

## Staff Report

**Case: T3-2017-9984**  
**Permit: Conditional Use and NSA Site Review**

**Scheduled before one of the following County Hearings Officers:**  
**- Liz Fancher, Dan Olsen, or Joe Turner**

**Hearing Date, Time, & Place:**

**Friday, December 14, 2018, at 9:00 AM** or soon thereafter, in Room 103 at the Land Use Planning Division office located at 1600 SE 190th Avenue, Portland, OR 97233

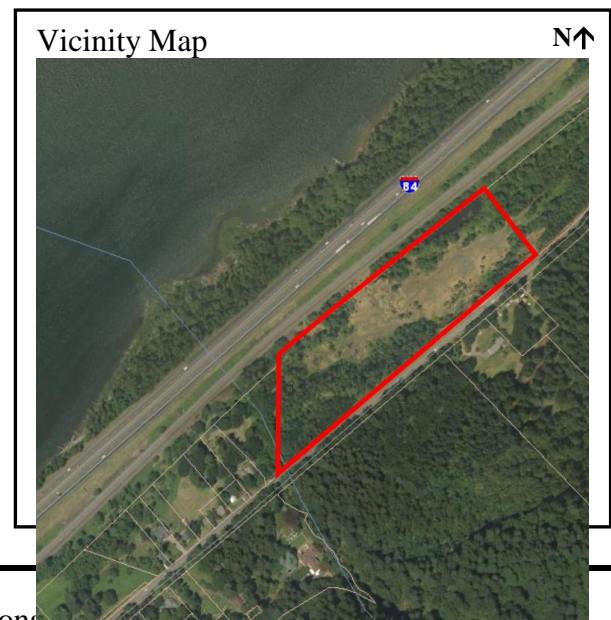
**Location:** Columbia River Gorge National Scenic Area North of the Historic Columbia River Highway just east of Coopey Creek (no address)  
Tax Lot 600, Section 14C,  
Township 1 North, Range 5 East, W.M.  
Tax Acct.# R945140110, ID# R322887

**Applicant:** Sarah Eastman/Tom Peltz (ODOT)

**Owner:** Oregon Department of Transportation

**Base Zone** Gorge Special Forest (GSF-40)  
Special Management Area (Forest)

**Landscape Setting** "Coniferous Woodland, Oak-Pine Woodland" Landscape Setting and a minor amount of "River Bottomland"



**Proposal:** Request National Scenic Area Conditional Use and Site Review to approve using the Coopey Quarry as a long term disposal site for spoil materials from public road maintenance activities (project started as an emergency permit). Project includes restoration/reclamation of the quarry to a forested landscape habitat mitigating for the work in buffer areas resulting in restored vegetative riparian areas and creation of two wetland areas on a property.

**Opportunity to Review the Record:** A copy of the Staff Report and all evidence submitted associated with this application, is available for inspection, at no cost, at the Land Use Planning office during normal business hours. The Staff Report contains the findings and conclusions, along with recommended conditions of approval. A copy of the Hearings Officer Decision will be available once it is issued. The Hearings Officer Decision will include findings, conclusions and Conditions of Approval. Copies of all documents may be purchased at the rate of 30-cents per page. For further information on this case, contact George Plummer, Planner at [george.a.plummer@multco.us](mailto:george.a.plummer@multco.us) (503) 988-0202 or Katie Skakel, Senior Planner [katie.skakel@multco.us](mailto:katie.skakel@multco.us) (503) 988-0213 (8 am to 4 pm Tuesday through Friday).

**Opportunity to Appeal:** The Hearings Officer Decision may be appealed to the Columbia River Gorge Commission.

**Applicable Approval Criteria:** Multnomah County Code (MCC):

- MCC 38.0015: Definitions
- MCC 38.2000: Purposes
- MCC 38.2030(B)(9): GSF-40 Conditional Uses (Disposal Sites Managed and Operated by ODOT)
- MCC 38.7020: Required Findings
- MCC 38.7035: GMA Scenic Review Criteria
- MCC 38.7040: SMA Scenic Review Criteria
- MCC 38.7050: SMA Cultural Resource Review Criteria
- MCC 38.7075: SMA Natural Resource Review Criteria
- MCC 38.7085: SMA Recreation Resource Review Criteria
- MCC 38.7090: Responses to an Emergency/Disaster Event
- MCC 38.7300: Review and Conditional Uses, and
- MCC 38.7350: Disposal Sites for Spoil Materials from Public Road Maintenance Activities

Copies of the referenced Multnomah County Code (MCC) sections can be obtained by contacting our office at 503-988-3043 or by visiting our website at <http://www.multco.us/landuse>

## **Recommended Conditions of Approval**

The conditions listed are necessary to ensure that approval criteria for this land use permit are satisfied. The code citation for the associated approval criterion follows in brackets.

1. Prior to any additional debris disposal at the Coopey Quarry site, the property owner shall record the Hearings Officer Decision including all of the Conditions of Approval and the site plan labeled Exhibit A.19 (Landscape Plan for Revegetation on page 3 of the exhibit) with the County Records. The Hearings Officer Decision shall run with the land and the conditions shall be met by the current and future property owner(s) unless amended through a later decision by an authorized authority. Proof of recording shall be submitted to Multnomah County Land Use Planning prior to any additional debris disposal at the Coopey Quarry site. Recording shall be at the property owner's expense. [MCC 38.0670]
2. Approval of this land use permit is based on the submitted written narratives and plans as amended and as conditioned. No work shall occur under this permit other than that which is specified within these documents. It shall be the responsibility of the property owner to comply with these documents and the limitations of approval described herein. Debris placed on the site shall only be road maintenance and/or landslide debris removed from an ODOT facility located

in Multnomah County and within the Columbia River Gorge National Scenic Area. [MCC 38.0670]

3. This land use permit expires two years from the date the decision is final, if the required berm installation and tree plantings as described in Condition 4 have not been completed. If the berms are installed and trees planted, this permit approval will continue through completion of the restoration of the quarry site. It is understood that placement of debris from ODOT road maintenance projects and landslides happens periodically due to the occasional need for the disposal activity and the episodic nature of landslides. The debris disposal/restoration project may continue many years before all five phases of the project are complete. The project shall be implemented as proposed in the revised “Mitigation Report” dated May 24, 2018 included as Exhibit A.14 and as shown/described on the Reclamation Plans’ five pages included as Exhibit A.19. [MCC 38.0690]
4. For project screening purposes, prior to any additional work in the quarry, the applicant/property owner shall install two additional earthen berms along the Historic Columbia River Highway (HCRH) as shown on Exhibit A.18. The berms within the quarry (that were placed under the Emergency Response action) and the two berms proposed along the HCRH shall be planted with native grasses and trees as soon as possible during the current planting season. The additional trees required along the berms beyond what the applicant proposed shall be planted using the same species, density and plant size as is proposed along I-84. The applicant shall complete the planting of trees along Interstate Highway – 84 (I-84) as described on the planting list included as Exhibit A.17 and as shown on the site plan for planting along I-84 included as Exhibit A.18. All existing trees along Coopey Quarry frontage on the HCRH and the planted trees shall be maintained in a living status or replaced the next planting season. The property owner shall monitor the existing vegetation and the planted trees throughout the project and maintain the vegetative density and planted trees in living status. If the vegetative density is decreased, the property owner shall replace vegetation that has not survived. Any planted trees that do not survive shall be replaced. [MCC 38.7035(B)(27) & (29), MCC 38.7350(C)(1) & (2), and MCC 38.7040(A)]
5. The applicant/property owner shall ensure the quarry restoration be completed as described in the “Mitigation Report” (Exhibit A.14) and in the “Landscape Plan for Revegetation” and “Plant and Materials” list included as part of Exhibit A.19. When the quarry restoration project is complete, as described within Exhibit A.19: Reclamation Plan, it shall be landscaped and planted with native species to achieve an overall appearance of a woodland landscape as proposed in Exhibit A.14 and A.19. The property owner shall monitor the planted vegetation for five years after the project is completed and shall replace vegetation that does not survive. [MCC 38.7040(B) & (C)]
6. The applicant/property owner shall ensure that inactive equipment (period of non-operation lasting more than three hours) when on-site only be stored in an area that is fully screened from any Key Viewing Areas. The applicant/property owner shall ensure that equipment only be temporarily stored on the property during active work periods on the property. Equipment shall be removed from the property during inactive periods of or more than 84 hours (allows for a holiday weekend). [MCC 38.7035(B)(27)]
7. The property owner shall ensure that the disposal/placement of materials only consist of debris from ODOT road maintenance projects. The debris shall only consist of earthen materials (Defined in MCC 38.0015) and interspersed vegetation. The property owner shall ensure there is no burning of materials on-site. [MCC 38.7300(B)(4)]

8. The applicant/property owner shall maintain best practices sediment and erosion control measures according to the ODOT's Erosion Control Manual Any plastic fencing for erosion control shall be black and shall be removed once ground cover vegetation is established. The property owner is responsible for removing any sedimentation caused by development activities from all neighboring surfaces and/or drainage systems. If any features within adjacent public right-of-way are disturbed, the property owner shall be responsible for returning such features to their original condition or a condition of equal quality. Multnomah County can require additional erosion control methods if it is discovered that sediment is flowing off-site. [MCC 38.7090(A)(1) and MCC 38.7350(C)(2)]
9. Cultural Resource Discovery During Construction [MCC 38.7050(H)]:

The property owner shall immediately notify the Planning Director in the event of the inadvertent discovery of cultural resources during construction or development.

  - (1) In the event of the discovery of cultural resources, work in the immediate area of discovery shall be suspended until a cultural resource professional can evaluate the potential significance of the discovery pursuant to MCC 38.7050 (G) (3).
  - (2) If the discovered material is suspected to be human bone or a burial, the following procedure shall be used:
    - (a) Stop all work in the vicinity of the discovery.
    - (b) The applicant shall immediately notify the U.S. Forest Service, the applicant's cultural resource professional, the State Medical Examiner, and appropriate law enforcement agencies.
    - (c) The U.S. Forest Service shall notify the tribal governments if the discovery is determined to be an Indian burial or a cultural resource.
    - (d) A cultural resource professional shall evaluate the potential significance of the discovery pursuant to MCC 38.7050 (G) (3) and report the results to the U.S. Forest Service which shall have 30 days to comment on the report.
  - (3) If the U.S. Forest Service determines that the cultural resource is not significant or does not respond within the 30 day response period, the cultural resource review process shall be complete and work may continue.
  - (4) If the U.S. Forest Service determines that the cultural resource is significant, the cultural resource professional shall recommend measures to protect and/or recover the resource pursuant to MCC 38.7050 (G) (4) and (5).

**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.

## **Findings of Fact**

**FINDINGS:** Written findings are contained herein. The Multnomah County Code (MCC) criteria and Comprehensive Plan Policies are in **bold** font. Staff analysis and comments are identified as ‘**Staff:**’ and address the applicable criteria. Applicant statements from the submittal are included in quotation marks and in *italic* font. Staff findings may include a conclusionary statement in *italic*.

### **1. PROJECT DESCRIPTION:**

**Staff:** The Oregon Department of Transportation (ODOT) requests National Scenic Area Conditional Use and Site Review to approve using the Coopey Quarry as a long term disposal site for spoil materials from public road maintenance activities (project started as an emergency permit). The project includes restoration/reclamation of the quarry to a forested landscape habitat mitigating for the work in buffer areas resulting in restored vegetative riparian areas and creation of two wetland areas on a property in the Gorge Special Forest – 40 (GSF-40) Zone.

The proposal is for a five-phase debris disposal project (Exhibit A.3.a) for disposal of earthen debris from ODOT yearly highway maintenance and for landslide debris that impacts the Historic Columbia River Highway and Interstate 84. The project will be used for reclamation of an abandoned quarry site, and restoration and mitigation of the quarry site resulting in a native vegetation forest (Exhibit A.14 and A.19). For a list of exhibits, see the last four pages of this Staff Report.

### **2. PROPERTY DESCRIPTION & HISTORY:**

**Staff:** The subject property is located within the Columbia River Gorge National Scenic Area Gorge Special Forest Zone in the Special Management Area (SMA) within the Coniferous Forest and River Bottomland Landscape Settings. The subject property is 10.84 acres. The quarry site is located within the subject property and coincides with the location of abandoned quarry activities, a portion of the site is natural landscape that is not disturbed by the abandoned quarry activities. The subject property is located along the Historic Columbia River Highway (HCRH) to the northeast. The floor of the quarry is about 30 to 40 feet higher in elevation than I-84 which is across the railroad to the northeast. The site is directly adjacent to a railroad and close to the same elevation. The site area consists of mostly the abandoned quarry with a rock floor and cliff wall running parallel with the HCRH.

The property includes what appears to be a human-made pond in the northeastern corner of the property. The southwestern corner of the property is an area that was not mined (Exhibit A.3.a); it is heavily forested, rising in elevation from the quarry floor to the elevation of the HCRH, this is the area where the access road is located. The quarry floor is covered by several inches of soil formed from vegetative debris that has fallen on the rock surface. The existing quarry floor, with its few inches of vegetative debris soil perched on a layer of rock base, has resulted in a sparse dwarf forest with short unhealthy trees and a clearing with perched wet areas. These wet areas have been determined to not qualify as wetlands.

The quarry floor has a relatively shallow slope rising up to the west about five feet in the mined area. There are a couple rock outcroppings along the northern property line. The reclamation plan shows the rock outcroppings will continue to exist after the restoration project is complete (Exhibit A.19).

