

818 SURFACE MINING

818.01 SUBMITTAL REQUIREMENTS

In addition to the submittal requirements identified in Subsections 1203.02 and 1307.07(C), an application for a permit for surface mining shall include:

- A. Site plan, drawn to a scale of not less than one inch equals 600 feet, showing:
 - 1. Lot lines, dimensions, and area of the subject property;
 - 2. Location of all bodies of water, wetlands, roads, railroads, and utility facilities within or adjacent to the subject property;
 - 3. Contour lines with intervals identified;
 - 4. Locations and dimensions of existing and proposed structures;
 - 5. Location of existing and proposed driveways and parking areas;
 - 6. The boundaries of the mining site;
 - 7. Areas for excavation;
 - 8. Areas for processing and stockpiling;
 - 9. Areas for settling ponds and washing plants;
- B. A description of the present use of the subject property;
- C. The starting date of the mining and expected life of the mining operation;
- D. A description of each mineral to be mined and the estimated quantity to be extracted;
- E. A description of the mining methods and types of equipment to be used;
- F. The characterization of the groundwater and surface water based on available wells, drill logs, springs, and surface drainages within one mile of the proposed mining operation;
- G. A surface water management plan to provide protection against contamination of groundwater and discharge of sediments into adjacent waterways. This plan must include provisions for settling ponds, diversion dikes, and channels, or other facilities as may be required;
- H. An erosion control plan detailing ground cover plantings and other methods of controlling erosion of surfaces affected by the mining;

- I. The procedures to control the discharge of contaminants and the disposal of mining refuse;
- J. For reclamation, identification of backfilling techniques, re-contouring, topsoil replacement, seedbed preparation, mulching, fertilizing, selection of plant species, seeding, planting rates and schedules, and planned subsequent beneficial use of mined areas.
- K. The procedures for the salvage, storage, and replacement of topsoil or acceptable alternative;
- L. Identification of the procedures for the stable storage of overburden, including a description of the pre-mine topography, method of emplacement, height of lifts, final height, slope configuration, and vegetative cover; and
- M. Applications for non-aggregate mining shall include the following additional information if applicable:
 - 1. Details of measures taken to conserve the quantity and quality of affected aquifers;
 - 2. A description of any toxic or radioactive materials known to be present in the ore, spoil, tailings, overburden, or any other material involved in the mining operation, and their approximate concentrations; and
 - 3. A description of how any toxic or radioactive materials will be handled during mining and reclamation.

818.02 STANDARDS

Surface mining shall comply with the following standards:

- A. Access: An on-site access or service road used for mining shall be dust free at all points within 300 feet of an off-site road or off-site dwelling. If the mining is the primary cause of traffic on an unpaved off-site road, that road shall be dust free at all points within 300 feet of off-site dwellings.
- B. Screening: Screening of the mining site may be required to obscure the view or minimize dust or other annoyance. If screening is required, it shall be done pursuant to Subsection 1009.04:
- C. Noise: Sound created by the mining operation and audible off the subject property shall not exceed the maximum permitted by the Oregon Department of Environmental Quality (DEQ). Various methods of sound control may be required, such as installation of earth berms, strategic location of stockpiles, and limiting hours of operation.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- D. Air Quality: The discharge of contaminants created by the mining operation shall not exceed the DEQ air quality standards.
- E. Toxic Materials: Toxic materials shall be handled in a manner that prevents environmental degradation, ensures the safety and health of persons involved in the mining and reclamation operations and the general public, and complies with the requirements of applicable state and federal agencies.
- F. Protection of Adjacent Land: Excavation shall be away from the lot line a distance adequate to maintain a fence on the lot line and such additional distance as is necessary to allow a normal safe angle of repose during operations, ensure lateral support of adjacent lots and public rights-of-way, and provide the slopes identified in the reclamation plan for the depth of final excavation. Other provisions to ensure protection of adjacent lots and public rights-of-way from steep banks, deep holes, or other hazards during the mining and reclamation phases shall be required as necessary. In addition, the distance between the excavation and rivers, streams, lakes, and other bodies of water shall be adequate to maintain bank integrity and streamside vegetation.
- G. Reclamation Plan: Reclamation shall be done in accordance with a reclamation plan approved by the Oregon Department of Geology and Mineral Industries, and the subsequent beneficial use of mined areas shall comply with this Ordinance.

[Amended by Ord. ZDO-248, 10/13/14; Amended by Ord. ZDO-268, 10/2/18]