LandWatch Summer 2015

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To contact LandWatch Phone: 541.741.3625 Email: hopsbran@aol.com



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If all current agricultural land in Lane County were in food production, what percentage of residents' food requirements could be met?

Place Stamp Here

hat was a question nagging at farmer Jack Gray in 2005, when he was a board member of the Willamette Farm and Food Coalition. Further discussion led to some research and calculations: the acreage of arable land times the potential of each acre to grow different types of food crops times the population of Lane County times the caloric needs of each person. It

was a big picture exercise, intended to estimate Lane County's potential to produce enough of the five primary food groups to feed itself. No attempt was made to account for economics, the seasonality of production or consumer preferences.

Gray found that Lane County's agricultural land could produce 100% of residents' grain, vegetable and fruit needs, but only 83% of dairy requirements and 10% of meat. Some of the assumptions in the model scenario included allocating irrigated land to vegetable and fruit production and not to grain. All other land was allocated first to grain and then to meat production. Other scenarios could provide additional land for meat and dairy production, which would take away from fruit and vegetables.

Last fall, a group of students in a Food Studies class at the University of Oregon revisited the numbers, the calculations, and the assumptions made at each step. Armed with stats from the 2012 USDA agriculture census and the new USDA recommendations for nutrition intake, including portion size and servings per day (2011), the students found that Lane County can still meet residents' grain needs, but due to decreased irrigated land and a larger population consuming more fruits and vegetables we would fall short in every other food category. (vegetables 75%, fruit 50%, dairy 20%, meat 8%). There are currently not enough acres in irrigation to meet our population's vegetable needs, so this particular scenario divvied up irrigated land among vegetables, fruit and dairy. If

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all irrigated lands were assigned to fruit and dairy, we could meet 100% of those needs. The calculations for meat were based solely on beef, and the picture could look very different using, for example, chickens, sheep and goats.

Why does this exercise matter? The base of our industrialized global food system is cheap petroleum. When fuel is no longer cheap and plentiful, the price of shipping food around the globe will be prohibitive. We take for granted our ability to walk into a grocery store and find most anything we would want to eat, at any time of the year. However, if all of the Willamette Valley's agricultural acreage was in food production, we could feed Oregon and beyond.

To realize true food self-sufficiency will require major changes in our eating habits, food infrastructure and social priorities. Whether looking to a future with fossil fuel instabilities, or a shorter-term natural disaster (flood or earthquake), the more food we can grow, process and store here at home increases our resiliency in the face of disruptions.



Harvesting potatoes on Winter Green Farm near Noti, Oregon

Photo: John Bauguess

We live where we can feed ourselves. Are we willing to assign economic and societal value to our good fortune? Every acre of productive land we lose to suburban sprawl, erosion and industrial development reduces our capacity to feed Lane County residents.

What would it take to view food production as "valuable industry"? Imagine an urban growth boundary expansion where the agricultural lands subsumed were not all paved over, but rather put into intensive food production, and the facilities needed to process that food (can, freeze, dry, or mill) were built nearby.

Growing our economy while feeding ourselves is a vision we can get behind.

Lynne Fessenden Executive Director Willamette Farm and Food Coalition. a nonprofit connecting farmers and consumers in Lane County. Lanefood.org

Springfield Democracy in Action

LandWatch Lane County's last newsletter featured an interview and photo essay about the No Industrial Pisgah campaign against efforts by the City of Springfield to expand its urban growth boundary (UGB) and place an industrial zone at the entrance to Seavey Loop. Since then, the city has completely ignored the hundreds of comments submitted and refused to answer any of the substantive issues raised.

On Dec. 31, Springfield suddenly announced a "visioning workshop" to be held Jan. 14. The announcement was made without timely or sufficient notice to Lane County residents. What is more, many Seavey Loop residents were already committed to attend a county Large Events Task Force meeting on the same day.

The workshop was an obvious ruse—a crude attempt to confuse the public, define the framework, hijack the agenda, whitewash citizen opposition, and completely dominate the outcome. Participants were not allowed to speak and could respond only in writing to a few questions chosen by the city. This scheme avoided the topics that concerned neighbors came to discuss.