The applicant submitted a brief history in the archaeological study titled “Coopey Quarry: Archaeological Investigation with Technical Report” by Kaylon McAlister and Thomas

Connolly. Appendix G (Exhibit A.3.g). Much of the early history presented here is gleaned from that document.

Coopey Quarry was established in 1906 as a quarry to provide rock for the construction of the railroad. Later, the quarry was purchased by a private construction firm and used for the construction of the Historic Columbia River Highway (HCRH). For a brief spell Minnie Franklin Coopey owned the property. Oregon State Highway Commission purchased the Coopey Quarry in 1939 to be used as a materials source for building a highway along the river lowlands and later, the building of Interstate – 84 in the 1950s and 1960s. The quarry was abandoned in the 1970s.

ODOT began using the site in the fall of 2017 as a *Response to an Emergency/Disaster Event*. ODOT provided the proper notifications required by the Multnomah County Code (more information about this process is included as Exhibit B.4.a through B.4.f and B.5). At that time, ODOT began using the site to dispose of debris resulting from the National Scenic Area Eagle Creek Wildfire. As part of that response, ODOT created a berm to screen Interstate 84. Prior to placing material from the Eagle Creek Wildfire, ODOT had been in discussions with the County about utilizing the site as a Disposal Site for Spoil Materials from Public Road Maintenance Activities. Since ODOT had already been working on the Conditional Use Permit application that is the subject of this review, they elected to submit this application in lieu of finalizing the *Response to an Emergency/Disaster Event*.

### 3. COMMENTS

#### 3.1. Notice of Public Hearing

**Staff:** The notice of public hearing was published in the Oregonian November 23, 2018 and mailed on Tuesday November 20, 2018 to owners of properties with 750 feet, neighborhood groups, Native American Tribes with interest in the Columbia River Gorge and agencies with interest more than 20 days in advance of the hearing day. Any comments related to Cultural Review received during that period will be submitted to the Hearing Officer for review.

#### 3.2. Agency and Tribe Completeness Review

**Staff:** Shortly after the application was submitted, staff emailed the submitted materials to the Agencies and Tribes with interest in the Columbia River Gorge National Scenic Area (NSA) to assist with identifying and addressing completeness and other concerns. The following are summaries of letters of comment received after sending out the request for completeness review.

##### 3.2.1. **Email dated January 11, 2018 from Morai Helfen, Landscape Architect, US Forest Service with comments addressing completeness issues for the application included as Exhibit C.1.**

**Staff:** Ms. Helfen expressed concerns about the submitted application materials regarding the buffer areas, location of Coopey Creek, and wetlands creation that is proposed. These concerns were addressed by the applicant in later submittals.

##### 3.2.2. **Letter dated January 12, 2018 to Roy Watters, Archeologist, ODOT, from Matt Diederich, MAIS, SHPO Archeologist addressing cultural resources included as Exhibit C.2.**

**Staff:** Mr. Matt Diederich stated concurrence with Mr. Waters’ finding of “no effect” regarding archeological resources. Mr. Diederich noted that “in the unlikely event an archeological object or site is encountered” that applicant should follow the ORS and OAR requirements for such circumstances. Staff has recommended including a condition of approval to ensure that if resources are encountered, the correct steps are taken.

**3.2.3. Letter dated January 19, 2018 from Chris Donnermeyer, Heritage Program Manager, USFS addressing cultural review.**

**Staff:** Mr. Donnermeyer made a stated concurrence with the finding of “No Historic Properties Adversely Affected” by Robert Hadlow, ODOT Archeologist. Mr. Donnermeyer also expressed concern about what would occur if there is discovery of cultural resources or human remains. He recommended that the applicant be required to follow the MCC 38.7050(H) requirements for such circumstances. Staff has recommended including MCC 38.7050(H) as a condition of approval to ensure that if resources are encountered, the correct steps are taken.

**4. GORGE SPECIAL FOREST ZONE**

**4.1. Purposes**

**MCC 38.2000: The purposes of the Gorge General Forestry and Gorge Special Forestry districts are to protect and enhance forest land within the Columbia River Gorge National Scenic Area for forest uses. Forest lands are those lands which are used for or suitable for the production of forest products.**

**Staff:** The proposal is to place debris spoils from routine maintenance or emergency/disaster public road maintenance activities as fill for the reclamation of an abandoned quarry. The project includes restoring the site and mitigating for the work in a wetland buffer, stream buffer and pond buffer creating a healthy forested landscape riparian area including the creation of two wetlands.

**4.2. Conditional Uses**

**MCC 38.2030(B): The following conditional uses may be allowed on lands designated GSF, pursuant to the provisions of MCC 38.0045.**

\* \* \*

**(9) Disposal sites managed and operated by the Oregon Department of Transportation or the Multnomah County Public Works Department for earth materials and any intermixed vegetation generated by routine or emergency/disaster public road maintenance activities within the Scenic Area, subject to MCC 38.7350.**

**Staff:** ODOT’s proposal is to permit the ability to place earth materials with intermixed vegetation generated by routine or emergency/disaster public road maintenance activities within the Scenic Area. The disposal site also serves to reclaim an old quarry, restoring the site to a forested landscape. The proposal is reviewed for compliance with MCC 38.7350 with findings in Section 5 of this Staff Report. *This standard is met.*

**5. CONDITIONAL USE REVIEW CRITERIA**

## **5.1. Conditional Uses Review – Forestry**

### **5.1.1. MCC 38.7300(B)(1): The owners of land designated GGF or GGA within 500 feet of the perimeter of the subject parcel have been notified of the land use application and have been given at least 10 days to comment prior to a final decision;**

**Staff:** On Tuesday, November 20, 2018, the County has sent, by first class mail, notice of the hearing to all owners of record, based upon the most recent Multnomah County records, of property within 750 feet of the subject tract (Exhibit D.4).

### **5.1.2. MCC 38.7300(B)(2): The use will not interfere seriously with accepted forest or agricultural practices on nearby lands devoted to resource use;**

**Staff:** The proposed use will not interfere seriously with accepted forest or agricultural practices on nearby lands devoted to resource use. The intent of this standard is to protect the ability to conduct farm and forest operations on lands nearby. The intent of the proposed use is to allow ODOT to be able to more rapidly respond to events that could impact passage on the HCRH and I-84. This use if approved would allow a quicker response which would assist clearing roadways and facilitating movement of agriculture and forestry products to market. Based on site visits and review of aerial photography there are forestlands to the east and south and residential uses to the west and south with no nearby agriculture (Exhibit B.3). The disposal will be maintained on-site with measures taken to prevent erosion and sediment flow both on-site and off-site. Trucks will directly enter the property from the Historic Columbia River Highway and therefore will not obstruct access to the highway for nearby forestry uses. *This standard is met.*

### **5.1.3. MCC 38.7300(B)(3): The use will be sited in such a way as to minimize the loss of forest or agricultural land and to minimize the chance of interference with accepted forest or agricultural practices on nearby lands; and**

**Staff:** The proposed disposal of earth materials and intermixed vegetation will be used to reclaim the quarry site as forestland, thus minimizing the loss of forest. Significant portions of the subject property are currently not capable of accommodating a healthy forest landscape as witnessed by the trees within the quarry site that are stunted (Exhibit A.14). The proposal would result in an increase in land within the subject property that is capable of supporting forest uses. The proposal would result in the reclamation of forest land from what is currently a degraded abandoned quarry site which would increase the forest use in the area. When the quarry site is fully reclaimed it will support the forest use on nearby properties by providing a use that is compatible with forestry and agricultural practices. No residential or other uses are proposed on the property that would conflict with nearby agriculture and forest uses. The subject property has never been an agricultural land and the proposed use will not result in loss of agricultural land. Finding 5.1.2 addresses impacts to adjacent agricultural and forest lands. There should be no impacts from the project to any accepted forest on nearby lands devoted to resource use. *This standard is met.*

### **5.1.4. MCC 38.7300(B)(4): The use will not significantly increase fire hazard, fire suppression costs or risks to fire suppression personnel and will comply with MCC 38.0085.**

**Staff:** The use has no component related to combustion. Staff has recommended a condition of approval that would require no burning of materials on-site. The use as proposed will not significantly increase fire hazard, fire suppression costs or risks to fire suppression personnel.



There is no MCC 38.0085 in the current code, but Fire Protection in Forest Zones is addressed in MCC 38.7305. MCC 38.7305 is focused on fire protection for buildings and structures. This proposal does not increase the fire hazard and it does not include any buildings or structures, thus MCC 38.7305 is not applicable. *This standard is met.*

## **5.2. Disposal Sites for Spoil Materials from Public Road Maintenance Activities**

### **Application Requirements.**

**MCC 38.7350(A):** In addition to other applicable requirements, land use applications for disposal sites shall include the same information that applicants are required to submit for expansion of existing quarries and production and/or development of mineral resources in the GMA, including, but not limited to:

**Applicant:** *All documentation in this permit is consistent with the information required for an expansion of existing quarries.*

**Staff:** The applicant's quotes addressing the criteria are from the submitted narrative are from the applicant narrative table (Exhibit A.12 replacing Exhibit A.2 and A.6).

### **5.2.1 (1) A reclamation plan that includes:**

- (a) **A map of the site, at a scale of 1 inch equals 200 feet (1:2,400) or a scale providing greater detail, with 10-foot contour intervals or less, showing pre-reclamation existing grades and post-reclamation final grades; locations of topsoil stockpiles for eventual reclamation use; location of catch basins or similar drainage and erosion control features employed for the duration of the use; and the location of storage, processing, and equipment areas employed for the duration of the use.**
- (b) **Cross-sectional drawings of the site showing pre-reclamation and post-reclamation grades.**
- (c) **Descriptions of the proposed use, in terms of estimated quantity and type of material removed, estimated duration of the use, processing activities, etc.**
- (d) **Description of drainage/erosion control features to be employed for the duration of the use.**
- (e) **A landscaping plan providing for revegetation consistent with the vegetation patterns of the subject landscape setting, indicating species, number, size, and location of plantings for the final reclaimed grade, as well as a description of irrigation provisions or other measures necessary to ensure the survival of plantings.**

**Applicant:** *"Appendix B includes a reclamation plan that addresses all the information required in (a) through (e)."*

**Staff:** The Applicant's Appendix B is included as Exhibit A.3.b of this staff report.

The submittal includes maps of the site, labeled with a scale of 1 inch equals 100 feet, a measurable scale (Exhibit A.3.a) including "Existing Topography" a five foot contour map on an aerial photo showing vegetation and landforms; "Existing Conditions" previous map with existing natural features (forest, stunted forest, herbaceous, pond, wetland, and stream); "Proposed Plan Concept" showing a phased filling and restoration of the quarry; Existing Conditions" cross-section; and "Proposed Fill Concept" showing filled and restored cross-section of the quarry.

The revised maps in Exhibit A.15 are not to scale. A revised plan is provided in Exhibit A.19 Included with the submitted documents is a “Landscape Plan for Revegetation,” which includes a two page planting list. The landscaping plan includes revegetation consistent with the vegetation patterns of the subject landscape setting and the planning list indicating species, number, size, and location of plantings for the final reclaimed grade. *This standard is met.*

**5.2.2. (2) Perspective drawings of the site as seen from key viewing areas.**

**Applicant:** *“Appendix F includes photos and perspective drawings of the site from key viewing areas as part of the Visual Analysis.”*

**Staff:** The Applicant’s Appendix F is included as Exhibit A.3.f of this staff report. Appendix F includes a submittal of photographs representing views from the Key Viewing Areas (KVA’s) of the project site. Many of the photos are from distant KVA’s such as the Portland Women’s Forum, Crown Point (about 8 miles away), Cape Horn (about 4 miles away), and SR-14 (about 4 miles away). These photos show the site from the KVAs.

Photos from the History Columbia River Highway (HCRH) which is the closest KVA directly adjacent to the road are also included. There is an arrow on each photo pointing to the area off photo. The east bound photos provide a view in the direction of the quarry as a vehicle driver would see the area.

Additionally there are east bound and west bound photos taken from I-84 KVA. Many of these photos were taken at 60 to 90 degree angles providing a good understanding of the view from I-84 KVA. Staff has provided photos from the HCRH and I-84 included as Exhibit B.6.

Those photos as well as photos taken by Katie Skakel, County Land Use Planning, Senior Planner (Exhibit B.6 – B.9) along HCRH and I-84 show some gaps in the vegetation. *This standard is met.*

**5.2.3. (3) Cultural Resource reconnaissance and historic surveys, as required by MCC 38.7045 (A). Disposal sites shall be considered a “large-scale use” according to MCC 38.7045 (D)(2).**

**Applicant:** *“The required cultural and historic resource surveys required are complete and SHPO has provided the concurrence letter to Multnomah County per an email sent by George Plummer 1/12/18.”*

**Staff:** The Cultural Resource Reconnaissance and Historic Surveys were done as a “large-scale use” according to MCC 38.7045 (D)(2). Findings for the Cultural Resource Reconnaissance and Historic Surveys are under Section 7 of this staff report. State Historic Preservation Office (SHPO) has submitted a finding of concurrence with the submitted Cultural Resource Reconnaissance and Historic Surveys in a letter (Exhibit C.2) dated January 12, 2018 to Roy Waters, ODOT, from Matt Diederich, MAIS, SHPO Archaeologist addressing cultural resources stating concurrence with a finding of “no effect.”

