



MEMORANDUM

FROM: Shala M. Kudlac, Asst. Curry County Counsel
TO: Curry County Planning Commission
RE: AD-1907, Pistol River Gravel Mining
DATE: July 17, 2019

This matter was originally set for decision on July 25, 2019 at your regular Planning Commission Meeting as the hearing closed on June 20th. The record was left open for 14 days. This schedule is no longer possible to meet currently.

The record was originally left open for new evidence and testimony for fourteen (14) days after your last hearing. All participants then had seven (7) days to submit rebuttable to that new evidence and testimony with the Applicant having a final seven (7) days to supply final argument.

The process was set out and the County received comments from those wishing to participate. In the Applicant's final argument, however, he raised new facts in the form of a position regarding how the minerals would be extracted which was not part of his original application. The County views this as new evidence.

Due to the submission of the new evidence the process begins again. Those wishing to comment may supply comment regarding the new evidence submitted by the Applicant with him again having seven (7) final days for rebuttal argument only.

SUGGESTED MOTION - A proper motion for your hearing would be to re-open the record and allow seven (7) days for any party to submit new evidence or argument in relation to the gravel extraction method disclosed by the Applicant. After the seven (7) days the Applicant has seven additional days for final written argument (not new facts).

Please let staff know if you have any questions.

Shala M. Kudlac
Asst. County Counsel