

SB 644 - 3

2017-03-28

Chair Dembrow and Members of the Committee:

I am Bruce Chapin a third generation farmer located north of Salem and in the 1970's my father and I sold the aggregate that was used to widen the freeway from Woodburn to Salem. I recommend that you not support SB 644

SB 644 started out to be a bill that addressed some specific issues in seven eastern Oregon Counties and has evolved to a state wide right to mine bill that excessively restricts the right of farmers to be protected from trespass and nuisance by miners.

There are legitimate potential conflicts between the two industries. I encourage the Committee not to change current law, which has been allowing mining while ensuring that impacts to neighboring farms and ranches are taken into account.

The current process has not been unfair to the miners. 96.34% of all applications since 1996 have been approved and to my knowledge all farmer to miner conflicts occurring after the site has been permitted have been resolved without going to court.

I am concerned about the wording in the amendment where it states that "mining is considered the sole primary use of the property". Mining is a consumptive use causing miners to keep moving on to other sites and leaving the depleted mine behind. Currently mine sites have to be reclaimed back to a use that is compatible to the primary use of the zone. In the EFU zone the primary use is agriculture and the reclaimed use must be compatible with agriculture. After making mining the sole primary use of that property, how will future uses of the site and the future relationship to the surrounding farms be affected?

Respectfully,

  
Bruce R Chapin

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