Chris Donnermeyer, Heritage Program Manager in a US Forest Service letter dated January 19, 2018 addressed cultural resources stating concurrence with “No Historic Properties Adversely Affected” finding of Robert Hadlow, ODOT Archeologist (Exhibit C.3). Because of the presence of Cultural Resources throughout the National Scenic Area there is always a concern that archeological resources could be found during a project. While this project is mostly fill, there is

a possibility that some archeological resource could be discovered. Staff recommends a condition that if there is an archeological discovery, the project be stopped and that proper procedures be followed according to MCC 38.7050(H). *This criteria is met through a condition of approval.*

**5.2.4. (4) Written reports of field surveys to identify sensitive wildlife areas or sites and sensitive plants.**

**(a) Field survey reports identifying sensitive wildlife sites shall:**

- 1. Cover all areas affected by the proposed use or recreation facility;**
- 2. Be conducted by a professional wildlife biologist hired by the project applicant;**
- 3. Describe and show all sensitive wildlife areas and sites discovered in a project area on the site plan map.**

**(b) Field survey reports identifying sensitive plant sites shall:**

- 1. Cover all areas affected by the proposed use or recreation facility;**
- 2. Be conducted by a person with recognized expertise in botany or plant ecology hired by the project applicant;**
- 3. Identify the precise location of the sensitive plants and delineate a 200-foot buffer zone;**
- 4. Show results on the site plan map.**

**Applicant:** *“Appendix C includes the results of the biological field surveys. The surveys were conducted in compliance with all provisions of (a) and (b). Both the wildlife and plant surveys were conducted by ODOT qualified staff. All wildlife and plant resources have been identified and mapped according to the listed provisions and are attached in Appendix C.”*

**Staff:** The Applicant’s Appendix C is included as Exhibit A.3.c of this staff report. A later applicant’s submittal replaced Appendix C, which is included as Exhibit A.13. The applicant’s biologist Ben White authored a “Biological Resources Impact Memo” documenting a field study with several site visits included as Exhibit A.13 of this staff report. *This standard has been met.*

**5.3. Siting Standards**

**MCC 38.7350(B):** **The proposed disposal site shall only be approved if the applicant demonstrates it is not practicable to locate the disposal site outside the Scenic Area or inside an Urban Area. At a minimum, the applicant shall submit a feasibility and suitability analysis that compares the proposed disposal site to existing or potential disposal sites located both outside the Scenic Area and inside an Urban Area.**

**Applicant:** *“Appendix H, the Feasibility and Suitability Analysis Coopey Disposal Site includes analysis that demonstrates it is not practicable to locate the disposal site outside of the Scenic Area or inside an urban area. Sites outside the scenic area would require extensive travel time. ODOT staff reached out to Multnomah County Road Maintenance Crews. Multnomah County presently trucks their road debris to a disposal site in the West Hills site. Trucking debris to the West Hills of Portland is not practicable assuming the life line function of ODOTs facilities. Geologic events most often occur during winter. Keeping the transportation corridors open is critical during these times. Access for police and emergency vehicles is very important to public safety. Interstate 84 and the Historic Columbia River Highway are critical transportation corridors though the Gorge. Closures of these facilities require long detours which may also be impacted by slides and rock fall during severe weather conditions.”*

*“During winter operations maintenance crews have access to one dump truck. The other trucks in the fleet are set up with plows and sanding equipment necessary to maintain access through the Gorge. During these times maintenance staffing is limited and often spread across the region plowing or sanding to maintain access on the interstate or along the Historic Columbia River Highway. With one truck available, a flagger and loader operator, would need to sit idle waiting for the truck to return from a sites located outside the National Scenic Area.”*

*“Appendix H details how ODOT maintenance staff identified the need for a new disposal site in the Columbia River Gorge. Existing disposal sites are at capacity and permitted for temporary storage. ODOT needs a long term solution to store debris within the Columbia River Gorge due to the cost and time associated with removing materials outside of the Gorge area.”*

*“ODOT surveyed existing ODOT owned lands that could provide opportunities to store materials (spreadsheet attached Appendix H). The existing 8 ODOT managed disposal sites within the Columbia River Gorge National Scenic Area are at capacity.”*

*“Sites outside the scenic area would require extensive travel time. Multnomah County trucks road debris to a disposal site in the West Hills as there are no suitable sites nearby. ODOT is not able to truck debris a long distance and through the Portland Metro because of the life line function of ODOTs facilities (Historic Highway and I-84). Geologic events most often occur during winter, and facility closures require long detours which may also be impacted by slides and rock fall during severe weather conditions. During winter operations maintenance crews have limited access to dump truck as other trucks in the fleet are fitted with plows and sanding equipment necessary to maintain access through the Gorge. During these times maintenance staffing is limited and often spread across the region plowing or sanding to maintain access on the interstate or along the Historic Highway. Having a nearby disposal site would reduce the length of closures and allow ODOT to more quickly reopen lifeline transportation facilities after slides or rockfall events.”*

**Staff:** The proposed disposal site shall only be approved if the applicant demonstrates it is not practicable to locate the disposal site outside the Scenic Area or inside an Urban Area. At a minimum, the applicant shall submit a feasibility and suitability analysis that compares the proposed disposal site to existing or potential disposal sites located both outside the Scenic Area and inside an Urban Area. The Applicant’s submittal addresses this standard in Appendix H included as Exhibit A.3.h with staff report. Staff concurs with ODOT’s analysis that it is not practicable to locate the disposal site outside the Scenic Area or inside an Urban Area. *This standard is met.*

#### **5.4. Scenic Resource Standards for Disposal Sites**

**MCC 38.7350(C): Disposal sites shall comply with the same scenic resources protection standards as expansion of existing quarries and production and/or development of mineral resources in the GMA, including, but not limited to:**

**Applicant:** *“Appendix F includes the site plan including the mitigation to ensure that the proposed activities are visually subordinate from all Key Viewing Areas.*

**Staff:** Appendix F (Exhibit A.3.f) provides photo images of the existing Coopey Quarry site as seen from various KVAs. Applicant’s Appendix F does not include a site plan or mitigation. The Site Plan was included as Applicant’s Appendix (Exhibit A.3.b) with the latest revised Site Plan

included as Exhibit A.19. The Mitigation Plan is included as Applicant's Appendix E, which has been replaced with the latest revised Mitigation Plan included as Exhibit A.14. The proposed debris disposal site has been reviewed with findings addressing scenic resources, cultural resources, natural resources and recreational resources located in Sections 6,7, 8,and 9 of this Staff Report.

**5.4.1. (1) Sites more than 3 miles from the nearest key viewing area shall be visually subordinate as seen from any key viewing area, according to MCC 38.7035 (B) (25).**

**MCC 38.0015: Definitions - Visually Subordinate: The relative visibility of a structure or use where that structure or use does not noticeably contrast with the surrounding landscape, as viewed from a specified vantage point (generally a Key Viewing Area). Structures which are visually subordinate may be partially visible, but are not visually dominant in relation to their surroundings. Visually subordinate forest practices in the Special Management Area shall repeat form, line, color, or texture common to the natural landscape, while changes in their qualities of size, amount, intensity, direction, pattern, etc., shall not dominate the natural landscape setting.**

**Staff:** This standard applies only if there is no Key Viewing Area (KVA) within 3 miles of the site. There are three KVAs within 3 miles of the Coopey Quarry site. The project site is directly adjacent to the Historic Columbia River Highway (HCRH) KVA (Exhibits A.3.a and A.3.f). The site is about 200 feet from the Interstate 84 KVA and about 500 feet from the Columbia River KVA. Thus this criterion it not applicable because KVAs are within 3 miles of the site (Exhibits A.3.a and A.3.f). *The criterion is not applicable to this review.*

**5.4.2. (2) Sites less than 3 miles from the nearest key viewing area shall be fully screened from any key viewing area, according to MCC 38.7035 (B) (26).**

**An interim period to achieve compliance with this requirement shall be established before approval. The period shall be based on site-specific topographic and visual conditions, but shall not exceed 1 year beyond the start of on-the-ground activities. Disposal activity occurring before achieving compliance with full screening requirements shall be limited to activities necessary to provide such screening (creation of berms, etc.).**

**Applicant:** *"Appendix F includes the site plan including the mitigation to ensure that the proposed activities are visually subordinate from all Key Viewing Areas."*

**Staff:** The Coopey Quarry site is less than 3 miles to some Key Viewing Areas (KVAs). The project site is directly adjacent to the Historic Columbia River Highway (HCRH) KVA (Exhibits A.3.a and A.3.f). The site is about 200 feet from Interstate 84 KVA and about 500 feet from the Columbia River KVA (Exhibits A.3.a and A.3.f).

The Coopey Quarry Mitigation Report describes and shows on a site plan on Page 6 how ODOT will create berms to shield the visibility of the debris fill operation/restoration project. ODOT addresses screening as seen from I-84, which is shown on Exhibit A.17: Coopey Quarry I-84 / Vegetative Buffer Screening table detailing planting and Exhibit A.18: Coopey I-84 Vegetative Buffer Screening site plan. The proposal includes two berms (3 to 4 feet tall) along the Historic Columbia River Highway (HCRH) and tree planting areas along the highway for future screening of the quarry spoils disposal/restoration project. A Reclamation Plan, including site plan, cross-sections, and a landscape site plan with planting list is included as Exhibit A.19. Staff

recommends a condition of approval requiring the two additional berms along the HCRH be installed prior to any additional work in the quarry is authorized.

The proposed project will have long periods of inactivity or minor amounts of debris spoils disposal from yearly maintenance of the highway ditches, except when there is a major landslide. Historical need for a spoils disposal site for highway maintenance has generally been for sporadic slide episodes, including minor slides and occasional slides. During most winters, there is a need for disposal for a few minor slides; major slides are historically less frequent. The recent Eagle Creek Fire has resulted in an increased occurrence of landslide activity within the NSA due to a lack of living vegetation. The risk of landslides should decrease over time as the forest lands become revegetated, holding soils in place. Climate change may result in an increase of heavy rain events during the wet season, which may increase the occurrence of landslides. A site for disposal of spoils debris is needed for these occasional events, and the fill will be placed after these episodic events. . The proposed project includes seeding with native grasses after each disposal event. A condition of approval will require the seeding. Most of the time the project area will blend with the surrounding area because it will be vegetated and blend into the landscape except for those limited period of times when fill actively being placed within the site.

The old quarry is proposed to be filled in five phases as shown on Exhibit A.3.a. Each phase will be completed prior to moving onto the next phase. The disposed materials will be contoured and planted at the end of each phase to complete the restoration. Exhibit A.15 and A.19: Restoration Plans show contours and cross-sections, which show the fill operation appearing to be higher than the berms that have been built-up in the quarry. As a result, Staff has recommended a condition of approval to assist with screening the future stages of the project where additional vegetation is needed along I-84 and the HCRH. Staff is recommending that the applicant/property owner plant additional vegetation between I-84 and the berms assist with further screening the proposed use and the berms themselves, said condition will require planting of vegetation in this area as it is proposed to planted along the I-84 frontage.

The Applicant's Appendix F, included as Exhibit A.3.f of this staff report, provides photo images of the existing Coopey Quarry site as seen from the applicable KVAs for this review. From the distant KVAs that are more than three miles from the site, the proposed project will be visually subordinate due to distance, screening and blending with the landscape. This is evident from the information contained within Exhibit A.3.f. From WA State Route – 14 KVA (SR-14), the site is primarily screened by topography and existing vegetation (Exhibit A.3.f). As seen from SR-14, when the project is active it will appear as very small earth disturbance. The project would blend in with the surrounding area given the dark earth tone colors of the surrounding area and would be mostly screened by existing vegetation with future phases screened by existing and planted vegetation. Once the project is complete, the site will not be discernable from the SR-14 KVA.

For the I-84 KVA, most of the Coopey Quarry site is well screened by existing topography, existing on-site vegetation, and vegetation along the highway. The quarry floor is topographically screened and not visible from I-84, which is located at approximately 30 to 40 feet below the relativity flat existing quarry floor level (Exhibit B.10). Applicant's Appendix F (Exhibit A.3.f) includes some photos taken at points along I-84 near the quarry. Those photos as well as photos taken by Katie Skakel, County Land Use Planning, Senior Planner (Exhibit B.6 through B.9) along I-84 and the HCRH show some gaps in the vegetation. There are gaps in the vegetation as seen from I-84 for project Phase 1 area (Exhibit A.3.a) later in the phase when the elevation of the fill may appear above of the existing tree tops.

Newly created berms along with existing trees (Exhibits A.3.f, A.19 and B.4) and two additional berms (Exhibit A.18) proposed along the HCRH will screen any work on the beginning stages of each of the project phase's areas from all applicable KVA's.

In the later stages of Phases 1 and 2 (Exhibit A.3.a), as the debris spoils (fill) level increases in height, the project will become visible from I-84 given existing screening. Revised submittals contained within Exhibits A.16 through A.19 propose to plant 180 Douglas fir trees along I-84 in areas where there are gaps in existing vegetation. These trees, along with existing trees, as well as the trees proposed to be planted along the berms, will screen the later stages of Phase 1 and 2 from I-84, as well as all of Phases 3, 4, and 5 from I-84. The proposed planting areas are shown on Exhibit A.18: Coopey I-84 Vegetative Buffer Screening. The proposed planting along the I-84 KVA will provide additional screening for later stages of each of the phases of the disposal/quarry restoration project. The first phase will likely be screened for more than five years by existing on-site vegetative screening unless we experience unprecedented multiple large landslides.

