

From: Janet Lee Redmond
To: [SENR Exhibits](#)
Subject: Opposition to Senate Bill 1036
Date: Monday, April 03, 2017 7:58:58 PM

TO: Oregon Senate Committee on Environment and Natural Resources

Regarding Senate Bill 1036

Senators:

I am writing to urge you to reject the provisions in Senate Bill 1036 where would provide that certain activities at landfills are not considered surface mining and are exempt from surface mining permit requirements of State Department of Geology and Mineral Industries.

Specifically section:

(F) Excavation or movement of materials on site at a landfill, as defined in ORS 459.005, for the primary purpose of construction, reconstruction or maintenance of access roads or for landfill operations, including but not limited to landfill cell construction and daily, interim and final cover operations, and for which the Department of Environmental Quality has issued a permit under ORS 459.205 to 459.385.

Oregon's lands and waterways are too important to rely on the Department of Environmental Quality (DEQ) to be the sole agency reviewing the excavation or movement of materials on site at a landfill. The following are just a few of the reasons I urge you to reject this bill:

- DEQ does not have the requisite expertise to judge proposed excavations at landfills. The Department of Geology and Mining Industries has that expertise.
- "Surface" excavations at landfills can be as destructive as any other types of mining activities and deserve the same level of oversight.
- DEQ has a poor track record of overseeing landfills. Case in point the Riverbend Landfill in Yamhill County – which has been the source of numerous citizen complaints that have, until very recently, gone unaddressed and the numerous times that DEQ representatives supported permit requests that were subsequently overturned by the courts.
- In the case of Riverbend, at least, excavation and movement of materials is frequently within the flood plain and often within the streambed itself. DEQ has proven to be ineffective at evaluating the impact on the immediate surrounding as well as those downstream. The Department of Geology and Mining Industries is much better suited to properly evaluate requests from Riverbend and other landfills.
- Governor Brown's recent decision to replace the majority of the state environmental commissioners also supports my contention that DEQ is an agency that is not up to the task. Before expecting DEQ to take on additional duties, beyond their expertise,

perhaps the State would be better suited to focus efforts and developing an agency that actually works to protect Oregon's environment – including valuable farm land.

Thank you for your consideration.

Sincerely,

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