



SCHWABE, WILLIAMSON & WYATT®  
ATTORNEYS AT LAW

360 SW Bond Street, Suite 500, Bend, OR 97702 | Phone 541.749.4044 | Fax 541.330.1153 | www.schwabe.com

TIA M. LEWIS  
Direct Line: 541-749-4048  
E-Mail: tlewis@schwabe.com

January 6, 2016

**BY HAND DELIVERY**

Will Groves  
Senior Planner  
Deschutes County Community Development Department  
117 NW Lafayette Avenue  
Bend, OR 97703

Re: Lower Bridge Road, LLC Appeal / Exhibit List  
County File Nos. 247-15-00194-CU and 247-15-000195-TP  
Our File No. 116094-150752

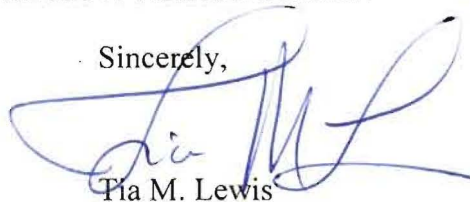
Dear Will:

Enclosed are Applicant's Exhibits as follows for the Appeal hearing before the Board:

1. Revised TP - Exhibit A-1
2. FIRM Map on Property - Exhibit A-2
3. Rimrock Setback Drawings - Exhibit A-3
4. Typical Lot Layouts - Exhibit A-4
5. Draft Dust Control Plan - Exhibit A-5

Please include these in the record for the above-referenced matter.

