

From: Bruce Chapin
To: [JCT Exhibits](#)
Subject: HB 4060 -7 Amendment
Date: Tuesday, February 20, 2018 12:40:07 PM

2-20-2018

Co-Chairs Beyer and McKeown and Members of the Joint Transportation Committee,

I am a full time orchardist farming North of Keizer and I urge you to oppose the -7 amendments to HB 4060. The proposed amendments would eliminate the ability of the county to address specific air, water, noise or other environmental impacts of an aggregate mine on neighboring farmers as long as the mine complies with other environmental laws. These environmental laws do not adequately protect farmers from uses that will significantly adversely affect the surrounding farming practices. This proposed amendment will prevent local Government from considering conflicts created by mining operations to agricultural operations.

None of the state or federal permits look at impacts to existing farm operations or analyze dust, noise or water impacts in relation to neighboring farm operations. For example; Irrigation is a very important farming practice. Oregon Water Resources manages the water allocation system of Oregon but under that system a miner can come into a farming community and lower the water table by dewatering a pit without getting a water right. The loss of irrigation water could be devastating for neighboring farm operations. The current land use process requires the local government to evaluate mining plans and mitigate potential conflicts to farming operations. That cannot happen if -7 amendment is passed into law.

To legally employ people, farmers must supply clean drinking and sanitation water. Most farmers get their water from wells. Farmers are required to be extremely careful that the groundwater aquifer does not become contaminated. Irrigation wells are sealed to prevent any service water from getting into the aquifer, but the state and federal permits turn a blind eye toward the miners that are digging open pits into very porous gravel layers that are permitted to be dug much deeper than the surrounding domestic and irrigation wells. These pits become deep lakes connecting ground water and surface water that ducks, geese and other wildlife introduce bacteria into. The -7 amendment will not allow the local governments from requiring even simple mitigation practices such as increased setback distances from neighboring irrigation and domestic wells.

I farm in the Mission Bottom area north of Keizer and the land use system has not stopped any new mining permits in that area in my 67 years of life but the land use system has created some appropriate mitigation. The DLCDC data shows a 97% success rate for siting aggregate projects within farm zones statewide. I do not see any reason to believe that the land use permitting process is stopping mines from siting in Oregon.

I believe that any changes to the permitting process at this juncture could pose an undue burden on neighboring farm operations. I urge you not to adopt this amendment.

Thank you for your consideration.

Bruce Chapin
Salem, OR 97303