

Preliminary Issues & Concerns: Sunny Valley Sand & Gravel Land Use Application

by Mike Walker, Rogue Advocates, Hugo Neighborhood, & Goal One Coalition

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The following preliminary issues and concerns were taken from three articles by *The Grants Pass Daily Courier*. They are legitimate issues and concerns and they are not effective land use testimony as their legal thresholds of compliance are not identified along with the lack of evidence impacts above the thresholds by persons with standing "for the record." Critically, testimony that does not address the legal standards and/or criteria for approval may (i.e., will probably) not be considered by the decision makers (Josephine County Commissioners).

Sunny Valley Gravel Hearing Pulls in a Packed House

The Grants Pass Daily Courier, April 29, 2014

Throughout the three-hour meeting at the Anne Basker Auditorium, commission Chairman David Church attempted to limit comments to the amount and quality of aggregate, as upcoming hearings will deal with water, noise, dust and other issues.

"Of all the supporters of the mine, none of them live in Sunny Valley," said Ron Baxter, who lives near the proposed site covering 200 acres near the confluence of Shanks Creek and Grave Creek, a large tributary of the Rogue River.

"I would suggest to the county we need this ... and the jobs that flow from exploitation of resources, not just at this site," said Jack Swift, a candidate for county commissioner and longtime proponent of natural resource use.

Project geologist Dorian Cooper said two drill holes and 17 trenches up to 33 feet deep indicated the site had a conservative estimate of 6.9 million tons, well over the 500,000 tons required for a significant site that would result in a zoning change. But Michael James, consulting geologist from Eugene, said Cooper hadn't done enough to determine the quality or volume of rock. He's concerned about gaps in bore samples and that a landslide area within a mile contributed uneven rock size to the site. "We're dealing with a debris flow as well as alluvium, and to me there are signs of higher quantities of silt," James said. "We don't really know the dimensions of the bottom of the deposit. The picture needs to be more complete."

Steve Rouse, representing land-use watchdog Rogue Advocates and the water and fish advocate Rogue Riverkeeper, brought up his own bombshell. He said he dug up the original sale document of the property from 1869 and that it shows the United States reserved the mineral estate in the original federal land grant under the Morrill Act of 1862. "It's pretty straightforward: the U.S. owns the mineral rights," Rouse asserted, adding "Josephine County has no authority to grant a mining request." Blech said afterward "the law is clear" that he owns the mineral rights, and that it won't be a stumbling block for the project. When asked what the planning commission would do in light of this, Church said. "It's a question outside of our purview right now. I don't know if I'll have an answer for that."

Hearing set for proposed Sunny Valley gravel mine

The Grants Pass Daily Courier, April 26, 2014

"I spent four years looking for a place to live out my days," said 76-year-old John Ahlf, who lives on Placer Road near the proposed operation. "If I knew there was going to be a gravel pit here, I wouldn't have moved here."

That's a preview of the coming months, as the proposal wades through over a dozen government agencies over traffic, noise, water, air quality, fish and other issues.

He said he's attempting to alleviate the concerns of Sunny Valley residents, whom he's met with a few times. There are several homes within a mile of the site, on Daisy Mine Road, Placer Road and side streets. Some neighbors aren't convinced. "I'm 2,000 feet away, across the road, and we always get the same speech — that they want to be good neighbors," said Ann Smith. She listed off her complaints: "Dust and noise, fish in the creek, Placer Road is the only way through the valley, it's used by school buses and pedestrians, and those trucks can't stop fast."

Water appears to be the biggest issue. Aggregate operations need a lot of it to wash gravel and control dust.

The property borders Grave Creek, a spawning stream for coho salmon and steelhead. Landowners are also concerned about the effect on their wells.

But in 2012 the Oregon Water Resources Department denied the company's application to use water from wells dug on the site, citing potential effects on fish and flow in Grave Creek.

"Part of the solution to Josephine County's woes is jobs," he said.

Sunny Valley Gravel Pit Plan Draws Protests

The Grants Pass Daily Courier, September 18, 2012

A plan to mine gravel near the community of Sunny Valley has drawn the ire of several residents of the area, who say it would create too much noise, cause unsafe driving on Placer Road and use too much water from Grave Creek.

The Oregon Water Resources and Oregon Department of Fish and Wildlife are two key agencies in the process. A significant amount of water would be required to reduce dust and wash gravel. Neighbors have already commented on fear of the effects on wells.

"Right now that's one of the big questions, because they don't have any water rights," Harada said.