The project is well screened by existing topography and existing vegetation from the Historic Columbia River Highway (HCRH) KVA because the disposal site is located lower in elevation than the HCRH. The quarry floor is below the HCRH KVA. Due to existing topographic screening with the cliff drop adjacent to the HCRH right-of-way, along with screening vegetation, the vast majority of the disposal site/restoration project will be screened from the HCRH KVA (Exhibits A.3.a, A.3.f, B.6, B.7, B.8, and B.9). However, there are a couple gaps in the topographic and vegetative screening. These gaps would allow the project to be visible from HCRH (Exhibit B.6 and B.7). ODOT is proposing to create three to four foot earthen berms along the HRCH frontage as shown on Exhibit A.18. These berms will screen the project area from the HCRH. Staff recommends a condition of approval requiring the two additional berms along the HCRH be installed prior to any additional work in the quarry.

Staff proposes a condition of approval that includes planting trees on the berms to assure the spoils disposal/restoration project will be thoroughly screened from the HCRH that the applicant plant native conifer trees along this road frontage to screen the operation in the future when it gets to the height where it could be seen from the HCRH (Exhibit B.6 and B.7). The berms along with additional trees will screen the project from the HCRH.

Along the portion of the property that faces I-84 staff proposes a condition of approval that includes planting of additional trees on the new quarry floor berms created during the emergency debris disposal and on the proposed new berms along the HCRH shown on Exhibit A.18 during the 2018/2019 wet weather planting season. The additional screening will also be beneficial for screening from the Columbia River KVA. With the existing topography, vegetation and additional planting of trees on the berms that were created during the Emergency Event and additional planting of 180 Douglas firs trees as shown on Exhibit A.18, the proposed project will be screened sufficiently to be visually subordinate from I-84 and the Columbia River and HCRH KVAs.

Staff recommends a condition of approval requiring planting of trees as soon as possible during the current planting season. Staff recommends a condition requiring maintenance of the existing trees and planted trees in a living status and replacement of any trees that do not survive. *This standard is met through implementing the conditions of approval.*

**5.4.3. (3) Reclamation plans shall restore the site to a natural appearance that blends with and emulates surrounding landforms and vegetation patterns to the maximum extent practicable.**

**Staff:** Applicant’s submittal Exhibit A.14 Coopey Quarry Mitigation Report Pages 5 through 7 describes the mitigation plan to restore the site to a natural appearance that blends with and emulates surrounding landforms and vegetation patterns to the maximum extent practicable. Exhibit A.19 Reclamation Plan and Landscape Plan for Revegetation show how the site will blend with surrounding landforms and the proposed forested landscape. The applicant is proposing to plant native vegetation throughout the project that is consistent with the existing landscape that surrounds the proposed fill site (Exhibit A.19). The existing subject property does not currently blend with the surrounding landforms and vegetation, and the proposed project will ensure that the reclamation of the site is consistent with this requirement. *This standard is met.*

**6. SMA SCENIC RESOURCE REVIEW CRITERIA**

**MCC 38.7040: The following scenic review standards shall apply to all Review and Conditional Uses in the Special Management Area of the Columbia River Gorge National Scenic Area with the exception of rehabilitation or modification of historic structures eligible or on the National Register of Historic Places when such modification is in compliance with the national register of historic places guidelines:**

**Staff:** All conditional use reviews for property in the Special Management Area require compliance with scenic review standards. The Coopey Quarry is located in the Special Management Area. Below are staff findings that address the proposed Coopey Quarry disposal site/restoration project’s compliance with scenic review standards.

**6.1. All Conditional Uses Visible from KVAs**

**MCC 38.7040(A): This section shall apply to proposed development on sites topographically visible from KVAs:**

**Staff:** As previously discussed, portions of the proposed fill site are topographically visible from KVAs, requiring the applicant to comply with this section of the code. The staff findings in Subsection 5.4.2 of this staff report address the KVAs from which the site is topographically visible.

- 6.1.1 (1) New developments and land uses shall be evaluated to ensure that the scenic standard is met and that scenic resources are not adversely affected, including cumulative effects, based on the degree of visibility from Key Viewing Areas.**
- (2) The required SMA scenic standards for all development and uses are summarized in the following table.**

**REQUIRED SMA SCENIC STANDARDS**

<b>LANDSCAPE SETTING</b>	<b>LAND USE DESIGNATION</b>	<b>SCENIC STANDARD</b>
Coniferous Woodland, Oak-Pine Woodland	Forest, Agriculture, Residential, Public Recreation	Visually Subordinate



River Bottom-lands	Forest, Agriculture, Public Recreation	Visually Subordinate
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**MCC 38.0015: Definitions - Development: Any mining, dredging, filling, grading, paving, excavation, land division, or structure, including but not limited to new construction of a building or structure.**

**MCC 38.0015: Definitions - Fill: The placement, deposition or stockpiling of sand, sediment or other earth materials to create new uplands or an elevation above the existing surface.**

**Staff:** The proposal is for a disposal site for spoil materials and restoration of the Coopey Quarry site. The disposal of debris is fill, and filling is development. The project site is mostly in the “Coniferous Woodland, Oak-Pine Woodland” Landscape Setting (about 10 acres) and a minor amount of the subject site is within the “River Bottomland” Landscape Setting (about 0.84 acres). The river bottom landscape setting area includes the pond and an area south of the pond that is angled up towards the east property line, meeting that line at about mid-point. For both of the landscape settings, the scenic standard for new development is “Visually Subordinate.”

Staff findings under Subsection 5.4.2 of this staff report thoroughly address the visual subordination of the proposed project as seen from the applicable KVAs. Those findings include a detailed discussion of the proposed project’s existing topographic and vegetative screening. The proposed project includes additional topographic screening through the installation of berms along the HCRH and additional vegetative plantings along I-84 to screen later stages of the project. In order to ensure the proposal is visually subordinate, Staff also proposes a condition that the berms in the quarry and the new berms along HCRH be planted with vegetation.

Staff also recommends a condition of approval requiring maintenance of the existing trees and planted trees in a living status and replacement of any trees that do not survive intended to assure the proposal is consistent with this standard. *This standard is met through implementing the conditions of approval.*

**6.1.2. (3) In all landscape settings, scenic standards shall be met by blending new development with the adjacent natural landscape elements rather than with existing development.**

**Applicant:** *“The scenic standard of “Visual Subordination” will be achieved through land contours and plantings. The proposal to develop a disposal site and eventual reclamation of the quarry will minimize the visual evidence and enhance visual sub ordnance of the site through contouring and planting and thus enhancing the National Scenic Area. Visual Assessment attached as Appendix F.”*

**Staff:** The proposal is to use spoils materials from periods of road maintenance and from small and large episodic landslide events that impact state highways, I-84 and the HCRH to restore the Coopey Quarry site to a natural landscape that will blend with the adjacent landscape. After each debris disposal period exposed areas will be planted with native grasses to blend in with the landscape. *This standard is met through implementing the conditions of approval.*

**6.1.3. (4) Proposed developments or land use shall be sited to achieve the applicable scenic standards. Development shall be designed to fit the natural topography and to take**

**advantage of vegetation and land form screening, and to minimize visible grading or other modifications of landforms, vegetation cover, and natural characteristics. When screening of development is needed to meet the scenic standard from key viewing areas, use of existing topography and vegetation shall be given priority over other means of achieving the scenic standard such as planting new vegetation or using artificial berms.**

**Applicant:** *“The scenic standard of “Visual Subordinance” has been met through design of the proposed use of the site as a disposal and quarry reclamation site as described in the Visual Assessment attached as Appendix F. Berms will be used to visually buffer the most existing viewsheds from KVAs namely I-84. These berms will be planted with native trees and shrubs.”*

**Staff:** The project is designed to blend in with the natural topography and to take advantage of existing vegetation and topography to screen, which minimizes visible grading and other modifications of landforms, vegetation cover, and natural characteristics in order to screen the use.

To meet the scenic standard from key viewing areas, the proposed project screens the debris disposal site through the use of existing topography and existing vegetation which was given the priority over other means of achieving the scenic standard such as planting new vegetation or using artificial berms. However as discussed some additional vegetation and berms were needed to assure visual subordinance of the project.

The proposed project is mostly topographically screened from KVAs. Additionally existing dense vegetation on the western side of the property, existing vegetation along the HCRH and existing vegetation along the northern side of the property serve to also screen the proposed use. With the installation of two berms along HCRH and by starting the project on the eastern side of the property, Phases 1 and 2 (Exhibit A.3.a, Applicant’s Appendix A), the project will be screened from KVA’s meeting the scenic standard of “Visual Subordinance.” Later in these two phases as the fill rises in elevation towards the end of each phase, given the existing vegetation the project may become visible from I-84.

To prepare for this possibility, ODOT has proposed planting 180 Douglas fir trees along I-84 as shown on Exhibit A.18. Later Phases 3, 4 and 5 will be screened by existing topography, existing vegetation, berms and additional trees planted along I-84. Staff recommends as a condition of approval requiring trees to be planted on the northern sides of the northern berms shown on Exhibit A.3.a, Applicant’s Appendix A, site plan titled “Coopey Quarry – Proposed Plan Concept” and staff also recommends requiring trees be planted along the two berms added along the HCRH.

Staff also recommends a condition requiring maintenance of the existing trees and planted trees in a living status and replacement of any trees that do not survive. Proposed project is sited to achieve the applicable scenic standards by starting on the east side allowing vegetation to development to screen later phases.

*This standard is met through implementing the conditions of approval.*

- 6.1.4. (5) The extent and type of conditions applied to a proposed development or use to achieve the scenic standard shall be proportionate to its degree of visibility from key viewing areas.**
- (a) Decisions shall include written findings addressing the Primary factors influencing the degree of visibility, including but not limited to:**

1. The amount of area of the building site exposed to key viewing areas,
  2. The degree of existing vegetation providing screening,
  3. The distance from the building site to the key viewing areas from which it is visible,
  4. The number of key viewing areas from which it is visible, and
  5. The linear distance along the key viewing areas from which the building site is visible (for linear key viewing areas, such as roads).
- (b) Conditions may be applied to various elements of proposed developments to ensure they meet the scenic standard for their setting as seen from key viewing areas, including but not limited to:
1. Siting (location of development on the subject property, building orientation, and other elements),
  2. Retention of existing vegetation,
  3. Design (color, reflectivity, size, shape, height, architectural and design details and other elements), and
  4. New landscaping.

**Staff:** To ensure that scenic standard of visual subordination is met through all phases of the project staff recommends that conditions of approval be included to require planting of additional trees along the existing and proposed berms, and management of the existing and proposed vegetation. Each proposed condition along with findings are included throughout this report. These conditions are necessary to ensure that the various elements of proposed developments meet the scenic standard of visual subordination.

**6.1.5. (6) Sites approved for new development to achieve scenic standards shall be consistent with guidelines to protect wetlands, riparian corridors, sensitive plant or wildlife sites and the buffer zones of each of these natural resources, and guidelines to protect cultural resources.**

**Applicant:** *“Visually Subordination has been met by introducing berms to limit view corridors into the quarry floor from KVAs namely Interstate 84. The berms are located within the identified buffers but will enhance the wetland, riparian functions.”*

**Staff:** The proposed debris disposal project includes the restoration and mitigation of the Coopey Quarry, a site that ceased mining activity prior to the establishment of the NSA. The landscape was not restored after the mining activity was abandoned. Most of the old floor of the quarry site consists of bedrock covered by a layer of decomposed vegetation that has formed into a very thin layer of soil (Applicant’s Appendix D included as Exhibit A.3.d). There are some wet areas that do not qualify as wetlands due to their nature of being perched on a human created on the old quarry bedrock (Exhibit A.3.d). There is a pond partially located on site along the railroad tracks in the northeast corner that has a buffer. There are no known sensitive plant or wildlife sites on the site based on Exhibit A.13. There are no known cultural resources on the subject property, a condition of approval was requested to ensure that resources that may be encountered during development of the site are protected.

Significant portions of the project, including the driveway into the site and the debris disposal areas will be in the buffer area of Coopey Creek, the pond, and/or a couple of small wetlands directly adjacent to the HCRH (Exhibit A.3.d.) The completion of the project will mitigate the interim intrusion into the buffer areas by improving these buffer areas to restore the landform, vegetation and habitat to a condition that is similar to what existed before the site was mined. Implementing the Mitigation Plan (Exhibit A.14) and the Restoration Plan (Exhibit A.19) will

result in the transformation of this areas into native forested buffers/riparian areas as detailed in other findings (Sections 5.4.3. and 8.7.3 of this Staff Report).