The "working group" that followed was also designed to prevent citizen input. The city selected the participants and controlled every aspect of the proceedings. The group held three meetings, on Feb. 11, Feb. 25 and March 4, with a timeline insufficient for any meaningful visioning or consensus building. But clearly that was the point: the meetings were designed to endorse the north-south industrial development as somehow compatible with the natural areas, parklands and farms that run east-west from Mt. Pisgah through Seavey Loop to the Ridgeline system. Springfield obfuscated the issue by including existing industrial properties along I-5, even though the expansion



Protestors on parade to Springfield City Hall

Photo: John Bauguess

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is all about Seavey Loop, which is the only place where zoning would change from farming to industry.

Finally, on March 23rd the Springfield City Council held a "work session" to discuss the results of the visioning process. Here city officials and staff completely misrepresented the public input.

"During these meetings," says John

Helmer, a member of the working group, "the city's planning staff resisted any discussion opposing the UGB expansion and even tried to avoid including the modest notion that boundaries might be redrawn to include less farmland. Other curious practices included minutes issued without opportunity for review, meetings that were recorded without informing participants, and a final report submitted without opportunity for comment. The coup de grace was a City Council meeting on March 23rd that forbade comment by the public or by participants in the visioning sessions. City councilors selected their favorite concepts from the report. There was no mention of significant opposition to the expansion or the high cost to taxpayers of extending infrastructure to this area. I felt compelled to point out that many spoke against the UGB proposal during visioning sessions and was escorted out of the meeting for speaking up."

After Helmer left with police escort, another Seavey Loop resident asked Mayor Lundberg when the city would respond to the issues raised by our attorney. The mayor ignored her question, said she was not permitted to speak, and ordered her out as well. The remaining Seavey Loop neighbors then all left the meeting together.

No Industrial Pisgah is now planning events and strategy in preparation for a joint city and county public meeting on the UGB issue scheduled for October 19. We expect the pro-development majorities on the Springfield City Council and Lane County Board of Commissioners to approve the UGB proposal, but that we will ultimately prevail at the Land Use Board of Appeals (LUBA) or in state review.

We remain confident because the facts remain unchanged. The proposed industrial zone is not economical or feasible. It is at the worst possible location, and it is not compatible with nearby agricultural and forest activities, in violation of the state's Goal 14 requirements to consider comparative environmental, economic and social consequences versus other areas.

Springfield's autocratic mayor can pretend the obvious problems with the UGB expansion—including phenomenal costs, key landowners who will not sell, fire and police services that cannot be provided, and the presence of significant wetlands will somehow disappear just because she closes her mind and closes her door. But that will not fool anyone.

This has become an issue of basic democratic community rights. Mayor Lundberg will not take our lands to further enrich a few oligarchs against the overwhelming wishes of the citizens of Lane County.

Here on Seavey Loop we have only begun to fight.

Charles Stewart Seavey Loop Resident

Can We Feed Ourselves? Local Food Self-Sufficiency in Lane County

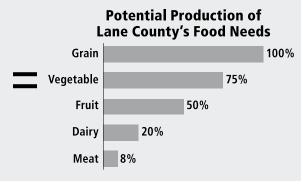
If all current agricultural land in Lane County were devoted to food production, what percentage of food requirements could Lane County produce for its residents?



USDA Recommended Diet (2,000 calories/person/day) For Lane County Population (2013): 356,212



219,625 acres farmland in **Lane County** (USDA ag census, 2012)



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Robin Meacher

Interview with Robin Meacher

Robin grew up exploring the woods and creeks on a ranch in northeastern California. She now holds a BA in Environmental Studies from the University of California, Santa Barbara and a J.D. from the University of Oregon School of Law. A member of the Oregon Bar since 2014, Robin works for Cascadia Wildlands as the Umpqua Regional Director and is actively involved in land use in Lane County through work with LandWatch. Between her undergraduate work and starting her law career, Robin did a brief stint in the Solomon Islands studying resource management and anthropology. She began her work with land use with a small organization focused on citizen engagement in the land use process in Santa Barbara, California. When not working Robin can be found chasing down a frisbee, immersed in live music or wandering the woods.

LW: What drew you to environmental law?

RM: I grew up on a ranch surrounded by a national forest. My parents still live there, and I'm acutely aware of the challenges such places face. I watched truck after truck of logs carried out to the mill and those same forests burn and the remaining trees "salvaged," the whole time wondering what exactly

they were saving by extensively cutting. At the time I didn't understand the interplay between management of public lands and resource use. Building that knowledge has pretty much defined my educational and career goals and is ultimately what brought me to the world of environmental law.

