

House Committee on Agriculture and Natural Resources  
c/o Derrick Wheeler  
900 Court Street NE  
Salem, OR 97301

## Testimony on SB 1036 - Surface Mining Exemptions

Dear Chair Clem and Committee Members,

I am Dr. Leslie Hudson and wish to give testimony against the adoption of the late April 2017 amendment proposed for SB 1036. The amendment would add additional surface mining exemptions under ORS 517.750(15XbXG) as follows:

"Excavation or grading operations necessary for construction and maintenance of utilities, drainage facilities and irrigation facilities, where the excavated material is used on site and is not sold into the commercial market as aggregate material."

Although I am a Planning Commissioner of Deschutes County, I give this testimony as a private citizen of Deschutes County and not on behalf of the Planning Commission.

I believe that, if adopted in full, this amendment would greatly impair the ability of Counties in the State of Oregon to create and enforce ordinances for the regulation of this activity by utilities and irrigation districts in an orderly manner and for the Public Good. My concern is not hypothetical as Deschutes County has recently had several instances where undesirable and unpermitted surface mining resulted in environmental degradation; I note that these have had been documented by other public testimony already in the hands of the House Committee.

I ask that ORS 517.750(15XbXG) be removed from the bill or be explicitly narrowed so that it does not apply outside of the State's landfill sites.

Thank you for the opportunity to provide testimony on this matter of public importance.

Sincerely,

Leslie Hudson