

PC Michael Warren ([00:00:05](#)):

Okay, you ready?

Staff Jennifer Orozco ([00:00:06](#)):

Yep. Okay.

PC Michael Warren ([00:00:08](#)):

If you join me for the pledge of allegiance, please.

PC Michael Warren ([00:00:35](#)):

All right. Can you guys hear back there? Okay.

PC Michael Warren ([00:00:40](#)):

Okay. Uh, good afternoon. My name is Michael Warren. I'm the chairperson of the crook county planning commission. Before we start tonight's meeting, I'd like to talk about our process. The meeting is being conducted with some participating in person and others participating by phone. When we open the public hearing, we will mute the phone line so everyone will be able to hear. Clearly we will conduct a roll call to determine who is on the line. Throughout the hearing we will call on individual planning, commissioning commissioners to make sure that everyone has had a chance to be heard. We will conduct a similar process for comments from the public. Please wait until you are called upon on to offer comments and or testimony? If you plan to testify, please submit a form to staff. But I understand we don't have any more forms is that

Staff Jennifer Orozco ([00:01:27](#)):

There's there are a few more up here. So if anybody wants to testify, let us know.

PC Michael Warren ([00:01:36](#)):

So if you do want to testify, just fill out one of these and that way we know who to call on. If you need, if you need one, staff will bring one to you.

PC Michael Warren ([00:01:57](#)):

If you have written testimony, you'd like to submit. Please hand, hand it to one of our staff members. We will make sure there are copies for the planning commissioners and we'll scan the documents and post them to our website. So those calling in can do the documents we'd like to thank everyone for their understanding and the patience, because we have so many interested parties in a complex land use request. Staff has asked that we agree to continue the public hearing until August 25th at 4:00 PM. We will take testimony this evening, but by continuing the hearing, we can ensure that all the interested parties have had a chance to testify and that the planning commission has had time to review. All the materials submitted at tonight's hearing were asked for a formal motion to continue the hearing at the end of today's proceedings. But can I get a show of hands from the planning commissioners who are in favor of this continuance?

Staff Jennifer Orozco ([00:02:52](#)):

Okay.

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PC Michael Warren ([00:02:54](#)):

And a lot of this has to do with, because we had testimony come in all the way up, at least written testimony while we were at the site visit. And just now, so there's really no way we could have reviewed

Staff Jennifer Orozco ([00:03:05](#)):

Anything.

PC Michael Warren ([00:03:07](#)):

Draft minutes will be available on the planning commission's website. One week prior to the August 25th meeting, and we are recording the audio of this meeting, the audio recording will be available in request from the planning department staff. So we'll call the meeting to order. I call this meeting of the crook county planning commission to order today's date is July 28th, 2021. People joining me are your crook county planning commissioners. We are volunteers that have been appointed by the county court and make up a diverse cross section of the community. We will now do a roll call to planning, commissioners, staff, and anyone else here with us tonight and or on the call. Linda Manning

Staff Jennifer Orozco ([00:03:45](#)):

Here.

PC Michael Warren ([00:03:46](#)):

George Ponte.

PC George Ponte ([00:03:47](#)):

here.

PC Michael Warren ([00:03:48](#)):

Susan Hemrick

PC Susan Hermreck ([00:03:49](#)):

Here.

PC Michael Warren ([00:03:51](#)):

Gary Bedortha.

PC Gary Bedortha ([00:03:52](#)):

here.

PC Michael Warren ([00:03:54](#)):

Laquita Stec.

PC Laquita Stec ([00:03:54](#)):

here

PC Michael Warren ([00:03:55](#)):

Bob Lundquist.

PC Bob Lundquist ([00:03:56](#)):

here.

PC Michael Warren ([00:03:58](#)):

Lawrence Weberg

PC Lawrence Weberg ([00:03:59](#)):

Here.

PC Michael Warren ([00:04:00](#)):

And I'm Mike Warren here. So for staff Ann Beier.

Ann Beier ([00:04:04](#)):

here.

PC Michael Warren ([00:04:05](#)):

Katie MacDonald

Staff Katie MacDonald ([00:04:06](#)):

Here,

PC Michael Warren ([00:04:07](#)):

Jen Orozco

Staff Jennifer Orozco ([00:04:09](#)):

Jen,

Staff Katie MacDonald ([00:04:10](#)):

Jen is

PC Michael Warren ([00:04:12](#)):

Is she still on there ?