LW: From your experience assisting LW attorney Sean Malone, are you encouraged about our land use regulations' ability to protect Lane County's farms, forests, natural areas and open spaces from development and other impacts of growth?

RM: In theory, yes. Unfortunately, the spirit of protection that came with the creation of Oregon's land use system has been overshadowed by a development-based mindset that drives the county. It's frustrating to see Lane County so willing to manipulate its policies and code to accommodate what are or should be illegal uses and development.

I've worked primarily monitoring public land management, and I also work with the regulation of private land in the land use context. Public lands come with a given that they will be managed to meet the needs and wants of the public, of course with competing and conflicting ideas about what this entails. But, in my experience, the public is mostly tolerant of what other people do with their own land, and the level of accountability is much lower. This difference is a big part of why I find it interesting and challenging to engage people on private land use issues that don't have the high profile of some of the public land management issues I review.

LW: What have you found to be the biggest obstacles to land use protection in Lane County?

RM: Lane County's main priority appears to be the approval of development applications regardless of environmental and social impacts. Yet most county residents do not

get involved in land use issues until they directly threaten their properties or neighborhoods. Unfamiliar with the timeline process and other legal requirements, they may be too late for meaningful participation. If they are truly interested in meeting their obligation to Goal One of Oregon's land use planning program, Citizen Participation, it seems to me that Lane County planners and politicians should provide better outreach and information to their constituents.

LW: In your opinion how should the connection between land use and resource depletion/global warming be effectively acknowledged and addressed by local decision-making bodies?

RM: How a land use action might contribute to resources depletion and global warming needs to become a guiding factor in all their decisions – not simply a consideration, but a requirement for every land use application.

LW: What do you think is the root cause of environmental exploitation and degradation, particularly in Lane County?

RM: A general disconnect and shortsightedness in both the general population and the decision-making bodies regarding individual property rights and public responsibilities. As a society we tend to be very taken with the concept of having the right to do what we want with what we own, despite the cumulative impacts. On the one hand there are a lot of private landowners that expect to use their land in a way that isn't in line with the state planning goals. And, for their part, decision-making agencies that are supposed to account for the long-term impacts that should be addressed in planning documents are required to process a large quantity of proposed developments on a timeline. This leads to an institutional bias for imposing ecologically unsound developments along our rivers, in our forests and on our farms.

Spring Awakening on Little Fall Creek

Spring in Lane County. Birdsong as sweet with promise as Indian plum in February. Leaves and needles soft to the touch and the eye. Everything reawakened and rejuvenated, including, not least, phyto morsus machina, a native of Lane County, arisen from its dormancy to a new "safety" season.

Every year, in lieu of toxic sprays, Lane County mows its rural roadsides. Phyto morsus machina is indiscriminate: in years past its diet has included cow parsnip, lupine, larkspur, tiger lilies and other blooming natives among a staple of grass and weeds.

Every three to five years, however, rural residents can expect a visit from phyto morsus machina horriblis and the long reach of its insatiable maw as it gnashes and crunches its way along their country roads. Unlike its annually awakened, low-slung, largely grass-eating cousin, horriblis reaches high and wide, slashing shrubs, tree limbs and even entire trees.

For much of the four mile stretch along Little Fall Creek Road, Little Fall Creek, a Class One stream with endangered Spring Chinook, lies 30' or less from the pavement. For at least the last 25 years native plants and trees such as salal, thimbleberry, Indian plum, big leaf maple, alder, ash, fir and cedar within a radius of 12'-14' from the road edge have been hacked, leaving just 16'or less as riparian protection, where minimum 50' and 100' buffers are required by Lane Code.

Because along most of Little Fall Creek, as along many roads in Lane County, the road is too close to achieve the required setbacks, retaining as much native vegetation as possible to protect the creek and provide streamside habitat should be self-evident in the county's vegetation control program, whose principles call for being a 'good steward' of the environment and a 'good neighbor' to the local community.

To the contrary this year horriblis has expanded its territory another 6'-8' toward the creek, devouring large stands of native shrubs and trees along a creek already severely impacted by asphalt, housing development and utilities.

