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LEGAL COUNSEL

For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

# NOISE PERMIT

PURSUANT TO DESCHUTES COUNTY CODE (DCC) CHAPTER 8.08

LOCATION: US Highway 97 from milepost (MP) 115.3 to MP 115.6, within the Unincorporated Community of Terrebonne, (see attached Location Map).

FILE NUMBER: 247-22-000555-V

OWNER: Oregon Department of Transportation (ODOT)

PHONE: (541) 388-6180

PROJECT DESCRIPTION: The applicant requests approval of a noise permit to allow nighttime geotechnical drilling for proposed interchange retaining walls. The project will include:

1. Pavement coring;
2. Geotechnical drilling using a CME 75 Drill Rig; and
3. Soil sampling using an auto hammer and SPT sampler

DATES AND TIMES OF PROJECT: Construction activities are expected to begin September 19, 2022, with a completion date of September 23, 2022. Construction is anticipated to begin at the south end of the project limits and proceed north towards the intersection of US 97 and Lower Bridge Way. Nighttime construction will occur from 10:00 p.m. to 7:00 a.m.

FINDINGS: The Board of County Commissioners (“Board”) finds that a public necessity exists for granting this permit for construction hours between 10:00 p.m. and 7:00 a.m. The Board bases the findings on evidence in the record and testimony at the hearing. These findings include:

1. A need to increase safety and reduce crash rates by separating US 97 and Lower Bridge Way;
2. Improve safety for workers by completing work during periods of lowest traffic volume; and
3. A desire to conduct construction from 10:00 p.m. to 7:00 a.m. to minimize traffic delays, decrease the risk of construction related accidents on US Highway 97, and comply with freight mobility agreements.

CONDITIONS OF APPROVAL:

1. Construction activities may be conducted beginning September 19, 2022.
2. Fifteen days prior to commencing any construction activities, the Owner shall notify all property owners who testified at the public hearing for this permit of the dates and times the construction activities will occur.
3. This permit expires September 23, 2022.
4. THE APPROVED PERMIT SHALL BE RETAINED ON-SITE UNTIL THE PROJECT IS COMPLETE.
5. BY ACCEPTANCE OF THIS PERMIT, OWNER/OPERATOR CONSENT TO ALLOW BOTH COUNTY CODE ENFORCEMENT AND LAW ENFORCEMENT PERSONNEL TO COME ON THE PREMISES FOR WHICH THE PERMIT HAD BEEN GRANTED FOR THE PURPOSE OF INSPECTION AND ENFORCEMENT OF THE TERMS AND CONDITIONS OF THE PERMIT AND DCC 8.08, AND ANY OTHER APPLICABLE LAWS OR ORDINANCES.

Dated this \_\_\_\_\_ of \_\_\_\_\_, 2022

BOARD OF COUNTY COMMISSIONERS  
OF DESCHUTES COUNTY, OREGON

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PATTI ADAIR, Chair

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ANTHONY DEBONE, Vice Chair

ATTEST:

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Recording Secretary

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PHIL CHANG, Commissioner

Exhibit A: Location Map