Staff Katie MacDonald ([00:04:16](#)):

Jen is on the call

PC Michael Warren ([00:04:20](#)):

And she can hear us, right?

Staff Katie MacDonald ([00:04:21](#)):

Yep.

PC Michael Warren ([00:04:22](#)):

I believe so. So this is , we do have another call in user.

Staff Jennifer Orozco ([00:04:32](#)):

Okay.

PC Michael Warren ([00:04:33](#)):

Yes. Mike is clear.

PC Michael Warren ([00:04:34](#)):

Have, have, have Jen say something to make sure that she can hear us,

Staff Katie MacDonald ([00:04:43](#)):

Jen.

Staff Jennifer Orozco ([00:04:49](#)):

Hello?

PC Michael Warren ([00:04:50](#)):

There's Jen,

PC Michael Warren ([00:04:52](#)):

Okay. I just wanna make sure you can hear us.

Caller ([00:04:57](#)):

Hello?

PC Michael Warren ([00:05:01](#)):

Who's that's calling that's this person.

PC Michael Warren ([00:05:06](#)):

Okay. We'll we'll get to who's on the line here in just a little bit. Uh, Will VanVactor.

Director Will VanVactor ([00:05:11](#)):

here.

PC Michael Warren ([00:05:11](#)):

Brent Bybee,

Manager Brent Bybee ([00:05:14](#)):

here

PC Michael Warren ([00:05:14](#)):

Okay, thanks. We'll now do a roll call for any agency representatives and members of the public on the phone line, please speak slowly and clearly and state your name, address, and whether you wish to testify. If you had submitted written testimony, please let us know. We will check in later to see if anyone has joined the call and wants to testify. So do we have any state agencies here? Is there any state agencies on the phone And I don't see anybody. So We still have one caller on the phone. Okay. So if you're on the phone call and you're not Jen, uh, just identify yourself or if you have testimony you would like to speak or if you're just here to listen,

Mrs. Mark Flemming ([00:06:15](#)):

I would like to speak.

PC Michael Warren ([00:06:16](#)):

Okay. Can you give your name?

Mrs. Mark Flemming ([00:06:21](#)):

Uh, this is Mrs. Mark Flemming.

Staff Katie MacDonald ([00:06:29](#)):

Okay. And would you like to, uh, speak in, um, support opposition or, um, no position.

Mrs. Mark Flemming ([00:06:50](#)):

in opposition.

Staff Katie MacDonald ([00:06:52](#)):

Okay. Can you give your address?

Mrs. Mark Flemming ([00:06:59](#)):

4777 Northwest Lamonta. Okay. Thank you.

PC Michael Warren ([00:07:07](#)):

Thank you. When we get to that point, we'll make sure to call on you.

PC Michael Warren ([00:07:12](#)):

Thank you.

PC Michael Warren ([00:07:16](#)):

Is that, is that the only one we had?

PC Michael Warren ([00:07:19](#)):

Yes. and Jen doesn't have a mic, so she is unable to, um, she can hear us, but she can't talk to us.

PC Michael Warren ([00:07:32](#)):

Do we need to hear anything from her? Um,

PC Michael Warren ([00:07:35](#)):

Coming from me, that probably sounds funny, but, um, I mean, is she just taking notes and things like that or Do we need to make

PC Michael Warren ([00:07:44](#)):

Okay. No. Or I think we're

PC Michael Warren ([00:07:45](#)):

Good. Okay. Okay. Uh, staff all information. Is there anyone in the meeting room or on the phone tonight that wishes to address any items that are not on the agenda? Okay. Thank you. We'll now meet the phone lines for those folks who are not staff or commissioners. So we're gonna go through the minutes first. So we have the minutes from June 9th, 2021. So does any anybody have any addition questions, corrections for June 9th minutes,

PC Laquita Stec ([00:08:21](#)):

Mr. Chairman? I approve the minutes as presented

PC Gary Bedortha ([00:08:25](#)):

Second,

PC Gary Bedortha ([00:08:27](#)):

George. You got it.

PC Michael Warren ([00:08:28](#)):

Okay, so we have a motion in a second. I'm gonna go ahead and call out for the vote. So We have a motion and a second on the floor. So Linda Manning,

PC Linda Manning ([00:08:39](#)):

Aye.

PC Michael Warren ([00:08:39](#)):

George Ponte.