**6.1.6. (7) Proposed developments shall not protrude above the line of a bluff, cliff, or skyline as seen from Key Viewing Areas.**

**Applicant:** *“The proposed contours associated with the proposed disposal site will help blend with existing topography. The existing quarry is visually evident from SR 14 and Cape Horn. The rim of the quarry presents an unnatural horizontal band within the broader landscape setting. The existing quarry contrasts noticeably with surrounding environment. The proposal to recontour the site and fill the quarry will contribute to the site overall visually sub ordinance.”*

**Staff:** The proposed project will not protrude above the line of a bluff, cliff, or skyline as seen from any Key Viewing Areas (Exhibit B.8 and B.9). Topography rises up on the south side of the HCRH within a half mile raises up 1000 feet above sea level. From the HCRH the project area is down slope. *This standard is met.*

**6.1.7. (8) Structure height shall remain below the average tree canopy height of the natural vegetation adjacent to the structure, except if it has been demonstrated that compliance with this standard is not feasible considering the function of the structure.**

**Applicant:** *“No structures are proposed.”*

**Staff:** No structures are proposed. The project will be below the tree height of the adjacent area to the south as seen on photos included as Exhibits B.8 and B.9. *This standard is not applicable.*

**6.1.8. (9) The following guidelines shall apply to new landscaping used to screen development from key viewing areas:**

- (a) New landscaping (including new earth berms) to achieve the required scenic standard from key viewing areas shall be required only when application of all other available guidelines in this chapter is not sufficient to make the development meet the scenic standard from key viewing areas. Development shall be sited to avoid the need for new landscaping wherever possible.**

**Applicant:** *“The primary means to meet the visually subordination standard will be through the use of topography and the introduction berms. The berms will include large boulders and will be designed to mimic the surrounding landscape. The site will be sculpted to generally match the original topography shown in the 1930s survey. This historic survey demonstrates the pre-quarry condition. The slope was generally undulating and sloping to the north to the Columbia River.”*

*“The proposed use, reclamation of an inactive quarry through use as a disposal site for material from various ODOT maintenance activities, will require berms to achieve the scenic standard of Visual Subordination from the I-84 KVA. The berms will be planted with native vegetation. Please see Appendix F, which includes the Visual Assessment for the proposed use and identifies areas for screening through documentation and analysis of existing visual conditions and exposure. The Reclamation Plan (Appendix B) includes construction of berms in designated locations to provide the most effective screening from key viewing areas.”*

**Staff:** The development that is proposed with this application serves two purposes, it provides a location for ODOT to dispose of landslide and maintenance debris while also restoring the landscape to a natural condition similar to how it existed prior to being mined. The location of the development coincides with the location of the existing quarry site. If the project seeks to mitigate the quarry activity it cannot be located elsewhere. Partial mitigation of the site would result in a landform that still bears the scars of mining. This proposed project is unique when compared with other development within the NSA. Visual subordination is a concern primarily while the site is being utilized as a disposal site, once the project is complete it should result in a natural landscape that will blend with its surroundings. In order to achieve visual subordination during the project it will be necessary to utilize berms and new landscaping trees planted along I-84 and trees planted along new berms along HCRH (Exhibit A.17 and A.18) to assist with screening the project activity.

The berms within the quarry were established during the emergency response to the Eagle Creek Wild Fire discussed earlier in this report. At the completion of the project the existing berms will be incorporated into the overall fill for the restoration project. When the project is complete the berms will be a part of the landform and will not be visually discernable as berms, rather they will blend in with the proposed landscape. The applicant is proposing berms along the HCRH frontage to assist with screening the fill activity as well. The berms will help achieve visual subordination prior to the establishment of the vegetation. The existing and proposed berms will help achieve visual subordination prior to the establishment of vegetation, the proposed plantings will ensure the project is well screened during the later phases as the quarry site is filled (Exhibit A.3.a, A.3.f and A.19). *This standard is met.*

**(b) If new landscaping is necessary to meet the required standard, existing on-site vegetative screening and other visibility factors shall be analyzed to determine the extent of new landscaping, and the size of new trees needed to achieve the standard. Any vegetation planted pursuant to this guideline shall be sized to provide sufficient screening to meet the scenic standard within five years or less from the commencement of construction.**

**Applicant:** *“ODOT will plant/landscape the berms with native trees and shrubs to provide more effective screening of the site from the I-84 KVA. The Reclamation Plan has been developed by the ODOT Region 1 Landscape Architect. The planting proposal concept is to provide the maximum amount of vegetative screening in the shortest growing time, and to include evergreen/coniferous species to provide every season screening of the disposal site. The planting plan can be found in Appendix B.”*

**Staff:** The existing on-site vegetative screening and other visibility factors were analyzed to determine new landscaping necessary to meet the required standard. The proposed planting of trees along I-84 (Exhibit A.18) is of a sufficient number and the appropriate size needed to achieve the scenic standard from I-84 and the river. The proposal to plant 180 trees along I-84 in a diamond pattern with spacing of 10 feet on center between the trees will cover the screening gaps as seen from I-84 and the river.

New landscaping including installation of berms and planting of vegetation are needed during various phases and stages of the proposed project to ensure that the proposal meets the visual subordinate standard and to complete the project restoration of the site. The proposed project will be implemented in Phases, with the first two phases being proposed to occur in the area

that has the best existing screening (Exhibit A.3.a, A.17, A.18 and B.9). Staff is recommending a condition of approval to install two berms along the HCRH with trees planted on the berms to assist with screening the later stages of Phases 1 and 2 and Phases 3, 4 and 5.

As seen from I-84 corridor, Phases 1 and 2 are well screened by existing topography and existing vegetation except for the final stages of each of those two phase which may be visible from I-84. To ensure visual subordination of the project additional vegetation is proposed as a condition of approval recommended by staff in order to comply with scenic criteria of MCC 38.7040(A). Vegetation proposed to be planted on the north side of the berms in the quarry and along the HCRH as well as the 180 Douglas fir trees planted along I-84 will screen project in the later stages of Phases 1 and 2 and for Phases 3, 4 and 5. It will take a number of years before the debris fill project level will get to a stage were additional vegetation is needed for screening.

The applicants proposal to plant trees that are 18 to 24 inches tall (Exhibit A.17) will ensure that the trees are established and capable of screening the use when it is necessary. Vegetation planted pursuant to this guideline are sized to provide sufficient screening to meet the scenic standard within five years or less from the approval of this permit. Douglas fir planted on the berms along HCRH and along I-84 at 18 to 24 inches in height should grow at least 13 inches per year up to 24 inches with good growing conditions (according to Arbor Day Foundation) resulting in trees that are approximately 7 feet or more in height within five years. Given good growing conditions the trees can be expected to grow 24 inches in height per year resulting in trees that are over 11 feet in height. The trees are expected to reach a height of at least 6 feet and may be able to achieve a height of over 11 feet, as proposed the trees are adequately sized to meet this standard.

Staff recommends a condition that the trees be planted as soon as possible during the current planting season. Staff also recommends a condition requiring maintenance of the existing trees and planted trees in a living status and replacement of any trees that do not survive. *This standard is met through implementing the conditions of approval.*

**(c) Landscaping shall be installed as soon as practicable, and prior to project completion. Applicants and successors in interest for the subject parcel are responsible for the proper maintenance and survival of planted vegetation, and replacement of such vegetation that does not survive.**

**Applicant:** *“The berms will be seeded and planted as part of the phase I development. Ideally, ODOT staff would like to plant the berms this coming fall to ensure vitality of the plant material pending approval of the conditional use application.”*

**Staff:** Staff recommends a condition of approval requiring the two additional berms along the HCRH be installed prior to any additional work in the quarry. Staff recommends a condition that the trees be planted as soon as possible during the current planting season. Staff also recommends a condition requiring maintenance of the existing trees and planted trees in a living status and replacement of any trees that do not survive. *This standard is met through implementing the conditions of approval.*

**(d) The Scenic Resources Implementation Handbook shall include recommended species for each landscape setting consistent with the Landscape Settings Design**

**Guidelines in this chapter, and minimum recommended sizes of new trees planted (based on average growth rates expected for recommended species).**

**Applicant:** *“The Scenic Resources Implementation Handbook has been referenced during the development of the planting plan. Additionally, ODOT staff have been coordinating with the USFS Landscape Architect, Morai Helfen to ensure compatible species.”*

**Staff:** The proposed plantings included within Exhibit A.17 and A.19, these species are all identified within Landscape Settings within the Scenic Resources Implementation Handbook. *This standard is met.*

- 6.1.9. (12) Any exterior lighting shall be sited, limited in intensity, shielded or hooded in a manner that prevents lights from being highly visible from Key Viewing Areas and from noticeably contrasting with the surrounding landscape setting except for road lighting necessary for safety purposes.**

**Applicant:** *“No lighting is proposed.”*

**Staff:** No lighting is proposed. *This standard is met.*

**6.10. SMA Landscape Settings**

**MCC 38.7040(B):** The following shall apply to all lands within SMA landscape settings regardless of visibility from KVAs (includes areas seen from KVAs as well as areas not seen from KVAs):

- 6.2 (2) Coniferous Woodlands and Oak-Pine Woodland:** Woodland areas shall retain the overall appearance of a woodland landscape. New developments and land uses shall retain the overall visual character of the natural appearance of the Coniferous and Oak/Pine Woodland landscape.
- (a) Buildings in the Coniferous Woodland landscape setting shall be encouraged to have a vertical overall appearance and a horizontal overall appearance in the Oak-Pine Woodland landscape setting.**
- (b) Use of plant species native to the landscape setting shall be encouraged. Where non-native plants are used, they shall have native appearing characteristics.**

**Applicant:** *“The proposed use of the site for disposal of material from emergency landslide events and maintenance activities. Use of the former quarry site as a disposal site requires a Reclamation Plan that once filled the reclaimed site will blend with the surrounding coniferous and oak-pine woodland landscape. See the Reclamation Plan attached as Appendix B. No buildings are proposed. Only native plant material has been listed for use in the reclamation site. See Appendix B.”*

**Staff:** The proposed project does not include any buildings. When the quarry restoration project is complete it will be landscaped and planted with native species to achieve an overall appearance of a woodland landscape (Exhibit A.14 and A.19). *This standard is met through implementing the conditions of approval.*

- 6.2.1. (3) River Bottomlands:** River bottomland shall retain the overall visual character of a floodplain and associated islands.

- (a) **Buildings should have an overall horizontal appearance in areas with little tree cover.**
- (b) **Use of plant species native to the landscape setting shall be encouraged. Where non-native plants are used, they shall have native appearing characteristics.**

**Staff:** **River Bottomlands** is a small portion of the property around the pond area. The proposed project does not include any buildings. When the quarry restoration project is complete it will be landscaped and planted with native species to achieve an overall appearance of a River Bottomlands forested landscape (Exhibit A.14 and A.19). *This standard is met.*

### **6.3. KVA Foregrounds and Scenic Routes**

#### **MCC 38.7040(C): SMA Requirements for KVA Foregrounds and Scenic Routes**

- 6.3.1. (1) All new developments and land uses immediately adjacent to the Historic Columbia River Highway, Interstate 84, and Larch Mountain Road shall be in conformance with state or county scenic route standards.**

**Applicant:** *“The proposed is immediately adjacent to or within the foreground of the I-84 and HCRH KVAs. The proposal is in conformance with the HCRH Master Plan as the proposed use is not visible from the HCRH Scenic Route. Additionally, the proposal is consistent with the I-84 Corridor Strategy. See attached Analysis of appearance of Proposed Use with perspective of site from Key Viewing Areas is attached in Appendix F and Appendix B sheet 1 or 5.”*

**Staff:** The proposed project site is located immediately adjacent to the HCRH. Currently the site is not visible from the HCRH except for a few short areas. The applicant’s proposal includes installing two berms along the HCRH as shown on Exhibit A.18. We find that those berms need to be vegetated with native vegetation including the planting of trees in order to provide screening of the site. Staff recommends a condition of approval requiring the two additional berms along the HCRH be installed prior to any additional work in the quarry. Staff recommends a condition that the berms be planted with native grasses, and trees be planted as soon as possible during the current planting season. Staff also recommends a condition requiring maintenance of the existing trees along the project section of the HCRH and planted trees in a living status and replacement of any of these trees that do not survive. *This standard is met through implementing the conditions of approval.*

- 6.3.2. (2) The following guidelines shall apply only to development within the immediate foregrounds of key viewing areas. Immediate foregrounds are defined as within the developed prism of a road or trail KVA or within the boundary of the developed area of KVAs such as Crown Pt. and Multnomah Falls. They shall apply in addition to MCC 38.7040(A).**

**Applicant:** *“The proposed use is not immediately adjacent to or within the foreground of the listed KVAs. The site is immediately adjacent but is not topographically visible.”*

**Staff:** The subject property is directly adjacent the HCRH, which is the only KVA that contiguous to the subject property. The use is proposed to be located within the subject property and not within the HCRH roadway prism. We concur that the proposed use is not immediately adjacent to or within the foreground of any KVA. *This standard is met.*



**6.3.3. (3) Right-of-way vegetation shall be managed to minimize visual impact of clearing and other vegetation removal as seen from Key Viewing Areas. Roadside vegetation management should enhance views out from the highway (vista clearing, planting, etc.).**

**Applicant:** *“Does not apply.”*

**Staff:** The project does not include any clearing of right-of-way vegetation. It does include some planting of vegetation along I-84 and a condition will include planting of vegetation along the HCRH. The planting of the vegetation will enhance views through screening of old previously abandon non-restored quarry site and thus is found to be a restoration project. *This standard is met.*

**6.3.4 (4) Encourage existing and require new road maintenance warehouse and stockpile areas to be screened from view from Key Viewing Areas.**

**Applicant:** *“The proposed use will not include a warehouse, but may include stockpiles as part of the disposal of native material generated by landslide events and maintenance activities that impact I-84 and the HCRH. The disposal site will be screened from all views from KVAs through the use of berms and landscaping.”*

**Staff:** As conditioned, we concur that the site including stockpiles will be screened from all views from KVAs through the existing topography and existing vegetation along with the use of berms and additional landscape plantings (Exhibits A.3.a, A.18 and A.19). *This standard is met*

**6.3.5. (5) Development along Interstate 84 and the Historic Columbia River Highway shall be consistent with the scenic corridor strategies developed for these roadways.**

**Applicant:** *“The proposed use is consistent with the scenic corridor strategies for I-84 and the HCRH. The strategies can be reviewed at [http://gorgevital signs.org/Misc/I84\\_201201.pdf](http://gorgevital signs.org/Misc/I84_201201.pdf) The HCRH Master Plan at <http://www.oregon.gov/ODOT/Regions/Documents/HCRH/Master-Plan-Intro-History-HCRH.pdf>”*

**Staff:** The only element of the project that needs to meet this standard along Interstate 84, is the planting on vegetation (180 Douglas fir trees). The planting of vegetation to screen ODOT projects in an element used to obtain visual subordination for ODOT projects along I-84. The project in the quarry site is not part of I-84 or directly adjacent to I-84 thus the I-84 Scenic Corridor Strategies do not apply to the quarry site.

