



May 11, 2026

Re: DOGAMI Pending Operating Permit 17-0145 Sunny Valley Sand and Gravel, Inc.

The Honorable Tina Kotek
Governor of Oregon
900 Court St. NE
Salem, OR 97301

Dear Governor Kotek,

We are writing to request your attention to a proposed large-scale mining operation being conducted by Sunny Valley Sand and Gravel, Inc. ("SVSG") that would involve numerous deep pits excavated to bedrock within 50 feet of Grave Creek, which flows into the Rogue River at the top of the Wild and Scenic reach (please see attached site map). The proposed mine is located in the Sunny Valley community of Josephine County and in close proximity to many rural residences that rely on domestic wells for drinking water.

The owners of this site, Andreas and Carol Blech, purchased the property in 2008 and initially proposed to develop it as a gold mining operation under the name Havilah Resources, LLC. However, after failing to obtain the necessary permits, the company was reorganized and renamed Sunny Valley Sand and Gravel. In 2015, the Josephine County Board of Commissioners granted a land use permit that allows for aggregate mining at this site, which is primarily zoned as Rural Residential (RR5), with some areas designated as Woodlot Resource (WR) and Forest (F) zoning (Ord 2015-01).

As proposed, the mine poses serious threats to groundwater and surface water, multiple runs of fish in Grave Creek including coho salmon (listed as threatened under the federal Endangered Species Act), summer steelhead, Pacific Lamprey (listed as State Sensitive), winter steelhead, fall Chinook, and coastal cutthroat trout, and to the many domestic wells that rely on groundwater in the Grave Creek watershed. It is of the utmost importance that the reviewing state agencies not sign-off on a mine that will cause great harm to Grave Creek's streamflows, water quality, fish, and to the groundwater and many drinking water wells in Sunny Valley.

The mine has not yet received state approval. Currently there is an ongoing DOGAMI Operating Permit review (Permit file 17-0145). The current mine plan proposed involves dewatering the deep mine pits as groundwater fills the pits. In the ongoing DOGAMI review the agency has not received compliant designs that the dewatering of the turbid pit groundwater will not increase sedimentation in Grave Creek or pollute the groundwater aquifer (please see the attached letter from DOGAMI to applicant 3-17-2026). Our understanding is that once the applicant has filed a workable mine plan, DOGAMI will circulate to the reviewing agencies — including DEQ, ODFW, and OWRD — for comments.

Various smaller aspects of the project have been subject to review or enforcement by multiple state agencies dating back to at least 2012. For example, DOGAMI issued a suspension notice for illegal mining of the site in 2012, and there have been several mostly unsuccessful attempts to procure surface, groundwater, limited licenses and/or reservoir right applications. Currently, SVSG has no valid water right permit in hand that allows mining. There are ongoing legal challenges to the validity of an old existing irrigation water right, the proposed transfer of that irrigation right to mining (T-12837), two proposed extensions of time for reservoirs (R-15319 and R-15320), and a secondary surface right (Application S-89848).

It should be noted that the reservoirs that SVSG is seeking an extension of time for development were issued based on an incorrect water availability analysis that failed to account for the senior instream water right. This is a problem that OWRD has been unwilling to fix even after the permit holder failed to develop the permits by the deadlines and had to seek extensions of time from OWRD, which provided an opportunity for OWRD to rectify its earlier error. We highlight this as an example of the necessity for agencies to better ensure the protection of the public interest with regard to this proposed mine.

Local residents and conservation organizations have voiced concerns over the potential negative environmental consequences, impacts to drinking water, and implications of the previous unauthorized activities on the site. Our primary concerns are:

- Reduction of streamflows and de-watering of Grave Creek, which supports federally listed fish and is ranked by state agencies as in the highest need of streamflow restoration and is in critical need of restoration.
- Declines in groundwater levels resulting in both ecological impacts and impacts to domestic wells.
- Contamination of both groundwater and surface water, water quality impacts including increased temperature and sediment loading, water quality impacts to domestic well users and destruction of habitat critical to many sensitive fish and wildlife species.

Experiences from other, similar activities suggest our concerns are not overstated. Domestic wells near a Knife River gravel mine in Crook County are now contaminated with dangerously high levels of manganese, arsenic and aluminum. In this case, as a result of the intervention of Senators Merkley and Wyden, the EPA has allocated \$1,000,000 to DEQ to address the concerns. The situation in Josephine County adds additional weight to this concern: six of the eight deep pits proposed are within 50 feet of Grave Creek, while others abut or are within 500 feet of surrounding properties (see attached SV Residential Character map). Thus far there has been no state review of safety protocols for the disturbance of documented asbestos laden gravels or an evaluation of a Cascadia quake on the stability of this 100 acre mineplan that was created by a historic massive landslide debris flow originating upstream.

We the undersigned have been deeply engaged in many aspects of the proposed mine since it was proposed in its current form in 2012. The cumulative effects of the proposed project will likely have an expansive impact on water resources, aquatic habitat, and domestic wells. Southwest Oregon is facing numerous consequences of climate change, and it is imperative that water resources be protected and maintained for the public good. As DOGAMI prepares to send this application out for multi-agency review, we encourage careful consideration and collaboration between agencies to ensure that the widely projected adverse impacts of this complex mining plan along Grave Creek do not accrue. We will appreciate your help and would be happy to discuss our concerns and provide any additional detail.

Sincerely,

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