



Jennifer Orozco

From: TERESA DAVIS <teresad12@yahoo.com>
Sent: Wednesday, July 21, 2021 3:48 PM
To: Plan
Subject: Knife River /Vanier

Teresa Davis

6200 NW Lamonta Rd

Prineville, OR 97754

RE: Knife River/Vanier Comp Plan Amendment Application

July 21, 2021

Crook County Planning Dept.

To Whom it May Concern,

I own the adjacent farm ground bordering on the north. It is approximately ½ mile in length. I also own and live on 80 acres across Lamonta Road on the NE corner of proposed mining.

I do not approve of the proposal to use EFU-2 farm ground for a continuation of the Woodward Pit. This has been a farm for many decades and for the most part surrounded by farm ground and their respective homes.

Some points:

- Vanier property is currently not designated as a mineral or aggregate resource site or an energy source site on an inventory of significant Goal 5 resources in the comprehensive plan. Because of this, there has to be a plan amendment to add this property to this portion of the plan.
 - If the plan is amended to add the Vanier property it sets precedence for future agriculture properties to be able to be added to the plan. Why have a plan if it will be amended all the time.
 - The County should not amend a plan unless the land currently existing and designated in the plan can no longer produce the needed product
 - The Hydrogeologic Characterization has listed 44 wells that will have "Potential Adverse Impacts"
 - Plan came out during the middle of farming with a short timeline which prevents farmers and affected well owners / property owners from doing adequate research

Recommend the County puts the amendment process on hold until fall when the neighboring farms and affected citizens would have more time to provide meaningful comments.

There has to be other sources in the valley that are not prime agriculture ground. The only reason Knife River wants this is because it is adjacent to a current site.

Again, I object to this proposal, but if it is considered and goes through, I want these facts to be considered in the conditions for the permit.

APPLICANT'S RESPONSE: The mining operation on the Vanier property will be an expansion
– a continuation - of the current mining operation on the Woodward property.

If the above answer is true, then he should have to conform with the Woodward site conditions.

As mining has progressed to the east across Woodward, Knife River has encountered increasing
amounts of groundwater near the eastern boundary between Woodward and Vanier. It has hindered reclamation in the
blocks that have been mined out.

Wenck understands the landowners want these properties reclaimed to farm fields or hay meadows and
supplemental imported materials are prohibited for reclamation efforts. The groundwater encountered in
the area is making it difficult to meet this reclamation objective. The water was not expected nor in the
quantities observed. Knife River's permit to mine at Woodward includes a mining depth limitation of only
20 feet below ground surface (bgs) and prohibits dewatering.

Stated in the above, "The water is making it hard to reclaim the mined ground", hence it isn't doing as the permit requires of it, to
reclaim before continuing on to another mining cell if they are all but done mining as they have stated. Where are the pictures of the
reclaimed farm ground? All I really see are pictures of a bad patch of Yellow Mustard, not the edible kind...

If it's not reclaimed it isn't in farm production.

Also, proposed Vanier site is asking to dig to depths of 35', not 20 feet. If they are already encountering problems, which they didn't
expect to find, what says they don't have worse problems digging almost twice as deep?

Wenck researched, mapped, and analyzed water rights in the areas surrounding Woodward and Vanier

for the purposes of assessing potential impacts of dewatering to nearby shallow wells. Based on data available information from the Oregon Water Resources Department's Well Report query tool, the results of this search were separated into two categories: (1) wells located within a one-half mile buffer of the Woodward/Vanier boundary and (2) wells located within a 1,000-foot buffer. Details on these wells are presented in Table 3, and both deep and shallow well locations are shown on Figure 6. Wells were categorized as 'shallow' if drilled or perforated above 40 feet, all other wells were considered 'deep'. Wells drilled and completed to a depth of 40 feet or shallower are of particular interest because they are completed in the same aquifer and similar depth as that being mined. Knife River's proposed mine plan includes resource extraction to a depth of 20 feet at Woodward and potentially 35 feet at Vanier.