The Historic Columbia River Highway does not have scenic corridor strategies it has a Master Plan. The Master Plan discusses managing vegetation related to specific view areas. The Master Plan only applies to the HCRH not a project on adjacent land. The new berms and vegetation along the HCRH will be on the quarry property directly above the cliff. We concur with the applicant that the project will be consistent with scenic corridor strategies for I-84 and the HCRH through the placement of the berms and additional vegetation. *This standard is met.*

## **7. SMA CULTURAL RESOURCE REVIEW CRITERIA**

**7.1. MCC 38.7050(A): The cultural resource review criteria shall be deemed satisfied, except MCC 38.7050 (H), if the U.S. Forest Service or Planning Director does not require a**

**cultural resource survey and no comment is received during the comment period provided in MCC 38.0530 (B).**

**Applicant:** *“Criteria A through H have been satisfied. ODOT has contracted with appropriate technical professionals to complete all required surveys, research and coordination with the appropriate agencies. The contracts and the results have been reviewed by qualified ODOT professional staff. The results of the Cultural Resource Review (Built and Archaeology) have been submitted to the appropriate state and federal staff for their review and concurrence. Copies of the appropriate concurrence/clearance letters are attached in Appendix G.”*

**Staff:** Included with the application submittal is Applicant’s Appendix G: “Maintenance Memo – No Effect, Coopey Quarry Disposal Site” (Exhibit A.3.g) by Roy Watters, ODOT Archaeologist. Attached to the memo is an archaeological study titled “Coopey Quarry: Archaeological Investigation with Technical Report” by Kaylon McAlister and Thomas Connolly. Appendix G (Exhibit A.3.g) also includes a “Level of Effect Form” that was submitted to the Oregon State Historic Preservation Office (SHPO). The conclusion of the Exhibit A.3.g is a determination by the Oregon Department of Transportation that pursuant to ORS 358.653, the Coopey Disposal Site Project will have “No Adverse Effect on the Columbia River Highway National Historic Landmark District (Segment 1 of the NHL district or the entire NHL district). ODOT recommends a Finding of No Historic Properties Adversely Affected for the Coopey Disposal Site Project.”

Exhibit C.2 is a letter from the SHPO concurring that the proposed use will have “no effect” on archeological resources. Exhibit C.3 is as a letter from the USFS Heritage Program Manager concurring that the proposed use will have “no effect” on archeological resources. Mr. Donnermeyer also expressed concern that if discovery of cultural resources or human remains, that applicant follow the MCC 38.7050(H) requirements for such circumstances. Staff recommends including MCC 38.7050(H) as a condition of approval. The cultural resource review criteria shall be deemed satisfied. *These standards are is met*

**7.2. MCC 38.7050(B): If comment is received during the comment period provided in MCC 38.0530 (B), the applicant shall offer to meet with the interested persons within 10 calendar days. The 10 day consultation period may be extended upon agreement between the project applicant and the interested persons.**

- (1) Consultation meetings should provide an opportunity for interested persons to explain how the proposed use may affect cultural resources. Recommendations to avoid potential conflicts should be discussed.**
- (2) All written comments and consultation meeting minutes shall be incorporated into the reconnaissance or historic survey report. In instances where a survey is not required, all such information shall be recorded and addressed in a report that typifies a survey report; inapplicable elements may be omitted.**

**Staff:** The notice of public hearing was posted in the Oregonian published November 23, 2018 and mailed on Tuesday November 20, 2018 to owners of properties with 750 feet, neighborhood groups, Native American Tribes with interest in the Columbia River Gorge and agencies with interest more than 20 days in advance of the hearing day. Any comments related to Cultural Review received during that period will be submitted to the Hearing Officer for review. At the time of the drafting of this report no comments have been received.

**7.3. MCC 38.7050(H): Discovery During Construction**

All authorizations for new developments or land uses shall be conditioned to require the immediate notification of the Planning Director in the event of the inadvertent discovery of cultural resources during construction or development.

- (1) In the event of the discovery of cultural resources, work in the immediate area of discovery shall be suspended until a cultural resource professional can evaluate the potential significance of the discovery pursuant to MCC 38.7050 (G) (3).
- (2) If the discovered material is suspected to be human bone or a burial, the following procedure shall be used:
  - (a) Stop all work in the vicinity of the discovery.
  - (b) The applicant shall immediately notify the U.S. Forest Service, the applicant's cultural resource professional, the State Medical Examiner, and appropriate law enforcement agencies.
  - (c) The U.S. Forest Service shall notify the tribal governments if the discovery is determined to be an Indian burial or a cultural resource.
  - (d) A cultural resource professional shall evaluate the potential significance of the discovery pursuant to MCC 38.7050 (G) (3) and report the results to the U.S. Forest Service which shall have 30 days to comment on the report.
- (3) If the U.S. Forest Service determines that the cultural resource is not significant or does not respond within the 30 day response period, the cultural resource review process shall be complete and work may continue.
- (4) If the U.S. Forest Service determines that the cultural resource is significant, the cultural resource professional shall recommend measures to protect and/or recover the resource pursuant to MCC 38.7050 (G) (4) and (5).

**Staff:** We recommend adopting the entirety of Section H as a condition of approval. *This standard is met through implementation of this condition if and when necessary.*

## 8. SMA NATURAL RESOURCE REVIEW CRITERIA

**MCC 38.7075:** All new developments and land uses shall be evaluated using the following standards to ensure that natural resources are protected from adverse effects. Proposed uses and development within wetlands, streams, ponds, lakes, riparian areas and their buffer zones shall be evaluated for cumulative effects to natural resources and cumulative effects that are adverse shall be prohibited. Comments from state and federal agencies shall be carefully considered.

- 8.1. **MCC 38.7075(A):** All Water Resources shall, in part, be protected by establishing undisturbed buffer zones as specified in MCC 38.7075(A)(2)(a) and (2)(b). These buffer zones are measured horizontally from a wetland, stream, lake, or pond boundary as defined in MCC 38.7075 (2)(a) and (2)(b).

**Applicant:** *“Appendix C & D includes the Wetlands and Waters Delineation Report for Coopey Quarry. This report identifies three wetlands and one pond (waters of the state) on the property. Much of the site is a former quarry and highly disturbed with little soil and was not considered buffer. The rest of the site is mostly buffer for water resources and the man-made quarry wall/cliff. The Mitigation report (Appendix E) identifies buffer impacts, mitigation and site restoration.”*

**Staff:** Applicant's Appendices C, D and E are labeled Exhibits A.3.c, A.3.d and A.3.e. Biological Resources Impact Memo Coopey Quarry Disposal Site Memo by Ben White ODOT Region 1 Biologist revised February 21, 2018 included Exhibit A.13 states that Coopey Creek a perennial

stream located to the west of the subject property, the pond which is partially located in the northeast portion of the subject property and the wetlands located adjacent to HCRH all have a 200 foot buffer. Staff finds that nearly the entire old quarry is within a 200 buffer as shown in Figure 3 of Exhibit A.14).

**8.1.1. (1) All buffer zones shall be retained undisturbed and in their natural condition, except as permitted with a mitigation plan.**

**Applicant:** *“To access the proposed disposal site, ODOT will impact 0.15 acres of high quality buffer and 6.0 acres of poor quality buffer, which is the majority of the quarry. Appendix E contains a mitigation report that discusses impacts to natural resources, their buffers and proposes mitigation for these impacts. It also contains a reclamation plan that restores and mitigates for this current action as well as the past quarry actions. The reclamation plan includes plantings and contouring that will restore the site to a better wetland buffer area than the abandoned quarry currently provides by creating a natural forest landscape and a landscape design that will lead to the natural creation of a few additional higher-quality wetlands.”*

Mitigation Plan (Exhibit A.14): *“The pond, wetlands, Coopey Creek and the quarry wall (cliff) were all considered to require a 200 foot NSA buffer. The old quarry provides few if any buffer functions. This area is mostly gravel and after fifty years has had some regrowth of vegetation in some areas that may provide “de minimis” buffer functions. Without intervention to restore the site establishment of soils, forest growth and a functioning buffer are centuries away. Excluding the wetlands, pond, and Quarry, the remaining area is mostly buffer (Appendix A, Figure 2). The buffers for different resources overlapped and merged with other buffers. Buffers were not separated by resource.”*

**Staff:** The project plan is to use debris spoils as materials for restoration of the old abandoned quarry site and in the process mitigate the disturbance of the buffer which is currently in poor condition. The proposed project will ultimately restore the buffer area to a natural forested environment including several wetlands areas (Exhibit A.3.d). Staff concurs with the applicant’s statement and finds that the proposed use, as conditioned will result in the enhancement of the existing buffers consistent with the intent of this standard. *This standard is met.*

**8.1.2. (2) Buffer zones shall be measured outward from the bank full flow boundary for streams, the high water mark for ponds and lakes, the normal pool elevation for the Columbia River, and the wetland delineation boundary for wetlands on a horizontal scale that is perpendicular to the wetlands, stream, pond or lake boundary. On the main stem of the Columbia River above Bonneville Dam, buffer zones shall be measured landward from the normal pool elevation of the Columbia River. The following buffer zone widths shall be required:**

- (a) **A minimum 200 foot buffer on each wetland, pond, lake, and each bank of a perennial or fish bearing stream, some of which can be intermittent.**
- (b) **A 50-foot buffer zone along each bank of intermittent (including ephemeral), non-fish bearing streams.**
- (c) **Maintenance, repair, reconstruction and realignment of roads and railroads within their rights-of-way shall be exempted from the wetlands and riparian guidelines upon demonstration of all of the following:**
  - 1. The wetland within the right-of-way is a drainage ditch not part of a larger wetland outside of the right-of-way.**
  - 2. The wetland is not critical habitat.**

**3. Proposed activities within the right-of-way would not adversely affect a wetland adjacent to the right-of-way.**

**Applicant:** “Appendix E contains the Coopey Quarry Mitigation Report which identifies natural resources and their buffers. The pond, wetlands, Coopey Creek and the quarry wall (cliff) are all within the 200 foot NSA buffer. However, the mitigation plan will restore this former quarry site, greatly enhancing the property to pre-quarry conditions.”

**Staff:** Staff finds that nearly the entire old quarry is within a 200 buffer as shown in Exhibit A.14. Buffer zones disturbance can be permitted with a mitigation/restoration plan. *This standard is met.*

**8.1.3. (3) The buffer width shall be increased for the following:**

- (a) When the channel migration zone exceeds the recommended buffer width, the buffer width shall extend to the outer edge of the channel migration zone.**
- (b) When the frequently flooded area exceeds the recommended riparian buffer zone width, the buffer width shall be extended to the outer edge of the frequently flooded area.**
- (c) When an erosion or landslide hazard area exceeds the recommended width of the buffer, the buffer width shall be extended to include the hazard area.**

**Applicant:** “Does not apply. The buffer width will not be increased; none of the listed conditions (a) through (c) are present in the proposed use area.”

**Staff:** A significant portion of the subject property is currently considered a buffer to either Coopey Creek, the wetlands adjacent the HCRH, or the pond in the northeast corner of the site (Figure 3 of Exhibit A.14). The subject property is not identified as being located within channel migration zone. Coopey Creek is a small creek which has a small channel that flows across the very southwestern corner of the property. The majority of the creek is located on the adjacent property to the west. It has a well-developed incised ravine up-slope from the culvert south of the HCRH. The creek channel may move a minor amount of feet during a very heavy flow or if some debris blocked the creek. As such it is unlikely the stream will move enough to justify an increase in the buffer because of its steep slope dropping toward the northeast. If the stream buffer were to move it would be relocated in an area that is already in the existing wetland buffer. The subject property is not known to be frequently flooded. While the site may have some areas where water is perched on bedrock within the quarry floor, the topography and slope in this area provides for the drainage of the site without flooding (Exhibit B.10). The subject property is not mapped within a mapped erosion or landslide hazard area. We concur with the applicant, this standard does not apply because none of the conditions described within a, b, or c exist on the subject property. *This standard is met.*

**8.1.4. (4) Buffer zones can be reconfigured if a project applicant demonstrates all of the following:**

- (a) The integrity and function of the buffer zones is maintained.**
- (b) The total buffer area on the development proposal is not decreased.**
- (c) The width reduction shall not occur within another buffer.**
- (d) The buffer zone width is not reduced more than 50% at any particular location. Such features as intervening topography, vegetation, manmade features, natural plant or wildlife habitat boundaries, and flood plain characteristics could be considered.**

**Applicant:** *“Does not apply. The buffer zones will not be reconfigured.”*

**Staff:** We concur with the applicant, the proposed use that is the subject of this application does not seek to reconfigure the buffer zones. As proposed at the completion of the project the buffer zones will remain intact and in an enhanced state as compared with the current conditions. *Not applicable to this review.*

- 8.1.5. (5) Requests to reconfigure buffer zones shall be considered if an appropriate professional (botanist, plant ecologist, wildlife biologist, or hydrologist), hired by the project applicant (1) identifies the precise location of the sensitive wildlife/plant or water resource, (2) describes the biology of the sensitive wildlife/plant or hydrologic condition of the water resource, and (3) demonstrates that the proposed use will not have any negative effects, either direct or indirect, on the affected wildlife/plant and their surrounding habitat that is vital to their long-term survival or water resource and its long term function.**