Sincerely,



Tia M. Lewis

TML:ls  
Enclosures









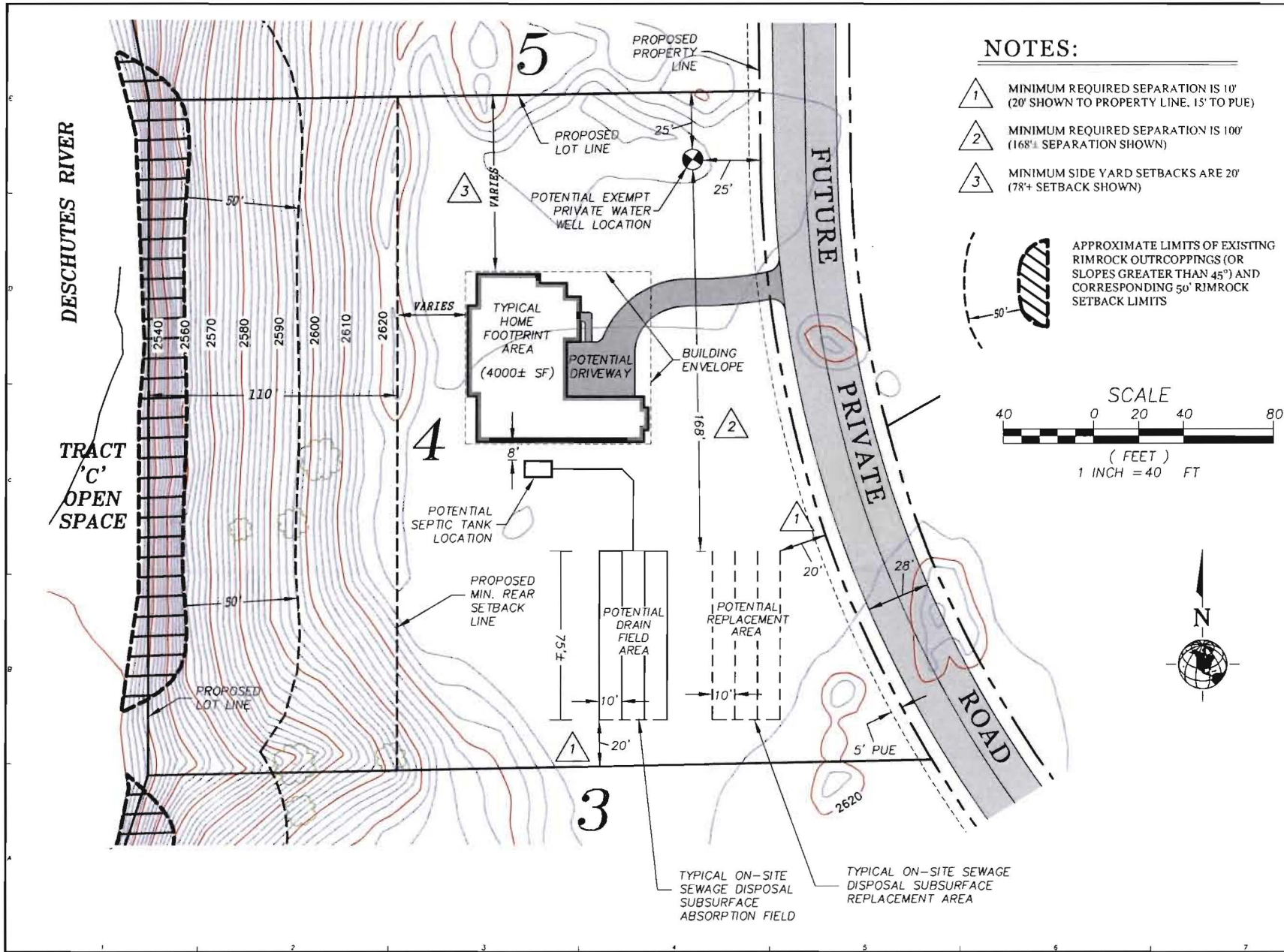












D'Agostino Parker, LLC 91275 KING JEROME AVE BEND, OR 97702 P 541-333-4134	
REGISTERED PROFESSIONAL ENGINEER 12,558 OREGON JUN 20, 1998 KEITH S. D'AGOSTINO EXPIRES 12/31/17	
LOWER BRIDGE ROAD LLC LOWER BRIDGE PLANNED DEVELOPMENT LOT 4 TYPICAL LOT LAYOUT EXHIBIT	
DESIGNED: CAB DRAWN BY: CAB APP'D BY: KSD CHECK'D BY: KSD LAST EDIT: 12/30/15 PLOT DATE: 12/30/15	OREGON DRAWING FILE NAME: TYPICAL LOT.DWG PROJECT: DAN001 BEND
SHEET: 1 of 1 SCALE: 1"=40'	







## **Lower Bridge Road Residential Development Dust Control Plan**

*Construction, Demolition, Excavation, Extraction and Other Earthmoving Activities* require the owner or operator of a construction project to submit a Dust Control Plan to the Lower Bridge Road Subdivision Homeowners Association (LBR HOA) if at any time the project involves:

- Residential development,
- Subdivision infrastructure construction, and/or
- Moving, depositing, or relocating of more than 10 cubic yards of bulk native soil or imported fill materials.

A Dust Control Plan identifies the fugitive dust sources at the construction site and describes all of the dust control measures to be implemented before, during, and after any dust generating activity for the duration of the project. The LBR HOA will review and approve, conditionally approve, or disapprove the Dust Control Plan within 30 days of submittal. Construction activities shall not commence until the Dust Control Plan has been approved or conditionally approved. An owner or operator must also provide written notification to the LBR HOA via fax, email or mail within 10 days prior to the commencement of earthmoving activities. A copy of the approved Dust Control Plan must be retained at the project site and made available upon request by LBR HOA, Oregon Department of Environmental Quality (DEQ), or Deschutes County representatives.

Regardless of whether a HOA-approved Dust Control Plan is in place or not, the owner or operator is required to comply with all requirements of applicable DEQ and Deschutes County Rules and Regulations at all times.

