

Watts Remy

From: Gisela Ryter <giselavest@icloud.com>
Sent: Thursday, January 24, 2019 8:08 AM
To: SENR Exhibits
Subject: Subject:SB46 and the elimination of state regulation of large-scale...

Subject:SB46 and the elimination of state regulation of large-scale excavation for on-site construction
Please include my comments in the records for the bill

I am very concerned about SB 46 and the suggested exemption from the definition of surface mining which determines whether a project is regulated by the Oregon Department of Mining and Minerals Industries. Deschutes County is particularly vulnerable to abuse since it does not have a grading ordinance, in which case a project can proceed without any regulation or public participation.

The proposed subsection (16)(b)(H) to the Oregon Revised Statutes section 517.750 would allow Irrigation Districts and anyone else to get an on-site mining exemption because of what would be construed as "authorized".

This could prove particularly detrimental to wildlife as happened in the Tumalo Deer and Elk Winter Range where surface mining was done by KCDG Development to build two private water ski lakes, destroying much needed resources for wildlife which is already threatened in our area. Another example is a water ski lake in the Alfalfa area that is now being removed by its owner. These are examples of what happens when DOGAMI is not involved.

Large scale construction projects should continue to be regulated by this agency at the state level even for projects authorized by state jurisdictions because

- Local jurisdictions often do not have grading ordinances or otherwise regulate excavation activities
- Local jurisdictions do not have staff or the technical knowledge to properly regulate excavation plans and operations
- DOGAMI will coordinate with other state agencies to evaluate the impact of excavation on natural resources, public health and safety, protection of archeological resources, etc., whereas the local land use authority will not.
- Many years ago, the state law was changed to treat on-site construction surface mining as subject to regulation by DOGAMI. The protection this provides to the public should not be abandoned. No compelling reason has been given why this wise decision should now be changed.
- Exempting large scale on-site construction activities from DOGAMI regulation will only lead to exploitation and destruction of natural resources without adequate consideration of the public interest, public safety and without adequate public participation.

Thank you.

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Sent from my iPad