



June 26, 2017

Honorable Ginny Burdick, Chair  
Senate Committee on Rules  
State Capitol  
900 Court Street NE  
Salem, OR 97301

**Oregon Natural Desert Association testimony in opposition to Senate Bills 432 and 644**

Chair Burdick and Committee Members:

Thank you for the opportunity to provide written testimony on Senate Bills 432 and 644. Oregon Natural Desert Association (ONDA) is a not-for-profit conservation organization based in Bend that exists to protect, defend and restore Oregon's high desert on behalf of our more than 10,000 members and supporters from across Oregon and beyond.

**SB 432**

SB 432 allows rural counties with no population growth to adopt comprehensive land use plans *without* complying with statewide land use planning goals. SB 432 would also lead to impacts to important sage-grouse habitat and hamper ongoing sage-grouse management efforts by ignoring the Oregon Sage-grouse Action Plan and the Administrative Rules implementing that plan within DLCD and ODFW.

Senate Bill 432 would not only weaken the state land use system and threaten important agricultural lands, it could also undermine the long-term effort to conserve the greater sage-grouse. SB 432 will open eastern Oregon up to residential sprawl. This will result from more land being divided and/or converted from farm to nonfarm use increasing conflicts between farm and nonfarm uses and fragmenting the landscape. New developments on agricultural lands in eastern Oregon could have significant and lasting impacts on important sage-grouse habitat. These sorts of impacts are precisely why the state developed a comprehensive sage-grouse plan and that plan needs to be allowed to work in conjunction with federal plans to best support sage-grouse recovery. Oregon's land-use system and its sage-grouse provisions are one of the key tools for protecting sage-grouse habitat and we can't afford to jeopardize

them.

ONDA opposes allowing our limited supply of farm use lands, and the important wildlife habitat on and surrounding those lands, to be developed without strong standards and a thorough review. It is a false hope that loosening important requirements of our state land use system will lead to real economic development for these rural counties. We urge you to oppose Senate Bill 432 and instead identify other mechanisms to support rural economic development without impacting our state's natural resources and agricultural lands.

#### **SB 644**

SB 644 proposes troubling changes to Oregon's land use system with respect to establishing mining operations by right in EFU zones in several eastern Oregon counties. Mining is not a farm use and in many cases can be at odds with the intent of the EFU zone. Mining facilities may be expansive in scale and be on the landscape for decades. Large-scale and long duration mining operations can result in significant impacts to the environment, including water quality, water quantity and air quality, each with very real implications for farm uses. Furthermore, mining operations often result in increased demands on infrastructure such as roadways and power supplies which can also impact existing, permitted uses in the EFU zone. The potential impacts of mining operations on other EFU uses warrant thorough planning and review under Oregon's land use system. The Oregon Mined Land Reclamation Act correctly and appropriately classified mining in EFU as a conditional use subject to review. SB 644 should not advance and alter the current regulatory framework for mining in the EFU zone.

And much like SB 432 the provisions of SB 644 still risk undermining Oregon's significant and long-term investment in sage-grouse conservation. Despite the language of the proposed amendments, a county could still make a determination that a large-scale mining operation did not conflict with the Administrative Rules for sage-grouse conservation and essentially moot the sage-grouse plan requirements. The risk to years of conservation effort is not warranted when a major mining project such as that envisioned in SB 644 already has feasible pathways for reasonable and thoughtful permitting through county land use plans and the Oregon Administrative Rules.

ONDA opposes SB 644 and the fundamental changes to Oregon's land use laws with respect to mining activities in the EFU zone in certain eastern Oregon counties. Mining requires thoughtful and comprehensive regulation and oversight to ensure that impacts to the environment, other land uses and communities are minimized. Without appropriate safeguards the result is all-too-often the long-term degradation of the environment and impacts to human health, safety and well-being. Oregon's Mined Land Reclamation Act currently provides needed environmental protections and ample flexibility for mining

operators and should not be altered as envisioned in SB 644.

Thank you again for this opportunity to provide testimony on these important issues for eastern Oregon. Please oppose Senate Bills 432 and 644 to help conserve some of the most important attributes of this region of the state.

Sincerely,

A handwritten signature in black ink that reads "Dan Morse". The signature is written in a cursive style with a large, prominent "D" and "M".

Dan Morse  
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