

“The decision says that the way the code is written, they don’t have to do any site review at all,” says Dan Stotter, the attorney for the neighbors. “But the language is very poorly written, and it is ambiguous as to whether site review is required or not required if there’s a 200-foot buffer.”

This 200-foot buffer around the mining site has served as a source of contention in the case. Last year, Lane County Hearings Official Gary Darnielle decided that LCRP’s truck traffic passing through the 200-foot buffer counted as mining activity within the buffer, which triggered site review.

The recent LUBA decision invalidated that ruling, allowing LCRP, a project of the McDougal brothers and Greg Demers, to continue their mining operations without site review.

Stotter says he will petition to the Oregon Court of Appeals, where the debate will continue as to whether or not site review is required. “The neighbors have to challenge this issue,” Stotter says. “They’re seeking to have some control. Without site review, this is a completely unregulated operation from the point of land use.” —Amy Schneider

OSU STUDY LOOKS AT MCKENZIE FLOWS

As winter turns to spring, the McKenzie River flows toward Eugene with impressive force. While powerful, the river is not invincible — in fact, snow-fed rivers with slow drainage systems like the McKenzie are more susceptible to the effects of climate change than other kinds of river systems, according to a new study out of OSU in Corvallis.

Rivers like the McKenzie in the high Cascades water system are more vulnerable to climate change partly because of the unique geological formations in the Cascades. According to Gordon Grant, a fluvial geomorphologist with the Forest Service and co-author of the study, McKenzie Pass in the Cascades Range serves as a good example because its lava flows are full of fractures and holes.

Melted snow or rain that seeps into the porous rock at McKenzie Pass takes longer to reach a non-permeable surface, and after that, it is slowed even more by a lack of steepness. “It’s basically the same thing as if you were on a bicycle,” Grant says. “If you were going downhill and it

wasn’t steep, you wouldn’t go as fast.”

This slowness allows the water to gradually flow into river systems, lasting into late summer. The study looked at 81 watersheds over a 60-year period and determined that river systems with less steepness and more permeability will see diminished late summer flows as the climate warms.

But this doesn’t mean the water will disappear anytime soon; in fact, Grant says these kinds of groundwater systems allow Oregon to have more water than other places. “But if you follow this idea that slow, snow-fed systems will lose the most water in the late season, we’ll have less water than we have now,” Grant says. This could affect water uses, including power generation, irrigation and fish survival.

This information probably won’t spur much action to slow climate change, according to a recent Oregon Sea Grant survey. The online survey polled 348 Oregon coast leaders, and while 60 percent of them acknowledged that climate change is happening, and most believe that their professional efforts toward addressing climate change would benefit the community, it was ranked less of a concern than a floundering economy or a tsunami threat. —Amy Schneider

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