Submit the Dust Control Plan to the LBR HOA office listed below:

Lower Bridge Road Homeowners Association  
P.O. Box TBD  
Terrebonne, OR 97XXX  
Phone Number (541) XXX-XXXX  
Email address  
FAX Number (541) XXX-XXXX



Dust Control Plan  
Section 1 - General Information — Page 1

<b>1-A Project Name and Location</b>	
Project Name: _____	
Project Address: _____	
City: _____	
Section(s): _____	County: _____
_____	Township: _____ Range: _____
Expected Construction Start Date: _____ End Date: _____	

<b>1-B Contacts</b>	
Report the names, addresses, and phone numbers of persons and owners or operators responsible for the preparation, submittal, and implementation of the Dust Control Plan and responsible for the dust generating operation and dust control applications.	
Property Owner: _____	
Address: _____	
City / State / Zip: _____	
Phone: _____	Email: _____

Developer: _____	
Address: _____	
City / State / Zip: _____	
Contact Person: _____	
Phone: _____	Email: _____

General Contractor: _____	
Address: _____	
City / State / Zip: _____	
Contact Person: _____	
Phone: _____	Email: _____

This Dust Control Plan was prepared by:	
Name: _____	Title: _____
Company Name: _____	
Address: _____	
City / State / Zip: _____	
Phone: _____	Email: _____

<input type="checkbox"/> I would like additional information about opportunities to reduce water usage on the project site.
---



## Section 1 — General Information — Page 2

Project Name: \_\_\_\_\_

### 1-C Contractors

Provide the names, addresses, and phone numbers of the contractors involved in dust generating activities or performing dust control as part of this project.

1. \_\_\_\_\_  
\_\_\_\_\_
2. \_\_\_\_\_  
\_\_\_\_\_
3. \_\_\_\_\_  
\_\_\_\_\_
4. \_\_\_\_\_  
\_\_\_\_\_

### 1-D Who will have the primary responsibility for implementing this Dust Control Plan?

- ☐ Property Owner      ☐ Developer      ☐ General / Prime  
☐ Sub-Contractor(s)      ☐ Other: \_\_\_\_\_

Primary Project Contact: \_\_\_\_\_

Title: \_\_\_\_\_

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

City / State / Zip: \_\_\_\_\_

On-Site Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Mobile Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### 1-E Provide a brief description of the project's operations.

Dust Control Plan  
Section 2—Plot Plan - Page 1

Project Name: \_\_\_\_\_

**2-A Plot Plan**

A plot plan identifies the type and location of each project. Attach appropriately sized maps with the project boundaries outlined or use the space in sections 2-B or 2-C to draw a plot plan. Attached maps may include tract maps, site maps, and topographic maps. Use the checklist below to make sure all areas have been identified on the plot plan.

Identify the relative locations of actual and potential sources of fugitive dust emissions.

Bulk material handling and storage areas.

Paved and unpaved access roads, haul roads, traffic areas, and equipment storage yards. Exit points where carryout and tracks onto paved public roads may occur.

Water supply locations if water application will be used for controlling visible dust emissions.

Other:

**2-B Draw Plot Plan (if one is not attached)**

**Include a North Arrow**

Plot plan is attached (Skip to 3-A).



Dust Control Plan  
Section 3 — Fugitive Sources — Page 1

Project Name: _____
<b>3-A Disturbed Surface Area</b>
Report the total area of land surface to be disturbed, the estimates daily throughput volume of earthmoving in cubic yards, and the total area in acres of the entire project site.
Total area of land surface to be disturbed: _____ Acres
Daily maximum throughput volume of earthmoving: _____ Cubic Yards
Daily average throughput volume of earthmoving: _____ Cubic Yards
Total area of entire project site: _____ Acres
Total disturbed areas that will be left inactive for more than seven days: _____ Acres
<b>3-B Dust Generating Activity Dates</b>
The expected start and completion dates of dust generating activities and soil disturbance activities to be performed on site. For phased projects, it may be necessary to report expected start and completion dates separately.
Expected start date: _____ Completion Date: _____
Phase Project Start—A: _____ Completion—A: _____
Phase Project Start—B: _____ Completion—B: _____
Phase Project Start—C: _____ Completion—C: _____

## Section 3 — Fugitive Sources — Page 2

Project Name: \_\_\_\_\_

### 3-C Sources of Fugitive Dust

This section describes the minimum requirements for limiting visible dust emissions from activities that cause fugitive dust emissions. Check at least one box under each category.