PC George Ponte ([00:08:41](#)):

Aye.

PC Michael Warren ([00:08:42](#)):

Susan Hermreck

PC Susan Hermreck ([00:08:43](#)):

Abstain, absence,

PC Michael Warren ([00:08:47](#)):

Gary Bedortha.

PC Gary Bedortha ([00:08:49](#)):

Aye

PC Michael Warren ([00:08:51](#)):

Laquita stec.

PC Laquita Stec ([00:08:51](#)):

Aye.

PC Michael Warren ([00:08:52](#)):

Bob Lundquist.

PC Bob Lundquist ([00:08:53](#)):

Aye.

PC Michael Warren ([00:08:55](#)):

Lawrence Weberg

PC Lawrence Weberg ([00:08:57](#)):

Aye

PC Michael Warren ([00:08:59](#)):

And Mike Warren. That's Aye. All right. So the minutes for the June 23rd, Does anybody have any additions, corrections or comments on those?

PC Gary Bedortha ([00:09:13](#)):

I'll make a motion to be approved and stated.

PC Laquita Stec ([00:09:18](#)):

I'll second.

PC Michael Warren ([00:09:19](#)):

Okay. We have a motion in a second any discussion. Okay. I'll call for the vote. Linda Manning.

PC Linda Manning ([00:09:26](#)):

Aye

PC Michael Warren ([00:09:27](#)):

George Ponte

PC George Ponte ([00:09:28](#)):
abstain. absent.

PC Michael Warren ([00:09:32](#)):
Susan Herrrick

PC Susan Hermreck ([00:09:33](#)):
Abstain. Absent.

PC Michael Warren ([00:09:35](#)):
Okay. Gary Bedortha

PC Gary Bedortha ([00:09:38](#)):
Aye.

PC Michael Warren ([00:09:39](#)):
Laquita stec

PC George Ponte ([00:09:40](#)):
Aye.

PC Michael Warren ([00:09:41](#)):
Bob Lundquist

PC Bob Lundquist ([00:09:42](#)):
Aye.

PC Michael Warren ([00:09:43](#)):
Lawrence Weberg

PC Lawrence Weberg ([00:09:45](#)):
abstain

PC Michael Warren ([00:09:49](#)):
And Mike Warren. Votes aye. Okay. Ask for a motion to approve minutes from April 14th, 2021. Do we have those in here too? No.

Ann Beier ([00:09:59](#)):
No. I think we're done with that.

PC Michael Warren ([00:10:02](#)):
okay. I'm just, I'm just reading Ann.

PC Michael Warren ([00:10:05](#)):

You can't get good help these days. April was a long time ago.

PC Michael Warren ([00:10:12](#)):

All right. So we got the minutes taken care of

PC Michael Warren ([00:10:20](#)):

All right. I'll call the public hearing of the cocaine planning commission, Georgia. Today's date is July 21st, 28th, 2021. Commission's job is to conduct public hearings for the purpose of making land use decisions and or recommendations. According to the ordinances of laws of crook county and the state of Oregon. The commission may not vary from adopted laws and ordinances. If a law or ordinance is unfair or unworkable, there is a process to amendment ordinances. All county land use ordinances must meet minimum standards of enabling state statutes and administrative rules. The application being heard tonight is being weighed against the law ordinances and the effect at the time the application was filed. Copy of today's hearing and order of proceedings. The agenda and staff report are available online with crook county planning commission's webpage, or you can request a copy from the planning staff by sending an email to plan@co.crook.or.us. If you wish to testify on the hearing item tonight, either in favor

PC Michael Warren ([00:11:24](#)):

In opposition or neutral, you will have an opportunity to do so. We will explain how that process will go. When we get to that point in the hearing, the hearing will begin with the staff report and any additional comments received since the staff report was written, all staff reports are available to the public seven days prior to the hearing and are automatically made part of the record after staff, any other county state or federal agency comments will be presented. Those in support of the application will speak first, followed by those who are neutral and, or, uh, questions. Those who are in opposition will testify after those in support are neutral. The applicant is given a rebuttal opportunity to address anything that has come up during the hearing. As noted staff has recommended that this hearing be continued. The planning commission will consider that request. At the end of today's hearing just a reminder that any party may request a continuation of this as a matter, or right prior to the close of the hearing, the applicant may choose to waive their right to a written final argument. If the applicant does not choose to waive their right, they have seven days from the close of the hearing to submit final written argument.

