

# The Register-Guard

Guest Viewpoint

## **Mining-friendly bill devastating to farmland**

By Karen Reed

*For The Register-Guard*

Feb. 25, 2015

A bill in the Oregon House co-sponsored by Rep. Val Hoyle, D-Eugene, would enable the siting of more gravel mines on the best farmland in the Willamette Valley.

House Bill 2666 appears to be a wish list dictated by the gravel industry with the specific purpose of gutting provisions that were the basis for denial of a gravel mine application in Lane County in the early 2000s, when Eugene Sand & Gravel Inc. proposed mining on a large tract of Class I and Class II farm soils between Lone Pine Farm and Thistledown Farm north of Eugene.

The supposed intent of current law and land-use regulations in the Willamette Valley is to protect Class I and Class II farm soils. The laws and regulations balance farming and mining by allowing mining only where the gravel resource is large and mining would not force changes to farming practices or increase the cost of farming on adjacent land.

In reality, there is no balance. Gravel mine applications have been approved throughout the valley on Class I and II soils. Eugene Sand & Gravel's application denial stands out as the one exception. The gravel industry wants it all.

Farmers and citizens who oppose gravel

mining on high-quality soils face daunting odds. The cost of hiring lawyers and experts to dispute the claims of industry lawyers and the clique of industry-compliant consultants is high, and the learning curve to understanding the laws and rules is steep.

The visibility and popularity of Lone Pine and Thistledown fresh-market farms gave them an advantage in defeating a mine proposal. Eugene Sand & Gravel's application received stiff opposition from farmers, neighbors, environmental and land use groups, and more than 10,000 citizens who signed petitions. Multi-day public hearings were needed to accommodate all who wanted to testify. Outside experts refuted company consultants' methods and their conclusions that the mining operation would not cause significant dust, noise, traffic, flooding or groundwater impacts. Eugene Sand & Gravel's application was denied in Lane County, and after a lengthy journey through the Land Use Board of Appeals and the Oregon Court of Appeals, the denial was upheld.

If that proposal had been approved, the mine would have destroyed the farmland it sat on, and also would have damaged neighboring farms through loss of groundwater, increased flooding and dust on crops that cannot be washed (such as raspberries and cauliflower). The noise of mining activity

would have degraded the country ambiance of farm market stands and stressed livestock. The gravel pit truck traffic would have interfered with farm operations and with access to farm stands by customers.

HB 2666 would make it harder for farmers to fight proposed gravel mines and easier for gravel companies to get approval. HB 2666 would redefine the term “significant” in reference to farming costs and practices. An impact would be considered “significant” only if it caused a farming practice to be abandoned altogether.

HB 2666 would make it harder to demonstrate that discharges (such as dust, noise, flooding and groundwater) from the mine would damage farming, and it would shrink the impact zone around a mine where conflicts with adjacent farms must be considered. The bill would reduce the traffic impact zone to essentially zero. As an extra gift to mining companies, HB 2666 would not allow counties to place conditions of approval on mines, unless the conditions would cost the gravel company nothing.

Not all soils are equal. Class I and Class II soils are well-drained and fertile, generally closer to the river, and can grow the widest variety of crops, including nuts, berries, tree fruits and vegetables. A high percentage of farm soil in Lane County and throughout the Willamette Valley has already been lost to gravel mining and urban sprawl. What we have left is precious and needed to produce food.

The gravel industry regularly cites jobs and the need for high-quality gravel as reasons why their applications should be approved, but there are sources of high-quality basalt rock in the hills close to markets throughout the Willamette Valley. Quarrying basalt creates as many jobs as does mining gravel.

Mining basalt, where the soil is of lower quality, would preserve Class I and Class II soils.

Farming high-quality soils can produce both jobs and crops forever, whereas mining is a short-term endeavor that destroys the farmland permanently. Gravel mining is the final harvest from river bottomland.

HB 2666 would gut what already has proven to be meager protection for high-quality soils and the crops they produce. Class I and II soils need more protection, not less.

*Karen Reed lives near Thistledown and Lone Pine farms north of Eugene and opposed Eugene Sand and Gravel’s application. She has since been active in gravel mining issues in several Willamette Valley counties.*