and mine extraction operation submitted to the State Department of Geology and Mineral Industries.

- (4) Permitted Buildings and Uses. In the Quarry and Mine Operations District, the following types of buildings and uses are permitted as hereafter specifically provided for by this section, subject to the provisions of the Quarry and Mining Operations Reclamation Permit and additional Conditions and exceptions set forth in this Chapter:
- (a) Extracting and storing of minerals, including equipment and materials necessary to carry out these functions.
 - (b) Plants for the processing of minerals from quarry and mine extraction operations.
 - (c) Sale of products generated from the quarrying and mining operation.
 - (d) Activities permitted or required as part of the reclamation process provided for in the Reclamation Plan.
 - (e) Structures and buildings used in conjunction with the extracting and storing of minerals or related equipment as defined in LC 16.216(4)((a) above.
 - (f) Forest uses.
 - (g) Farm uses as defined in ORS 215.203(2).
 - (h) Water impoundments with less than 100 acre feet storage capacity and in conjunction with beneficial uses of water customarily associated with fire prevention, forest uses or farm uses.
 - (i) Fish and wildlife habitat management and any necessary and accessory uses.
 - (j) Maintenance and repair of a lawfully existing residence.
 - (k) Lawfully-established uses necessary and accessory to those listed above.
 - (l) Electrical facilities providing direct service to a use authorized in this zone.
 - (m) On premise signs used in connection with quarry and mine operations. Signs so permitted shall be limited to two per operation, shall not exceed 200 square feet total surface area per sign, shall not contain moving or flashing lights or be capable of movement.
 - (n) Caretaker's residence.
- (5) Site Review Required. Uses permitted to LC 16.216(4)(a), (b), (c), (d) and (e) above shall be subject to the provisions of LC 16.257 (Site Review).
- (6) Permits for Quarry and Mine Extraction.
- (a) General. No quarry or mining extraction or related operations may be initiated on land zoned as Quarry and Mine Operations Zone (QM) until a surface mining permit has been issued by the Oregon Department of Geology and Mineral Industries.
 - (i) Each permit application, Operation and Reclamation Plan referred to the Director shall be reviewed following the Operation Standards and Reclamation Standards set forth in Lane Manual.
- (7) Blasting Notice and Records. Operators using explosives for quarry and mine extraction shall follow explosive regulations and use commonly acceptable engineering standards based on physical conditions and atmospheric conditions of the site so as to prevent injury to persons and damage to public and private property.
- (a) Notice of Blasting. When blasting is to be done within 500 feet of an occupied building, the operator, or an authorized agent, shall notify all occupants that a blast is to be initiated. Such notice shall be given not more than six hours nor less than 30 minutes prior to detonation and shall include the approximate time of the blast.