Lane County mowing and brush cutting practices are driven by traffic safety regulations: by law the county is required to clear its roads of hazardous vegetation. However, maintenance practices this year, at least along Little Fall Creek Road, have far exceeded the norm.

According to the county's vegetation maintenance guidelines for Zone C, 12'-18' from the road edge, "Vegetation, excluding noxious weeds, shall only be managed in this zone if it obstructs sight distance, creates safety issues, involves noxious weeds or interferes with drainage.... Intact native plant communities should be left in their natural state when feasible and do not pose a safety concern." Presumably not a safety concern for at least the last 25 years, "healthy plant communities" even 8-12' from the edge of Little Fall Creek Road have been "left in their natural state" -- until this year, when they've been mowed to the ground.

One of the provisions of the county's *Minimization and Avoidance Measures and Best Management Practices* claims, "Lane County Public Works maintenance actions will limit mowing to no more than eight feet off edge of pavement in significant resource areas...." These are places that contain rare or endangered plants, but it's reasonable to expect this precautionary principle and practice to apply to all riparian areas, particularly those along

Class I waterways such as a Little Fall Creek that are already compromised by proximity to the road.

Understanding of and provisions for "safety" must encompass more than vehicular traffic concerns. Safety also involves recognition of and provisions for the health of plant communities and streams, as well as the "good neighbors" who depend on the health of those communities both for their role in the ecosystem and for aesthetic enjoyment, the latter essential in a world increasingly denatured by overpopulation, development and their demands.

As it happens, Orin Schumacher, Lane County's Vegetation Coordinator and now Director of Road Maintenance, agrees. On site, he acknowledged that the cutting along Little Fall Creek was excessive and unnecessary and did not meet the policy and "best management practice" of protecting native vegetation in the buffer and endangered fish.

In the absence of a county vegetation control committee, Schumacher recently formed a task force to focus primarily on the management of noxious weeds on roadsides. He appeared receptive to the possible addition of a fisheries biologist and ecologist to the committee, or the possibility of forming another task force with a riparian maintenance focus.

Perhaps in the years to come county residents and creek inhabitants can look forward to a kinder, gentler grazing along their roadsides.

Robert Emmons Fall Creek



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Lauri Segel

LandWatch Activities Update

Two issues on our agenda for awhilethe GREAT plan (Goshen Region Employment And Transition) and our Enforcement Order-- have been mostly resolved in the last few months.

After a remand by LUBA in February, 2014 for having no plan for provision of services such as sewer and water, the County followed the direction LUBA laid out for them and recently submitted new findings to support their GREAT proposal. As the only party who commented and after a review of the findings, LandWatch decided not to pursue another appeal.

LandWatch will remain vigilant in our efforts to ensure the approved zoning and other amendments are not subsequently rewritten to allow more intensive uses and development than what the adopted plan allows.

As a previous newsletter article has reported (Fall 2014 newsletter at landwatch.net), in January 2015 we finally received the Final Order regarding our Enforcement Order that establishes the State's justifications for denying our request for an administrative hearing. After receiving the Order, we filed an appeal with the Court of Appeals, which has yet to decide if it has jurisdiction.

Lane County has shown repeatedly that it has little, if any, interest in protecting our sensitive and valuable natural resources. While Class I streams in the Rural Residential (RR) zone have a minimum 50' setback from ordinary high water for any development, the County's practice is to allow intrusions into the setback through variances. Variances are rarely, if ever, denied, even when development within the 50' was done illegally.

A recent proposal for construction of an "as-built" deck intruding 20' into the 50' riparian setback on the McKenzie River is a perfect example of the county's attitude. The subject deck was permitted in the late 80s but was later added onto without permits. That illegal addition removed more riparian vegetation and added about 15 extra feet of frontage along the river. Rather than require that the illegal addition be removed and assess fines, the county instead worked with the property owners over several months and ultimately approved a variance to rebuild the deck within the setback area.

While the county's approval did require reducing the length of the deck to 50 linear feet as required by code, it also allowed the 20' intrusion into the 50' riparian setback area to remain. Unfortunately, there's nothing in state law that disallows these variances. And EWEB has been reticent to take on the

county's practice of allowing setback variances on the McKenzie (Eugene's only drinking water source) since their public thrashing several years back when the utility attempted to introduce better Class I stream protections.