#### Structural Demolition

No demolitions are planned for this project.

Asbestos NESHAP notification and fees have been submitted to the HOA.

Water will be applied to the following areas for the duration of the demolition activities:

- Building exterior surfaces;
- Unpaved surface areas where equipment will operate;
- Razed building materials; and
- Water or dust suppressants will be applied to unpaved surface areas within 100 feet of structure during demolition.

#### Pre-Activity

Not applicable for this project (Please explain why in Section 3-E).

The site will be pre-watered and work will be phased to reduce the amount of disturbed surface area at any one time (Complete Section 4-A).

#### Active Operations

Water will be applied to dry areas during leveling, grading, trenching, and earthmoving activities (Complete Section 4-A).

Wind barriers will be constructed and maintained, and water or dust suppressants will be applied to the disturbed surface areas (Complete Sections 4-A or 4-B, and 4-C).

#### Inactive Operations, including after work hours, weekends, and holidays.

Not applicable for this project (Please explain why in Section 3-E).

Water or dust suppressants will be applied on disturbed surface areas to form a visible crust, and vehicle access will be restricted to maintain the visible crust. (Complete Section 4-A or 4-B, and 4-C)

#### Temporary stabilization of areas that remains unused for seven or more days.

Not applicable for this project (Please explain why in Section 3-E)

Vehicular access will be restricted and water or dust suppressants will be applied and maintained at all un-vegetated areas (Complete Section 4-A or 4-B, and 4-C).

Vegetation will be reestablished on all previously disturbed areas (Complete Section 4-C). Gravel will be applied and maintained at all previously disturbed areas (Complete Section 4-C). Previously disturbed areas will be paved (Complete Section 4-C).

#### Unpaved Access and Haul Roads, Traffic and Equipment Storage Areas.

Not applicable for this project (Please explain why in Section 3-E)

Apply water or dust suppressants to unpaved haul and access roads (Complete Section 4-A or 4-B)

Water or dust suppressants will be applied to vehicle traffic and equipment storage areas (Complete Section 4-A or 4-B).



3-D Bulk Materials

Outdoor Handling of Bulk Materials.

No bulk materials will be handled during this project.

Water or dust suppressants will be applied when handling bulk materials.

Wind barriers with less than 50 percent porosity will be installed and maintained, and water or dust suppressants will be applied.

Outdoor Storage of Bulk Materials.

No bulk materials will be stored during this project.

Water or dust suppressants will be applied to storage piles.

Storage piles will be covered with tarps, plastic, or other suitable material and anchored in such a manner that prevents the cover from being removed by wind action. A three-sided structure (< 50% porosity) will be used that is at least as high as the storage piles.

On-Site Transporting of Bulk Materials.

No bulk materials will be transported on the project site.

Vehicle speed will be limited on the work site.

All haul trucks will be loaded such that the freeboard is not less than six inches when transported across any paved public access road.

A sufficient amount of water will be applied to the top of the load to limit visible dust emissions. Haul trucks will be covered with a tarp or other suitable cover.

Off-Site Transporting of Bulk Materials.

No bulk materials will be transported to or from the project site.

The following practices will be performed: (complete Section 5-B)

- The interior of emptied truck cargo compartments will be cleaned or covered before leaving the site.
- Spillage or loss of bulk materials from holes or other openings in the cargo compartment's floor, sides, and tailgates will be prevented.
- Haul trucks will be covered with a tarp or other suitable cover or will be loaded such that the freeboard is not less than six inches when transported on any paved public access road to or from the project site and a sufficient amount of water will be applied to the top of the load to limit visible dust emissions.

