

January 29, 2007

Tillamook County Community  
Development Planning Staff  
201 Laurel Avenue  
Tillamook, OR 97141

RE: Zone Change Application and Ordinance Amendment Request OA-06-03-04  
Green Crow Corporation  
Request for Mineral and Aggregate Overlay Zone for mine areas

To Whom It May Concern:

Please accept this letter for consideration in your Staff Report to the Planning Commission concerning Green Crow's "Application for Minerals Lands Overlay Zone."

We reside at 2015 Cape Meares Loop. Our residence and property will be severely, adversely impacted if excavation of the "200 Line Quarry" (in particular) goes forward. We request that further investigation and research concerning "conflicts" and "impact" be conducted before further consideration of Green Crow's application.

OAR 660-023-0180(5) states, "[F]or significant mineral and aggregate sites, local government shall decide whether mining is permitted."

OAR 660-023-0180(5)(a) states,

The local government shall determine an impact area for the purpose of identifying *conflicts* with proposed mining and processing activities. The *impact* area shall be large enough to include uses listed in subsection (b) of this section and shall be limited to 1,500 feet from the boundaries of the mining area, *except* where factual information indicates *significant potential conflicts beyond this distance.*" [emphasis added]

Green Crow's representations of the extent of "impact" to the nearby areas of the proposed excavations appear self-serving and do not accurately represent "impact" on the nearby areas.

The village of Oceanside and its residents will be directly and adversely "impacted". There are "significant potential conflicts" beyond Green Crow's proposed 1,500 boundaries.

We respectfully request that the Planning Commission:

- 1) Allow a reasonable amount of time for community residents to submit evidence concerning “conflicts” based on “clear and objective standards.”
- 2) “Determine existing or approved land uses within the impact area that will be adversely affected by proposed mining operations and shall specify the predicted conflicts.” OAR 660-023-0180(5)(b)
- 3) Exercise due diligence in researching and considering conflicts as directed by OAR 660-023-0180(5)(b)(A)(B)(C)(D)(E)(F).
- 4) Determine “reasonable and practicable measures that would minimize the conflicts” under OAR 660-023-0180(5)(b).
- 5) Determine “significant conflicts identified under the requirements of subsection (c) of this section that cannot be minimized...” OAR 660-023-0180(5)(d)(A)(B)(C).
- 6) Deny designation of the 200 Line Quarry site as a Significant Mineral and Aggregate Site.
- 7) Define the impact zone of the 200 Line Quarry site to include the village of Oceanside.
- 8) Establish the current and everyday uses of the platted lots in the residential zone of Oceanside to be “conflicting uses.”
- 9) Deny the request to rezone the 200- Line Quarry with a Mineral and Aggregate Resource Overlay Zone.

Thank you for considering the above in your deliberations.

Sincerely,

Kimberly A. Theobald  
Ray L. Dempsey  
2015 Cape Meares Loop.  
P.O. Box 273  
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