This proposal has stated(Above) that it could have "Adverse Affect to many shallow wells. Forty four according to their application. This in my opinion is unacceptable. Looking at the wells that could be affected, most were drilled decades ago and apparently are still providing. If these wells are adversely affected, who is responsible for remedying the situation? The well owner who didn't get a real say in the fact they didn't want the mine there in the first place because they weren't even notified that it was going in or could affect their well since the notice was only required to be sent to people 750' away(8 people other than themselves) not 1000 feet or 1/2 mile? The person who purchased a piece of property with a well capable of maintaining the needs for their home and livestock and is paying taxes on that land? Making a living on the land? Why should they have to commit money to remedy a situation that would not have happened had a gravel pit not altered the water flows of the last millennia? Or contaminated the water whether knowingly or inadvertently? The Pit owners should be responsible for all costs to remedy the affected wells, including costs associated with hauling water for livestock and personal use. Lost crops, gardens, landscape etc. due to a failed well within their 1000' zone. And if there are many that fail it should extend outwards of the zone. It is not an overnight process to drill a well. Permits, plumbing, electrical and time are all needed if the well is not accessible to drill deeper, but must be moved as mine would have to be.

In conclusion, dewatering of the mine cells at the Vanier property can be accomplished.

Dewatering is not allowed In the Woodward pit permit. There is to be no dewatering and if there is :

25. If the applicant intends to dewater the site, it shall obtain relevant DOGAMI and DEQ permits. The applicant shall also, of its own expense and assuming neighbor permission, have well water reports performed by an independent expert of the five wells (other than the applicant's well and any wells in the neighboring HM-zoned properties) nearest to the

Woodward site, including two to the South (on Stahancyk lane), one to the West (on Elliot), one to the Northwest (on Puckett) and one directly to the North. Such well water reports shall serve as a "base-line" against which possible future changes in water quality can be assessed. A copy of the well report shall be provided by the applicant to the well owner.

Vanier should have to establish test wells within the adversely affected area and monitor. If any changes are noted he should have to cease dewatering to preserve the existing wells. If not he should be responsible to remedy with each property or homeowner.

"b.. Within the EFU2-

zoned lot (tax lot 703), mining shall not extend closer than one hundred (100) feet from the property line adjacent to Stahancyk Lane. The setback area can be used for the proposed screening berm. (The limits in Crook County Code 18.144 requiring 100 feet setbacks only apply to resources zones like the EFU-2 zone)."

Why is the minimum setback for our property only 50' when it appears it should be 100' on EFU-2 zoning according to the Woodward approval. States "Crook County Code 18.144 requiring a 100' setbacks apply resources zoned like EFU-2 unless consent from the property owner. I sure haven't given any consent.

Since this is a continuation of the Woodward pit, it should conform with the 100 foot existing setbacks, not the 50 proposed.

3. CCC 18.160 Conditional Uses

18.160.020 General Criteria.

In judging whether or not a conditional use proposal shall be approved or denied, the planning director or planning commission shall weigh the proposal's appropriateness and desirability or the public convenience or necessity to be served against any adverse conditions that would result from authorizing the particular development at the location proposed and, to approve such use, shall find that the following criteria are either met, can be met by observance of conditions, or are not applicable:

(1) The proposal will be consistent with the comprehensive plan and the objectives of the zoning ordinance and other applicable policies and regulations of the county.

(2) Taking into account location, size, design and operation characteristics, the proposal will have minimal adverse impact on the (a) livability, (b) value and (c) appropriate development of abutting properties and the surrounding area compared to the impact of development that is permitted outright.

(3) The location and design of the site and structures for the proposal will be as attractive as the nature of the use and its setting warrant.

(4) The proposal will preserve assets of particular interest to the county.

