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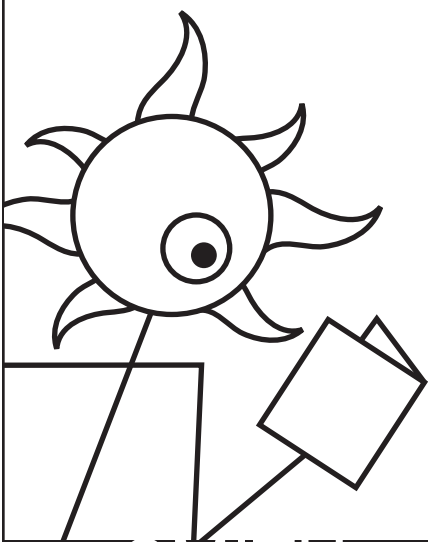
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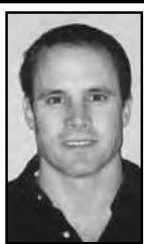
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news BY ALAN PITTMAN



Gravel Pits

Industry bill threatens River Road, state farmland.

Two years ago, Lane County shot down an unpopular bid by Eugene Sand and Gravel to turn hundreds of acres of prime, scenic River Road farmland into a gravel pit.

Now, lobbyists for the state gravel industry have pushed a bill through both houses of the state legislature that critics fear could grease the skids for another attack on River Road and prime farmland throughout the state.

"It's basically mining anywhere," says Carrie MacLaren, staff attorney with 1,000 Friends of Oregon.

"It threatens all of the prime farmland in the valley," says Mark Reed, a UO geology professor who helped lead the fight against the proposed River Road pit.

Current state land-use laws restrict gravel mining in high quality farmland where aggregate deposits don't meet certain minimum quality criteria. But House Bill 3013, now in a House-Senate conference committee, could let counties decide to allow top farmland to be destroyed for even low quality gravel deposits.

"There basically is no farmland under 3013 that would be deemed important to protect," MacLaren says, adding, "There's no balance" in the bill in between protecting farmland and allowing mining.

"This bill appears to be geared to circumvent the problems Eugene Sand had out here" in the River Road area, says Reed.

Reed says Eugene Sand and Gravel's pit was denied by the county and by the state Land Use Board of Appeals and is now before the state appeals court. "They're trying to change the laws to push it through at a later time," he says. The River Road pit still could face hurdles in showing it would have minimal traffic, dust, groundwater and flooding impacts on surrounding farmland. But if "this [bill] passed it could definitely make it easier for them," Reed says. "The bar is lower."

Ironically, provisions in the bill could make it even easier to mine in areas with high quality farmland but poor quality gravel, according to Reed. "It's a backwards twist on the intent of the protections," he says.

Another key provision in the bill would weaken farming protections from gravel pit dust, according to Reed. Currently, counties are allowed to refuse a mining permit because of a "significant" dust impact on neighboring farms. The new law would set a rigid standard of what is significant using Oregon Department of Environmental Quality restrictions on dust pollution levels that are unsafe to breathe.

Reed says the proposed dust standard is too weak and doesn't take into account that farm stands in River Road are much more vulnerable to dust than cannery farms or grass seed growers. Raspberry farmers, for example, can't wash their berries of dust without turning them to "mush" that no one would buy, Reed says. "Not all farms are the same."

Gravel industry lobbyists at the Oregon Concrete and Aggregate Producers Association pushed the bill after the defeat of Eugene Sand and Gravel's proposed pit and another pit near Roseburg. In that case, Beaver State Sand and Gravel lost at the county, LUBA and court of appeals in a bid to mine farmland. Bill Austin, a neighboring farmer to the proposed Roseburg pit, told the *Capital Press*, "I feel most farmers and ranchers would be opposed to this [HB 3013]. I'm not against taking alluvial rock, but I'm against taking the best farmland in Oregon to do it."

"It threatens all of the prime farmland in the valley," says Mark Reed, a UO geology professor.

Reed says mined farmland can't be restored afterward and is forever lost. Even if topsoil is replaced, removing so much material from the pit creates low lands that are prone to flooding, he says.

Proponents of the gravel bill say it's needed to provide mining and construction jobs in the down economy. MacLaren says protecting "farmland is critical to our state's economy and it's critical to our quality of life." Farming is a \$3.5 billion industry in Oregon and provides 8 percent of the state's jobs, according to 1,000 Friends.

Versions of 3013 have so far passed easily in both houses of the legislature. In May, the House voted for the bill 41-16. Last month, the Senate passed it 17-9. But it's uncertain what, if any bill will emerge from the conference committee and whether it will be signed by the governor. The gravel industry is a powerful lobby in the legislature but the bill is also opposed by the Oregon Farm Bureau, League of Conservation Voters and League of Women Voters.

The bill "has legs" and is moving through the legislature, MacLaren says. But its fate, and that of farmland in River Road and around the state, "is up in the air right now." **EW**