



A California contractor agrees to pay a \$48,000 penalty and \$192,000 to restore creeks dirtied while 7 miles of U.S. 20 was straightened

The agreement is the third-highest settlement of an environmental violation in 10 years

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The California contractor on the star-crossed straightening of U.S. 20 west of Corvallis will pay a \$48,000 penalty and another \$192,000 for three stream improvement projects to compensate for construction-related erosion into the Yaquina River and several tributaries.

The \$240,000 agreement between Granite Construction and Oregon's Department of Environmental Quality, announced Friday, is the third highest settlement of an environmental violation in the past 10 years, agency records indicate.

A criminal investigation is continuing, Oregon State Police officials said.

In 2006, Granite cleared 160 acres of forest above the new roadway without adequately considering the effect on streams, the DEQ said, then failed to put up adequate erosion controls. Rains sent dirt sliding into salmon- and trout-bearing streams from June 2006 to May 2007. That reduced the ability of the fish to feed and reproduce.

Construction on the seven-mile highway segment, to replace a winding section of U.S. 20 between Corvallis and Newport, resumed this summer after road building was halted to assess a host of ancient landslides that had set back the work.

Granite, based in Watsonville, Calif., and doing business in Oregon as Yaquina River Constructors, expects to complete one-third of the \$205 million project by the end of September, finishing in 2011. It's Oregon's largest highway project since Interstate 205 was built in the 1970s.

Under the agreement announced Friday, Granite has until October 2009 to complete three restoration projects covering eight miles of Deer, Cougar, Sugarbowl and Hayes creeks, all in Lincoln County and all considered key habitat for salmon and trout.

The Oregon Department of Fish and Wildlife oversees the projects, which will include placing more than 450 conifer logs to create debris jams and pools to help adult fish spawn and young fish find refuge. Cougar Creek was one of the tributaries affected by erosion from the road building.

Last year, DEQ assessed a \$240,000 penalty against Granite, which the company appealed. Negotiations led to the three projects and the far smaller penalty of \$48,000.

Had the company simply paid \$240,000 in fines, the money would have gone to the state's general fund under Oregon law, not to environmental projects, said Jeff Bachman, a DEQ environmental law specialist. Granite will have to use third-party contractors and submit receipts to show that it paid at least \$192,000 for the stream work, Bachman said.

Company officials are eager to move on and look forward to seeing the improvement projects completed, said Geoff Boraston, Granite's director of environmental affairs. "It's always better to know that the money is going to something that actually improves habitat."

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