

# House Bill 3298

Sponsored by Representative BARNHART, Senator PROZANSKI

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires certain statement by local government to accompany application for operating permit for surface mining. Specifies content of statement.

## A BILL FOR AN ACT

1  
2 Relating to applications for operating permits for surface mining; creating new provisions; and  
3 amending ORS 517.790.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 517.790 is amended to read:

6 517.790. (1) A landowner or operator may not allow or engage in surface mining on land not  
7 surface mined on July 1, 1972, without holding a valid operating permit from the State Department  
8 of Geology and Mineral Industries for the surface mining operation. A separate permit is required  
9 for each separate surface mining operation. A person seeking an operating permit from the depart-  
10 ment shall submit an application on a form provided by the department that contains the following  
11 information:

12 (a) The name and address of the landowner and the operator and the names and addresses of  
13 any persons designated by them as their agents for the service of process.

14 (b) The materials for which the operation is to be conducted.

15 (c) The type of surface mining to be employed in the operation.

16 (d) The proposed date for the initiation of the operation.

17 (e) The size and legal description of the lands that will be affected by the operation, and, if more  
18 than 10 acres of land will be affected by the operation and if the department determines that the  
19 conditions warrant it, a map of the lands to be surface mined that includes the boundaries of the  
20 affected lands, topographic details of the lands, the location and names of all streams, roads, rail-  
21 roads, utility facilities, wells, irrigation ditches, ponds, stockpiles, buffers, setbacks and excavation  
22 boundaries within or adjacent to the lands, the location of all proposed access roads to be protected  
23 or constructed in conducting the operation and the names and addresses of the owners of all surface  
24 and mineral interests of the lands included within the surface mining area.

25 (f) If practicable, a plan for visual screening by vegetation or otherwise that will be established  
26 and maintained on the lands within the operation for the purpose of screening the operation from  
27 the view of persons using adjacent public highways, public parks and residential areas.

28 (g) The type of monitoring well abandonment procedures.

29 (h) A proposed reclamation plan that is acceptable to and approved by the department.

30 (i) Any other information that the department considers pertinent in its review of the applica-  
31 tion.

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.



1 \_\_\_\_\_  
2 **Local Planning Official Name**  
3 **(Print)**  
4 \_\_\_\_\_  
5 **Signature**  
6 \_\_\_\_\_  
7 **Title**  
8 \_\_\_\_\_  
9 **City/County**  
10 \_\_\_\_\_  
11 **Date**

12  
13 **Comments:**  
14 \_\_\_\_\_

15  
16 **SECTION 3. Section 2 of this 2013 Act and the amendments to ORS 517.790 by section 1**  
17 **of this 2013 Act apply to operating permits first applied for under ORS 517.790, or renewed,**  
18 **on or after the effective date of this 2013 Act.**

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