**Applicant:** *“Does not apply. The buffer zones will not be reconfigured.”*

**Staff:** We concur with the applicant, the proposed use that is the subject of this application does not seek to reconfigure the buffer zones. As proposed at the completion of the project the buffer zones will remain intact and in an enhanced state as compared with the current conditions. *Not applicable.*

- 8.1.6. (6) The local government shall submit all requests to reconfigure sensitive wildlife/plant or water resource buffers to the U.S. Forest Service and the appropriate state agencies for review. All written comments shall be included in the project file. Based on the comments from the state and federal agencies, the local government will make a final decision on whether the reconfigured buffer zones are justified. If the final decision contradicts the comments submitted by the federal and state agencies, the local government shall justify how it reached an opposing conclusion.**

**Applicant:** *“Does not apply. The buffer zones will not be reconfigured.”*

**Staff:** We concur with the applicant, the proposed use that is the subject of this application does not seek to reconfigure the buffer zones. As proposed at the completion of the project the buffer zones will remain intact and in an enhanced state as compared with the current conditions. *Not applicable.*

- 8.2. MCC 38.7075(B): When a buffer zone is disturbed by a new use, it shall be replanted with only native plant species of the Columbia River Gorge.**

**Applicant:** *“Native plants are shown on the planting plan see Appendix B.”*

**Staff:** Applicant’s Appendix B (Exhibit A.3.b) has been replaced by Exhibit A.15. All of the plant species proposed to be planted are native species to the Columbia River Gorge and can be found in the *Scenic Resources Implementation Handbook*. *This standard will be met by implementing the plan.*

- 8.3. MCC 38.7075(C): The applicant shall be responsible for identifying all water resources and their appropriate buffers.**

**Applicant:** *“Qualified ODOT staff has identified the water resources in the Wetlands and Waters Delineation Report for Coopey Quarry Appendix D.”*

**Staff:** Applicant’s Appendix D (Exhibit A.3.d) identified water resources Mitigation Plan (Exhibit A.14) identifying the appropriate buffers. Exhibit A.3.d identifies the following water resources on or near the subject property; Coopey Creek a perennial stream located to the west of the subject property with a 200 foot buffer, the pond which is partially located in the northeast portion of the subject property with a 200 buffer and the wetlands located adjacent to HCRH at the top of the cliff with a 200 foot buffer. All of these water resources have a 200 foot buffer. Staff finds that nearly the entire old quarry is within a 200 buffer as shown in Exhibit A.14 (page 4). *This standard is met.*

- 8.4. MCC 38.7075(D): Wetlands Boundaries shall be delineated using the following:**
- (1) The approximate location and extent of wetlands in the Scenic Area is shown on the National Wetlands Inventory (U. S. Department of the Interior 1987). In addition, the list of hydric soils and the soil survey maps shall be used as an indicator of wetlands.**
  - (2) Some wetlands may not be shown on the wetlands inventory or soil survey maps. Wetlands that are discovered by the local planning staff during an inspection of a potential project site shall be delineated and protected.**
  - (3) The project applicant shall be responsible for determining the exact location of a wetlands boundary. Wetlands boundaries shall be delineated using the procedures specified in the ‘1987 Corps of Engineers Wetland Delineation Manual (online Edition)’.**
  - (4) All wetlands delineations shall be conducted by a professional who has been trained to use the federal delineation procedures, such as a soil scientist, botanist, or wetlands ecologist.**

**Applicant:** *“Qualified ODOT staff has identified the water resources in the Wetlands and Waters Delineation Report for Coopey Quarry (Appendix D) using the methods described here.”*

**Staff:** The applicant has used the standards of the Division of State Lands (DSL) and US Army Corp of Engineers including those standards detailed above to delineate wetland boundaries as presented in as shown in Exhibit A.3.d. *These standards have been met.*

- 8.5. MCC 38.7075(E): Stream, pond, and lake boundaries shall be delineated using the bank full flow boundary for streams and the high water mark for ponds and lakes. The project applicant shall be responsible for determining the exact location of the appropriate boundary for the water resource.**

**Applicant:** *“Qualified ODOT staff has identified the water resources in the Wetlands and Waters Delineation Report for Coopey Quarry (Appendix D) using the methods described here.”*

**Staff:** The applicant has used the standards above to delineate stream and pond boundaries as shown in Exhibit A.14 page. *This standard is met.*

- 8.6. MCC 38.7075(F): The local government may verify the accuracy of, and render adjustments to, a bank full flow, high water mark, normal pool elevation (for the Columbia River), or wetland boundary delineation. If the adjusted boundary is contested by the project applicant, the local government shall obtain professional services, at the project**

**applicant's expense, or the county will ask for technical assistance from the U.S. Forest Service to render a final delineation.**

**Staff:** Based on our review of Exhibits A.14, we concur with the applicant's accuracy in mapping the buffers. *This standard is met.*

**8.7. MCC 38.7075(G): Buffer zones shall be undisturbed unless the following criteria have been satisfied:**

**Staff:** The proposed debris disposal site and quarry restoration project is within buffers. *See findings for criteria below.*

**8.7.1. (1) The proposed use must have no practicable alternative as determined by the practicable alternative test. Those portions of a proposed use that have a practicable alternative will not be located in wetlands, stream, pond, lake, and riparian areas and/or their buffer zone.**

**Applicant:** *"To access the proposed disposal site, ODOT will impact 0.15 acre of high quality buffer and 6.0 acres of poor quality buffer. Appendix E contains a mitigation report that discusses impacts to natural resources, their buffers and proposes mitigation for these impacts to restore the site to pre-quarry conditions. This one lane road with a turn out is the minimum necessary for site access."*

**Staff:** Applicant's Appendix E (Exhibit A.3.e) has been replaced by Exhibit A.14. Nearly all the buffer areas in the old quarry site are poor quality buffer. Only the access driveway will be located within a high quality buffer area. There is no alternative site (Exhibit A.3.h) for the access driveway, due to the existing quarry stone face cliff running parallel along the rest of the property, thus it must be located as proposed. The driveway is more than 150 feet from the stream. The buffer while degraded and not a good functioning riparian area cover a majority of the site. The access driveway was a historic access point for the quarry use and was reestablished to facilitate the use of the site in response to Eagle Creek Fire.

ODOT needs a disposal site for spoils debris from road maintenance and from landslides. The Coopey Quarry site is near an area of recent and historic large landslides. There are no other alternative sites as discussed within Exhibit A.3.i. Using the site as a disposal site in the quarry will provide an opportunity to restore the abandon quarry site and buffer areas back to forested landscape and improve the habitat of the stream, wetland, and pond riparian areas. *This standard is met.*

**8.7.2. (2) Filling and draining of wetlands shall be prohibited with exceptions related to public safety or restoration/enhancement activities as permitted when all of the following criteria have been met:**

- (a) A documented public safety hazard exists or a restoration/ enhancement project exists that would benefit the public and is corrected or achieved only by impacting the wetland in question.**
- (b) Impacts to the wetland must be the last possible documented alternative in fixing the public safety concern or completing the restoration/enhancement project.**
- (c) The proposed project minimizes the impacts to the wetland.**

**Applicant:** *"Does not apply. No wetland draining or filling is proposed."*



**Staff:** The applicant has included Exhibit A.3.d which includes a wetland delineation report for the subject property. The report used US Army Corp of Engineers and DSL standards. The report identified three wetlands that are located adjacent to the HCRH above the cliff not impacted by the project. The applicant is not proposing to fill or drain these wetlands. The proposed use would result in enhancement to the existing wetlands buffer consistent with this intent of this requirement. *This standard is not applicable.*

**8.7.3. (3) Unavoidable impacts to wetlands and aquatic and riparian areas and their buffer zones shall be offset by deliberate restoration and enhancement or creation (wetlands only) measures as required by the completion of a mitigation plan.**

**Applicant:** *“The project will remove 1,000 linear feet of man-made quarry wall/cliff and 0.15 acre of high quality buffer and 6.0 acres of poor quality buffer. As mitigation for these impacts ODOT will:*

- *Restore Coopey Quarry creating 7.26 acres of buffer*
- *Restore the original 0.15 acre of buffer impact.*
- *Utilize large wood cut from the site as downed logs*
- *Remove English Ivy and Himalayan blackberry from 2.60 acre of existing NSA buffer.*

*See Appendix E Coopey Quarry Mitigation Report.”*

**Staff:** Applicant’s Appendix E (Exhibit A.3.e) has been replaced by Exhibit A.14. The applicants’ narrative states that the project will “...remove 1,000-linear feet of man-made quarry wall/cliff...”; to clarify the quarry stone face cliff will be buried not removed. The proposed project will restore the degraded abandoned quarry site creating 7.26 acres of high quality forested landscape buffer (Exhibit A.15). The mitigation plan outlines a restoration and enhancement that recreates and restores the site including the removal of invasive plant species and creation of additional wetlands within the quarry filled area where none currently exist. *This standard is met through implementing the proposed plan.*

**8.8. MCC 38.7075(H): Protection of sensitive wildlife/plant areas and sites shall begin when proposed new developments or uses are within 1000 feet of a sensitive wildlife/plant site and/or area. Sensitive Wildlife Areas are those areas depicted in the wildlife inventory and listed in Table 2 of the Management Plan titled “Types of Wildlife Areas and Sites Inventoried in the Columbia Gorge”, including all Priority Habitats Table. Sensitive Plants are listed in Table 3 of the Management Plan, titled “Columbia Gorge and Vicinity Endemic Plant Species.” The approximate locations of sensitive wildlife and/or plant areas and sites are shown in the wildlife and rare plant inventory.**

**Applicant:** *“Does not apply. No sensitive wildlife or plants were found within the project area.”*

**Staff:** We confirmed that there are no known sensitive plants areas on the Columbia River Gorge Commission Sensitive Plant Map within 1,000 feet of the Coopey Quarry site. The applicant’s biologist Ben White confirmed this with a field study documented in his “Biological Resources Impact Memo” included as Exhibit A.13. Mr White found there were no sensitive plant species within 1000 feet of the site through checking the Oregon Biodiversity Index Center record and by conducting five site visits (Exhibit A.13). The five site visits were conducted in the spring, starting on March 3, 2017 and ending June 27, 2017. During the sites visits four black swifts were seen flying through the site, while swifts often nest in fissures along rock walls a thorough search of cliff face found no signs of nesting by any species. Black swifts tend to like cliff face fissures in dark and moist places, not sunny open cliff faces. While it may seem an unusual place

to nest swifts often nest behind waterfalls. The Audubon Society webpage on black swifts states, “The black swift seems to be limited in range by its very particular choice of nesting sites: it requires shady, sheltered spots on vertical cliffs totally inaccessible to predators, and often nests on the damp rock behind waterfalls.” The cliff face on site while facing north is open and with summer sun, not preferred by swifts. There is no other evidence of sensitive or endangered species found on site or within 1000 feet of the quarry by Mr. White. However, Columbia River is located about 500 feet to the north, and there are sensitive and endangered species in the river. However, it has been stated by Brett Carré, Wildlife and Fisheries Programs Manager, US Forest Service (Exhibit C.4) that this will not create an issue as the project site is self-contained and will continue to be through the project design. In addition, with the railroad and the I-84 between the river and the site there should be no impact to the river habitat. *This standard is satisfied.*

**8.9. MCC 38.7075(I): The local government shall submit site plans (of proposed uses or development proposed within 1,000 feet of a sensitive wildlife and/or plant area or site) for review to the U.S. Forest Service and the appropriate state agencies (Oregon Department of Fish and Wildlife for wildlife issues and by the Oregon Natural Heritage Program for plant issues).**

**Staff:** The application submittal Exhibits A.1, A.2 and A.3 (Applicant’s Appendices A through I) including “Biological Resources Impact Memo” (Exhibit A.3.c) were sent December 4, 2017 to the US Forest Service, Oregon Department of Fish and Wildlife and the Portland State University, Institute for Natural Resources (formerly known Oregon Natural Heritage Program) for their review. We have responses from USFS staff.

On January 11, 2018 I received an email from Morai Helfen, Landscape Architect, US Forest Service (Exhibit C.1), outlining completeness issues with the application, including questions about the Biological Resources Impact Memo and the Mitigation Report. The Applicant addressed these issues in subsequent submittals including Exhibits A.13 and A.14.

On November 14, 2018 staff had a phone conversation with Brett Carré, Wildlife and Fisheries Programs Manager, US Forest Service (Exhibit C.4) in which staff inquired if the USFS (Columbia River Gorge National Scenic Area) office had concerns about any sensitive or endangered species related to the proposed project. We discussed that while the Columbia River is within 500 feet of the site, the project site is self-contained and will continue to be through the project design; and with the railroad and the I-84 between the river and the site there should be no impact to the river habitat. Mr. Carré sent me an email he had sent to Ms. Helfen in which he made the following statement (Exhibit C.4).

“Although new access and use of Coopey Quarry is within the buffer, access and use is not adversely impacting wildlife or fisheries resources in this already disturbed area. No fisheries or wildlife concerns.”