Although we decided not to challenge the approval allowing the illegal deck to be rebuilt within the riparian zone, the owners appealed the county's approval, because they don't want to reduce the deck's length.

LandWatch continues to discuss strategies for addressing the ongoing exploitation of our natural environment and remains committed to challenging illegal developments that threaten it.

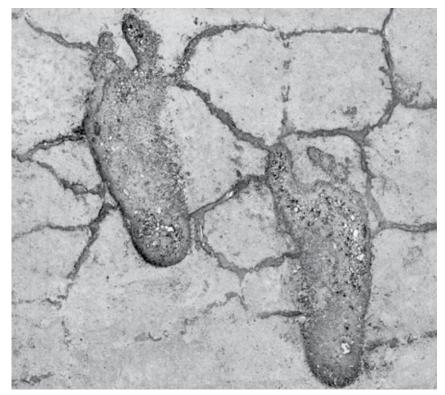
Lauri Segel

LandWatch board member and land use consultant; Executive Director, Goal One Coalition

Neighbor Prevails Over Delta Sand & Gravel

In early June, with LandWatch's support, appellant Joel Narva prevailed at the Oregon Court of Appeals in his case against Delta Sand and Gravel's application for an expansion. The decision affects almost 10,000 acres of Lane County land vulnerable to mining had Delta's permit application not been challenged by a conscientious and tenacious neighbor, and underscores the importance of vigilant residents willing to oppose ecologically unsound land use.

Congratulations, Joel.



Baby steps are too little, too late to avoid environmental collapse

Baby Steps on the Crest of Collapse

In March 2000, David Brower, one of the leaders of the environmental movement in the 20th century, made his final appearance at the annual Public Interest Environmental Law Conference at the University of Oregon. He concluded that, after decades of environmental activism, the environmental movement had merely slowed down the rate that things got worse, and this was not good enough for us to survive

Brower's advice is not a popular perspective. More widespread is the notion that we should practice "baby steps," small incremental efforts that one day may add up to an ecological shift toward sustainability. This idea sounds reasonable unless you consider how our society has largely ignored over a half century of warnings.

Rachel Carson's 1962 book *Silent Spring* focused on the threat of toxic chemicals that she called "biocides." A couple of the most notorious poisons have been banned since then, but most others are still widely used. The few successes for public health have been where pollution prevention has been mandated, not by allowing permits to pollute. Perhaps the most obvious example is the reduction of lead in the air, reduced by banning lead as an additive for gasoline.

Three decades ago, activists forced the Federal forests in Oregon to stop spraying herbicides from helicopters. This abuse continues on corporate clearcuts (permitted by the State of Oregon), yet most environmental groups are merely calling for better regulation not an end to this practice. Helicopter rotors blow the spray downwind for kilometers, and therefore "buffer" zones are unenforceable and a distraction.

Oregon's land use laws, enacted in the 1970s, are cited as a great accomplishment. But, looking back at their implementation, one can see they were merely guides to how things could be made worse. Strip malls, clear-cuts, freeways, gravel mines and other abuses are permitted by these guidelines. Land use regulation may have eased the pain, but we are capable of better.

I have fought highway approvals for more than two decades out of concern for mitigating Peak Energy and Climate Change. When I was involved in trying to prevent a piece of the Outer Beltway around Washington, D.C., I had a federal regulatory official tell me that his job was not to prevent the highway, but to ensure it was built in the best way possible. That wasn't his personal view, merely his legal requirement. Small shifts in the alignment slightly reduced the acreage of wetland destruction but meant nothing for the cumulative ecological damage.

Across the country, grassroots environmentalism regarding freeway fights has been strongest in places where enclaves of liberal Democrats are surrounded by conservative Republicans. Bloomington, Indiana and Louisville, Kentucky are good examples. In those places environmentalists don't have the illusion that state governments are their allies. They haven't won, but they have been clearer in their advocacy.

As resources deplete and the climate warms, we need to be honest about the scale of the crises and work for fundamental transformation, not toned-down efforts that are politically acceptable to politicians.

If you were at the beach and someone taking baby steps away from the water said a tsunami was approaching, you would reasonably assume the warning was false, or, if true, that the response was dangerously inadequate.

Mark Robinowitz
SustainEugene.org

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