Outdoor Transport using a Chute or Conveyor.

No chutes or conveyors will be used.

Chute or conveyor will be fully enclosed.

Water spray equipment will be used to sufficiently wet the materials.

Transported materials will be washed or screened to remove fines (PM10 or smaller).

3-E Comments

## Section 4 - Dust Control Methods — Page 1

Project Name: \_\_\_\_\_

### 4-A Water Application

Complete this section if water application will be used as a control method for limiting visible dust emissions and stabilizing surface areas. Check and answer everything that applies to the project.

#### Water Application Equipment:

Sprinklers: Describe the activities that will utilize sprinklers:

Minimum treated area: \_\_\_\_\_ Square Feet/Acres

Maximum treated area: \_\_\_\_\_ Square Feet/Acres

Minimum water flow rate: \_\_\_\_\_ Gallons/minute Duration: \_\_\_\_\_

Water Truck, Water Trailer, Water Wagon, Other: \_\_\_\_\_

Describe the activities that will utilize this equipment:

Number of application equipment available: \_\_\_\_\_

Application equipment capacity: \_\_\_\_\_

Water Supply: Include the relative locations of these sources on the plot plan in Section 2.

#### Fire hydrants

Number of hydrants available On-Site: \_\_\_\_\_ Off-Site: \_\_\_\_\_

Approval granted by the owner or public agency to use their fire hydrants for this project.

Owner or Agency: \_\_\_\_\_

Contact: \_\_\_\_\_ Phone No.: \_\_\_\_\_

Storage tanks Number and capacity: \_\_\_\_\_

\_\_\_\_\_ Wells Number and flow rate: \_\_\_\_\_

Approval granted by the owner or public agency to use their water source for this project.

Owner or Agency: \_\_\_\_\_

Contact: \_\_\_\_\_ Phone No.: \_\_\_\_\_



## Section 4 - Dust Control Methods — Page 2

Project Name: \_\_\_\_\_

### 4-B Dust Suppressant Products

Complete this section if a dust suppressant product will be used. These materials include, but are not limited to: hygroscopic suppressants (road salts), adhesives, petroleum emulsions, polymer emulsions, and bituminous materials (road oils).

Copy this page if more than one dust suppressant product will be used.

☐ Not Applicable. Only water application will be the control method used. Skip to 4-C.

Application Area: \_\_\_\_\_

Product Name: \_\_\_\_\_

Contractor's Name: \_\_\_\_\_ Phone No: \_\_\_\_\_

Application Rate: \_\_\_\_\_ Gallons of undiluted material per mile or acre treated.

Application Frequency: \_\_\_\_\_ Applications per week, month, year

Application Equipment: \_\_\_\_\_

Number of Application Equipment Available: \_\_\_\_\_

Application Equipment Capacity: \_\_\_\_\_

Attach each of the following information that fully describes this product. Use the checklist below to make sure all information is submitted with this plan.

Product Specifications (MSDS, Product Safety Data Sheet, etc.)

Manufacturer's Usage Instructions (method, frequency, and intensity of application)

Environmental impacts and approvals or certifications related to the appropriate and safe use for ground application.

