

CONTINUED FROM P.8

Wobblers) asking people to drop off coats, hats and gloves or come take the warm clothing if needed. And Friday night, the Occupy Eugene campsite became a stop on the Whiteaker's Last Friday Art Walk.

The Dec. 15 expiration date for the Occupiers' permission to camp at Washington-Jefferson Park is drawing near, and so far Eugene has managed to avoid the pepper spraying and other violence that has marked the removal of Occupy camps in other cities.

In a Nov. 23 email to colleagues, Eugene City Manager Jon Ruiz writes, "I am pleased that the city of Eugene's approach has been successful so far in avoiding many of the problems we are seeing in other communities." He continues, "We are working to do this while striving to minimize community disruption and impact to public resources."

Ruiz says in the email that the city has been accused in emails and via letters to the editor of not equally enforcing written complaints against West 11th EmX signs and OE signs. He writes, "City staff have discussed those violations with OE representatives. Some of the signs have been removed. City staff will continue to work with OE to obtain full compliance, just as we would for other sign code violations." Complains of building code violations have also been addressed, Ruiz writes, and he adds that Occupy Eugene plans to reimburse the city for the \$2,000 temporary chain-link fence put up along 7th Avenue to keep pedestrians safely out of the street.

— Camilla Mortensen

## LUBA RULES ON GRAVEL

Lane County can't issue a permit that would allow gravel trucks to speed through a quiet rural neighborhood without allowing the affected neighbors

some input on the issue, according to Oregon's Land Use Board of Appeals.

A group of neighbors living near a proposed gravel mine off of Quaglia Road in Cottage Grove are hoping that thanks to the Nov. 22 LUBA ruling, the quarry proposed by Donald Overholser (now deceased) and Rodney Matthews might have limits that would make the enterprise a little more tolerable for those nearby.

According to the LUBA decision, the case is remanded to Lane County and the neighbors cannot be barred from participating.

When the mine applied for a permit to operate in Lane County, it needed to go through a site review process. Families for a Quarry-Free Neighborhood were fine with the restrictions that were put on the mine through the site review, according to their attorney Dan Stotter. The restrictions included a limited the number of truckloads, limited truck speeds, and called for the gravel road to be upgraded, add safety pull-outs and to have intersections made safer. Since the quarry would use dynamite, restrictions also included limiting how often rock could be blasted.

Nearby families, some with properties bordering the proposed mine, were worried about the effects of the noise on their animals, dust on farms, homes and wildlife, the possibility of declining property values and the fact that the road, which would be filled with gravel trucks, is shared with school buses and children.

According to Stotter, the permit that Lane County originally issued addressed these concerns. So the families didn't appeal the permit when it was issued to the mine operators because the families were satisfied with the restrictions.

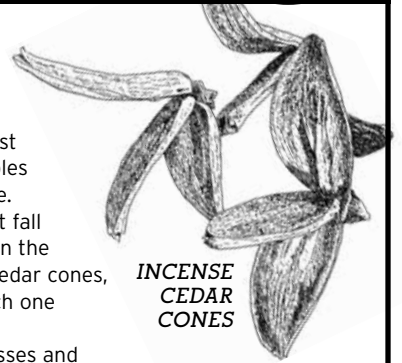
The mine operators were not satisfied with the restrictions, arguing they were not responsible for all the impacts to the road, which has also been used by logging trucks. The mine operators appealed the permit and the process moved to another

## IT'S ABOUT TIME

BY DAVID WAGNER



Entering another La Niña season has meant a long, mild introduction to our winter. We have had no hard freeze before Thanksgiving in Eugene, quite unusual. Common lore has it that frosty nights are needed for the best fall colors but the glorious gold on the bigleaf maples this year is the best color we've seen in a long time. The urban trees have been no less delightful. Great fall leaf color does mean having to rake leaves up when the show is over. Adding to the leaf piles are incense cedar cones, thousands of little duckbills with long tongues. Each one produced four seeds before falling to the ground.



INCENSE CEDAR CONES

Mild weather – rainy and cool – makes the mosses and lichens happy. Their growth has been dramatic everywhere, even in sidewalk cracks and on concrete walls. A good moss year means a good weed year, too, as the winter annuals are already robust. Anybody who likes to keep the little goddamies from blooming in their garden had better start pulling them right away. Winter residents fill our backyards with cheerful chirps. Keep the bird feeders full. With the humidity of the rainy season, feeders are particularly vulnerable to mildew. Cleaning the feeders weekly before refilling is important. Keeping water available now is not critical except when it does freeze, if it does freeze. The 70th anniversary of Lane County Audubon Society's Christmas Bird Count will be New Year's Day. Call 485-BIRD to participate; it's really fun.

David Wagner is a botanist who has worked in Eugene for more than 30 years. Every year he makes the Willamette Valley Nature Calendar, available this month at Down to Earth and the UO Museum of Natural and Cultural History. Reach him at fernzenmosses@me.com.

stage of hearings. But because the neighbors didn't protest the permit, the county said that they were not allowed to participate. Lane County then issued the permit to the quarry without the restrictions.

Families for a Quarry-Free Neighborhood appealed to LUBA, which remanded the case to Lane County. Stotter says that the remand specifically says the county needs to include the neighbors in the process. He points out that the ruling quotes the Lane County planning director's findings: "It is the director's opinion and finding that the proposed use will be compatible with the surrounding vicinity only if the required conditions of this approval are implemented by the applicant."

Stotter says, "Our position is that those conditions are absolutely necessary to make this proposal even remotely compatible."

He adds, "An unlimited number of dump trucks of unlimited size, no speed limits and no pullouts is clearly dangerous and highly impacts any local residents living on Quaglia Road."

At this point Stotter says that the Lane County or the mine operators could take the case to the Oregon Court of Appeals, or let it go back to the county. He says the Lane County Board of Commissioners could make a decision, or it could send it back one more level to the hearings officials. "My clients hope the Lane County board will address this directly," he says.

Lane County spokeswoman Amber Fossen says the county declines to comment on the case "as is our policy on pending litigation."

Stotter says the sad thing is rather than just complaining about the mine, Families for a Quarry-Free Neighborhood "did the responsible thing in participating in the

★ THE UNIVERSE IS EXPANDING ★  
NOW THERE ARE THREE PLANETS ORBITING THE SOUTH

**Laughing Planet Cafe**

(CORVALLIS) (BLAIR BLVD) (29th & WILLAMETTE)

OPEN 11AM – 10PM EVERYDAY

CORVALLIS — 127 NW 2nd ST. 541.286.4048  
BLAIR BLVD — 760 BLAIR BLVD 541.868.0668  
29th & WILLAMETTE — 2864 WILLAMETTE ST. 541.505.5399  
WWW.LAUGHINGPLANETCAFE.COM

**Winter Sale begins Saturday, Dec. 3**

**Urban cycling for the Holidays**

'Tis the season to simplify lives. Choose from our deep selection of packs, baskets, bright lights, reflectives, bells, mirrors, fenders and bike tools. Gloves, caps, jackets, pants and Ibex wool layers to keep all of Eugene warm and dry.

Open Tuesdays in December!  
2705 Willamette St • 541.484.5410  
M-W-Th-F 11-7, Sat 10-6, Sun 12-5  
• Eugene/Springfield & Lane Co. bike maps •

**arriving by bike**  
Urban Cycling Outfitters

*Where will you be when the ball drops?*

**EW's New Year's Page coming 12/22 & 12/29**

**To advertise your event call 541-484-0519**