**8.10. MCC 38.7075(J): The U.S. Forest Service wildlife biologists and/or botanists, in consultation with the appropriate state biologists, shall review the site plan and their field survey records. They shall:**

- (1) Identify/verify the precise location of the wildlife and/or plant area or site.**
- (2) Determine if a field survey will be required.**
- (3) Determine, based on the biology and habitat requirements of the affected wildlife/plant species, if the proposed use would compromise the integrity and function of or result in adverse affects (including cumulative effects) to the wildlife or plant area or site. This**

would include considering the time of year when wildlife or plant species are sensitive to disturbance, such as nesting, rearing seasons, or flowering season. Cumulative effects that are adverse shall be prohibited.

- (4) **Delineate the undisturbed 200 ft. buffer on the site plan for sensitive plants and/or the appropriate buffer for sensitive wildlife areas or sites, including nesting, roosting and perching sites.**
  - (a) **Buffer zones can be reconfigured if a project applicant demonstrates all of the following: (1) the integrity and function of the buffer zones is maintained, (2) the total buffer area on the development proposal is not decreased, (3) the width reduction shall not occur within another buffer, and (4) the buffer zone width is not reduced more than 50% at any particular location. Such features as intervening topography, vegetation, man made features, natural plant or wildlife habitat boundaries, and flood plain characteristics could be considered.**
  - (b) **Requests to reduce buffer zones shall be considered if an appropriate professional (botanist, plant ecologist, wildlife biologist, or hydrologist), hired by the project applicant, (1) identifies the precise location of the sensitive wildlife/plant or water resource, (2) describes the biology of the sensitive wildlife/plant or hydrologic condition of the water resource, and (3) demonstrates that the proposed use will not have any negative effects, either direct or indirect, on the affected wildlife/plant and their surrounding habitat that is vital to their long-term survival or water resource and its long term function.**
  - (c) **The local government shall submit all requests to reconfigure sensitive wildlife/plant or water resource buffers to the U.S. Forest Service and the appropriate state agencies for review. All written comments shall be included in the record of application and based on the comments from the state and federal agencies, the local government will make a final decision on whether the reduced buffer zones is justified. If the final decision contradicts the comments submitted by the federal and state agencies, the local government shall justify how it reached an opposing conclusion.**

**Applicant:** *“The US Forest wildlife biologists and state biologist may review site plans and field survey documentation to verify its accuracy. No sensitive wildlife or plants were found within the project area.”*

**Staff:** The applicant addresses consultation with U.S. Forest Service and “other resource specialists, wildlife biologists, and botanists in Exhibits A.20, A.21, and A.22). There is no known sensitive or endangered wildlife and/or plant area or site located within or directly adjacent Coopey Quarry. The applicant conducted five field surveys for wildlife/plant species, which indicated that no sensitive wildlife/plant species buffers are needed. Given no sensitive or endangered wildlife and/or plant area or site have been found or nearby except for the Columbia River (which has been stated to not be affected see Exhibit A.13). Brett Carré, Wildlife and Fisheries Programs Manager for the US Forest Service provided the following statement “Although new access and use of Coopey Quarry is within the buffer access and use is not adversely impacting wildlife or fisheries resources in this already disturbed area. No fisheries or wildlife concerns” Brett Carré is referring to the sensitive and endangered wildlife 1000 foot buffer of the Columbia River. We recommend terminating the Natural Resource Review.

**8.11. MCC 38.7075(K): The local government, in consultation with the State and federal wildlife biologists and/or botanists, shall use the following criteria in reviewing and evaluating the**

**site plan to ensure that the proposed developments or uses do not compromise the integrity and function of or result in adverse affects to the wildlife or plant area or site:**

**Applicant:** *“No sensitive wildlife or plants were found within the project area.”*

**Staff:** With findings of no sensitive or endangered wildlife or plants using the site in section 8.10 above and in addition, Brett Carré’s statements “Although new access and use of Coopey Quarry is within the buffer, access and use is not adversely impacting wildlife or fisheries resources in this already disturbed area”; “No fisheries or wildlife concerns” assisting staff with determining the proposed use does not compromise the integrity and function of or result in adverse effects to sensitive wildlife or plants. *We recommend terminating the Natural Resource Review.*

**9. SMA RECEPTION RESOURCE REVIEW CRITERIA**

**MCC 38.7085(A): The following shall apply to all new developments and land uses:**

- (1) New developments and land uses shall be natural resource-based and not displace existing recreational use.**
- (2) Protect recreation resources from adverse effects by evaluating new developments and land uses as proposed in the site plan. An analysis of both on and off site cumulative effects such as site accessibility and the adverse effects on the Historic Columbia River Highway shall be required.**

**Staff:** The proposed project will not have a recreational component and will not displace existing recreational use. There is no designated public recreation nearby. The proposed project has no adverse effects including cumulative effects on and off site on recreation accessibility and no adverse effects on the Historic Columbia River Highway. The proposed debris disposal site actually allows ODOT to improve access to recreation by allowing for the efficient removal of debris from within the roadway after landslide events which will have a positive effect for the HCRH and visitors and residents who rely upon the roadway to access to recreational uses in the NSA. *We recommend Recreation Resource review be closed.*

**10. STAFF RECOMMENDATION**

Based on the findings and other information provided above, staff finds the applicant has carried the burden necessary for the approval of a National Scenic Area Conditional Use and Site Review to approve using the Coopey Quarry as a long term disposal site for spoil materials from public road maintenance activities, including the restoration/reclamation of the quarry to a forested landscape habitat mitigating for the work in buffer areas resulting in a restored vegetative riparian areas and creation of two wetland areas on a property in the Gorge Special Forest – 40 (GSF-40) Zone. Staff recommends that the Hearings Officer Approve the application request subject to the recommended conditions of approval detailed in this Staff Report.

**11. EXHIBITS**

- ‘A’ Applicant’s Exhibits
- ‘B’ Staff Exhibits
- ‘C’ Comments Received
- ‘D’ Procedural Exhibits

All other exhibits are available for review in case file at the Land Use Planning office.

Exhibit	# of	Description of Exhibit	Date Received/
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#	Pages		Submitted
A.1	1	Application form	12/6/17
A.2	42	Narrative Table Addressing Code (“code compliance table”)	12/6/17
A.3.a	7	Applicant’s Appendix A: Locational Map and Site Plans	12/6/17
A.3.b	5	Applicant’s Appendix B: Reclamation Plan <ul style="list-style-type: none"> <li>• fill proposed contours</li> <li>• fill cross sections</li> <li>• landscape plan for revegetation, and</li> <li>• plant and materials [2 pages]</li> </ul>	12/6/17
A.3.c	7	Applicant’s Appendix C: Biological Resources Impact Memo Coopey Quarry Disposal Site Memo by Ben White ODOT Region 1 Biologist	12/6/17
A.3.d	50	Applicant’s Appendix D: Coopey Quarry ODOT M17016 Wetland and Waters Delineation Report [5 pages] <ul style="list-style-type: none"> <li>• Wetland and Waters Delineation Report Appendix A: Figures (maps and aerial photos) [6 pages]</li> <li>• Wetland and Waters Delineation Report Appendix B: Photos [4 pages]</li> <li>• Wetland and Waters Delineation Report Appendix C: Datasheets [35 pages]</li> </ul>	12/6/17
A.3.e	15	Applicant’s Appendix E: Coopey Quarry ODOT M17016 Mitigation Report [9 pages] <ul style="list-style-type: none"> <li>• Mitigation Report Appendix A: Coopey Quarry Reclamation Plan [6 pages]</li> </ul>	12/6/17
A.3.f		Applicant’s Appendix F: Key Viewing Analysis including an I-84 “Cone of Vision” analysis	12/6/17
A.3.g	29	Applicant’s Appendix G: Maintenance Memo – No Effect, Coopey Quarry Disposal Site by Roy Watters, ODOT Archaeologist	12/6/17
A.3.h	4	Applicant’s Appendix H. Coopey Disposal Site, Feasibility and Suit Analysis, ODOT	12/6/17
A.3.i	10	Applicant’s Appendix I: Photos of the Site	12/6/17
A.4	1	Additional Submittal letter addressing code and detailing additional submittal documents	4/18/18
A.5	6	Emails addressing SHPO concurrence	4/18/18
A.6	43	Revised Narrative Table Addressing Code (“code compliance table”)	4/18/18
A.7	17	Replaces Applicant’s Appendix E (Exhibit A.3.e) Coopey Quarry ODOT M17016 Mitigation Report E revised dated March 2018	4/18/18
A.8	8	Photos of the site	4/18/18
A.9	1	ODOT map of “functional buffers” on aerial photo	4/18/18
A.10	7	Revised Narrative Partial Table Addressing Code (appears to be a working document with assignments)	4/18/18
A.11	3	Additional Submittal letter addressing code and detailing	4/18/18

		additional submittal documents	
A.12	44	Revised Narrative Table Addressing Code (“code compliance table”)	6/4/18
A.13	8	Replacing Applicant’s Appendix C, (Exhibit A.3.c) Biological Resources Impact Memo Coopey Quarry Disposal Site Memo by Ben White ODOT Region 1 Biologist revised February 21, 2018.	6/4/18
A.14	16	Replaces Applicant’s Appendix E (Exhibits A.3.e & A.7) Coopey Quarry ODOT M17016 Mitigation Report revised dated May 24, 2018	6/4/18
A.15	5	Revised Reclamation Plan maps and vegetation planting listed for a mixed coniferous woodland	6/4/18
A.16	1	Applicant additional submittal coversheet	10/15/18
A.17	1	Table titled Coopey Quarry I-84 Vegetative Buffer Screening applicant labeled Exhibit 1B detailing vegetative planting in areas shown on attached aerial photo map titled Coopey I-84 Vegetative Buffer Screening (Exhibit A.18).	10/15/18
A.18	1	Aerial photo map titled Coopey I-84 Vegetative Buffer Screening showing vegetative planting areas described in Exhibit A.17 and 3 to 4 foot high berms along the Historic Columbia River Highway.	10/15/18
A.19	5	Revised Reclamation Plan site plan, cross-sections and landscape site plan with planting list	10/15/18
A.20	1	Email dated Nov 16, 2018 from Terra M Lingley, Columbia River Gorge National Scenic Area Coordinator, ODOT providing addition information on ODOT consultation with other agencies.	11/16/18
A.21		Applicant’s Appendix J: Natural Resource Consultation, narrative addressing consultation with other agencies.	11/16/18
A.22		Revised Narrative Table Addressing Code (“code compliance table”) “...updated code compliance table with the following small modification: on page 22 of the updated code matrix...”	11/16/18
<b>‘B’</b>	<b>#</b>	<b>Staff Exhibits</b>	<b>Date</b>
B.1	2	County Assessment Property Information	NA
B.2	1	County Assessment Map	NA
B.3	1	Coopey Quarry Site 2016 Aerial Photo	NA
B.4		Email dialog between Mary Young Environmental Coordinator, ODOT and Michael Cerbone, Planning Director, Multnomah County regarding an emergency response notification	
		(a) Notification of an emergency response as result of Eagle Creek Fire.	9/7/17
		(b) Cerbone response detail code standards for an emergency response notification.	9/7/17
		(c) Young response to the code standards.	9/12/17
		(d) Cerbone response detailing notice sent to agencies and Tribes and providing information of natural resources	9/13/17

		and next steps and dialog. (e) Young request for additional 30 day extension	11/9/17
B.5	1	Email from Michael Cerbone, Planning Director, Multnomah County notifying agencies and Tribe of the Emergency Response	11/13/17
B.6	1	Photos taken along Historic Columbia River Highway (HCRH) by Katie Skakel, Multnomah County Land Use Planning, Senior Planner on September 18, 2018 of area adjacent to HCRH KVA.	11/8/18
B.7	1	Photos taken along HCRH by Katie Skakel, Multnomah County Land Use Planning, Senior Planner on September 18, 2018 of area adjacent to HCRH KVA.	11/8/18
B.8	4	Photos taken along I-84 by Katie Skakel, Multnomah County Land Use Planning, Senior Planner on September 18, 2018 of quarry area south of the highway showing areas visible from I-84 KVA.	11/8/18
B.9	7	Photos taken along I-84 by Katie Skakel, Multnomah County Land Use Planning, Senior Planner on September 18, 2018 of quarry area south of the highway showing effectiveness of short vegetation screening quarry site along I-84 KVA.	11/8/18
<b>'C'</b>	<b>#</b>	<b>Comments Received</b>	<b>Date</b>
C.1	7	Email dated January 11, 2018 from Morai Helfen, Landscape Architect, US Forest Service with comments addressing completeness issues for the application.	1/11/18
C.2	1	Letter dated January 12, 2018 to Roy Waters, ODOT, from Matt Diederich, MAIS, SHPO Archaeologist addressing cultural resources with "no effect" finding for archaeological resources	1/12/18
C.3	2	Letter dated January 19, 2018 from Chris Donnermeyer, Heritage Program Manager, USFS addressing cultural resources concurring with "No Historic Properties Adversely Affected" finding of Robert Hadlow, ODOT Archeologist.	1/19/18
C.4	3	Email dated Nov. 13, 2018 from Brett Carré, Wildlife and Fisheries Programs Manager, US Forest Service addressing wildlife and plants.	11/13/18
<b>'D'</b>	<b>#</b>	<b>Administration &amp; Procedures Comments Received</b>	<b>Date</b>
D.1	2	Incomplete Letter	11/4/18
D.2	4	Second Incomplete Letter	5/9/18
D.3	2	Complete Letter (Day 1)	6/18/18
D.4	6	Notice of Public Hearing	11/20/18
D.5	1	Request to toll Clock via e-mail dated August 7, 2018 from Terra Lingly, ODOT	8/7/18
<b>D.6</b>		<b>Staff Report</b>	