(5) The applicant has a bona fide intent and capability to develop and use the land as proposed and has some appropriate purpose for submitting the proposal, and is not motivated solely by such purposes as the alteration of property values for speculative purposes. (Ord. 236 § 3 (Exh. C), 2010; Ord. 18 § 6.020, 2003)

APPLICANT'S RESPONSE: The subject property contains a significant aggregate resource.

The citizens of the region will benefit from the county allowing mining of this resource. Impacts associated with mining of the subject property are minimal and the Applicant has the expertise and the resources necessary to deliver the aggregate resource to market. This criterion is met.

The above response to General Criteria is lacking. He does not answer (2) a, b or c . How about those wells? Want to buy a house with no water? Want to buy a house you can't open the windows unless you like dust? Want to buy a house where all you hear are back up beepers, metal on metal, squeaking excavator tracks and people yelling? Want to wash your vehicles all the time, but don't touch because the grit will scratch the paint. Come on down to Prineville, we can set you right up!

How will we benefit?

How does he know the impacts on the surrounding property? Values, water, environmental conditions?

He doesn't live here, so conditions about noise and dust are hearsay.

APPLICANT'S RESPONSE: The subject property will be surrounded by a vegetated berm.

Mining of the property will occur during daylight hours; lighting will not be required.

In the above response to working hours, he states it will be only during daylight hours and yet states again he will conform to the Development standards listed below with his response.

Which is it? Daylight or not? The Woodward mine uses daylight hours only now and if this is an extension of said Woodward mine, it should conform to the same standards. He is leaving himself open to whichever option suits him.

8) Hours of Operation. All mining extraction, processing and equipment operation shall be subject to

the following limitations unless waivers authorize operation at other times:

(a) June 1st through October 31st: 6:00 a.m. to 9:00 p.m., Monday through Friday. 8:00 a.m. to 5:00 p.m., Saturday.

(b) November 1st through May 31st: 7:00 a.m. to 6:00 p.m., Monday through Friday. 8:00 a.m. to 5:00 p.m., Saturday.

(c) No operations shall be conducted on Sundays or the following legal holidays: New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, Christmas Day.

APPLICANT'S RESPONSE: Applicant acknowledges these standards and accepts compliance with these standards as a condition of approval.

(5) Screening. Unless inconsistent with the conditions imposed to protect conflicting uses under the comprehensive plan, or of minimal value of effectiveness because of topography or other site features, the following requirements apply to the mining or resource site:

(a) Berms, fencing or vegetation shall be maintained or established to block the view of the mining or resource site from conflicting uses;

(b) To the extent feasible, all natural vegetation and trees located within 100 feet of the mining site and that block the view of the mining area shall be preserved and fences maintained for the purpose of screening the operation.

APPLICANT'S RESPONSE: A vegetated earthen berm will be established to provide screening for mining operations on the subject parcel. There is no significant existing vegetation that could be retained to provide sufficient screening for the proposed mining operation. Vegetative screening will be added upon establishment of the earthen berm.

APPLICANT'S RESPONSE: The mining operation on the Vanier property will be an expansion -- a continuation - of the current mining operation on the Woodward property. Applicant will construct a vegetated berm to serve as a visual and noise barrier.

In the above responses and several others, he states that "The subject property will be "surrounded" by a vegetated berm."

There is no proposed berm on the entire northern boundary of approximately one half mile which is close to half of the boundary of the property not adjacent to the pit that will not have a berm due to the fact it will be mined.

Those of us on the northern edge don't get the benefit of a noise, dust and screening berm and if I'm correct is required to block the view?

"Applicant asserts fencing is not necessary and fencing is not proposed."

In the above response under Security, This is open range and he should have to fence the northern boundary as it has no existing fence to prevent livestock from being able to access open pits. Even though we all try to keep our livestock home anymore, it is zoned Open Range here and his responsibility to keep livestock safe and off his property.

In conclusion, if I had more time I'm sure I can find many other issues. But hence I haven't had the opportunity to do so and must submit this without a full review.

Thank you for your consideration of these points.

Teresa

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