## Section 4 — Carry-Out and Track-Out — Page 3

Project Name: _____
<b>4-C Other Dust Control Methods</b>
Check below the other types of dust control methods that will be employed at the construction site.
<input type="checkbox"/> Physical barriers for restricting unauthorized vehicle access: Fences      Gates      Posts      Berms      Concrete Barriers Other: _____ Wind barriers Describe: _____ Re-establish vegetation for temporarily stabilizing previously disturbed surfaces. <input type="checkbox"/> Explain: _____ Apply and maintain gravel: <input type="checkbox"/> On haul roads      On access roads      At equipment storage yards At vehicle traffic areas      For temporarily stabilizing previously disturbed areas. Explain: _____ Apply pavement: <input type="checkbox"/> Explain: _____ Other: _____
<b>4-D Contingencies</b>
Contingencies to be implemented if application equipment becomes inoperable, more equipment is needed to effectively control fugitive dust emissions during active and inactive periods, accessibility limitations occur at the water sources, or staff is not available to operate the application equipment. Describe the contingencies that will be in place and when they will be implemented. Attach any additional information, if needed.
<b>4-E Record keeping</b>
Records and any other supporting documents for demonstrating compliance with dust control must be maintained by the owner/operator for those days when a control measure is implemented.



## Section 5 — Carry-Out and Track-Out — Page 2

Project Name: \_\_\_\_\_

### 5-A Treatments for Preventing Track-Out

Select the control devices that will be used for preventing track-out from occurring onto paved public roads. Track-out is any material that adheres to vehicle tires and is deposited onto a paved public road or the paved shoulder of a paved public road. Check one or a combination that will apply to this project.

Grizzly: Rails, pipes, or grates used to dislodge debris off of vehicles before exiting the site. Extends from the intersection with the paved public road surface for the full width of the unpaved exit surface for a distance of at least 25 feet.

Describe: \_\_\_\_\_

Gravel Pad: A layer of washed gravel at least one (1) inch or larger in diameter, three (3) inches deep, and extends from the intersection with the public paved road surface for the full width of the unpaved exit surface for a distance of at least 50 feet.

Gravel Size: \_\_\_\_\_ Inches

Pad Width: \_\_\_\_\_ Feet

Length: \_\_\_\_\_ Feet

Depth: \_\_\_\_\_ Inches

Paved Surface: Extends from the intersection with the paved public road surface for the full width of the unpaved access road for at least 100 feet to allow mud and dirt to drop off of vehicles before exiting the site.

Width: \_\_\_\_\_ Feet

Length: \_\_\_\_\_ Feet

Mud and dirt deposits accumulating on paved interior roads will be removed with sufficient frequency, but not less frequently than once per week.

Clean-up Frequency: \_\_\_\_\_

Wheel Washer: Uses water to dislodge debris from tires and vehicle undercarriage.

Describe: \_\_\_\_\_

Other: \_\_\_\_\_

## Section 5 — Carry-Out and Track-Out — Page 2

Project Name: \_\_\_\_\_

### 5-B Treatments for Preventing Carry-Out

Report the required treatments that will be used for preventing carry-out from occurring on paved public roads. Carry-out occurs when materials from emptied or loaded haul trucks, vehicles, or trailers falls onto a paved public road or paved shoulder of a paved public road.

No haul trucks will be routinely entering or leaving the project site.

Emptied Haul Trucks:

Interior cargo compartments will be cleaned before leaving the project site.

Cargo compartment will be covered with a tarp or suitable cover before leaving the project site.

Loaded Haul Trucks: Spillage or loss of materials from holes or other opening in the cargo compartment will be prevented when material is transported onto any paved public access road.

Select one or both of the required applications:

Haul trucks will be loaded such that the freeboard is not less than six inches with water applied to the top of the load before leaving the project site.

Cargo compartment and load will be covered with a tarp or suitable cover before leaving the project site.

Other: \_\_\_\_\_

### 5-C Record keeping for Cleanup of Carry-Out and Track-Out

Records and any other supporting documents for demonstrating compliance with carry-out and track-out must be maintained by the owner/operator.

## Section 6 — Certification — Page 1

Project Name: \_\_\_\_\_

### 6-A Certification

The owner, principle operator, or the individual implementing must certify the plan. I certify that all information contained herein and information submitted in the attachments to this document are true and correct.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Email

\_\_\_\_\_  
Cell Number