PC Michael Warren ([00:12:36](#)):

A reminder for everyone that testimony needs to address the applicable law and criteria failure to provide testimony at this hearing will preclude a person from participating on an appeal to the county court and the land use board of appeals. After that All persons testifying must be recognized by the chair and or staff in this case, please speak clearly and state your name and address for the record. If you're speaking on behalf of someone else or a group, please state who you are representing Do not. I do not intend to set time limits on testimony, however, reserve the right to limit testimony. If it is repetitive or irrelevant. And or if we start running out of time, please direct your testimony to the relevant approval criteria. There is no need to repeat prior testimony to preserve your appeal rights. You only need to state that you agree with the prior testimony. Notice of decision will be mailed to all of those who have identified themselves with their name and address. Katie, could you please unmute the phones and see

if there's any questions regarding tonight's process? So is anybody on the phone line, have any questions about tonight's process?

Staff Katie MacDonald (00:14:10):

They're unmuted.

PC Michael Warren (00:14:18):

Okay. Any questions for those on the phone line?

PC George Ponte (00:14:24):

Okay. Hearing that.

Mrs. Mark Flemming (00:14:24):

No. Oh, thank you. No questions.

Mrs. Mark Flemming (00:14:26):

I just, I wish to testify in opposition when the time comes, right?

PC Michael Warren (00:14:30):

Yes. And, and we'll yes, you we've got you down for that.

PC Michael Warren (00:14:36):

Okay.

PC Michael Warren (00:14:37):

Okay. Planning com okay. Public hearing items tonight planning commission will take testimony on two planning files file two 17 dash two one dash 4 36 dash P L N G with proposed amendment to They county comprehensive plan to add a property to the county's inventory of significant aggregate resource sites and file 2 71 dash 21 5 7 3 dash PLNG requesting conditional use approval for mining operations on the property, the planning commission will be evaluating the request against the following applicable criteria, Oregon administrative rules, OAR chapter 660 division 16, Oregon administrative rules OAR 660 divisions 33, crook county comprehensive plan ordinance numbers, 43 and 51 comprehensive plan mineral and aggregate policies. Crook county comprehensive plan chapter three, land use agricultural policies for agricultural areas in crook county. Oregon revised statutes 215.28 3 2 C and ORS 215.296. Crook county code chapter 18.08, definitions chapter 18.16 chapter 18.144 chapter 18.1 60. Please note that testimony should be directed to these criteria. Ex parte contact, conflict of interest or bias. Do any of the commission members have a conflict of interest?

PC Gary Bedortha (00:16:21):

Uh, Mr. chair I'd state that I have a permitted rock pit in the county, but it is a basalt pit, not an

PC Michael Warren (00:16:29):

Okay.

PC Gary Bedortha ([00:16:30](#)):

That don't fill with, be any conflict of interest to the judge, make judgment on my opinion.

PC Michael Warren ([00:16:36](#)):

Okay. Anybody else?

PC Michael Warren ([00:16:36](#)):

PC George Ponte ([00:16:38](#)):

I can't hear, what did you say?

PC Gary Bedortha ([00:16:40](#)):

Sorry. I have a permitted rock pit in the county. It is a basalt pit, not a, uh, um, aggregate pit. Um, and it shouldn't affect my decision tonight.

PC Michael Warren ([00:16:53](#)):

Has any member of the commission had any expert take contact with the applicant and or members of the public? The planning commission's conducted site visit earlier this afternoon, members of the planning commission on the site that sit included. And I wrote everybody down, um, on the site visit, we had myself Mike Warren and Brent Bybee. Did I say that one? Bob Lundquist, Gary Bedortha, Susan Hemrick, Laquita Stec, Lawrence Weberg and Linda Manning. I believe that covered it. Okay. So I will go back to the question of any conflict of interests or ex parte contact with the applicant or any member of the public. Linda Manning.

PC Linda Manning ([00:17:41](#)):

No.

PC Michael Warren ([00:17:41](#)):

PC Michael Warren ([00:17:42](#)):

George Ponte.

PC George Ponte ([00:17:43](#)):

no.

PC Michael Warren ([00:17:43](#)):

Susan Hemrick.

PC Susan Hermreck ([00:17:44](#)):

no,

PC Michael Warren ([00:17:45](#)):

Gary Bedortha

PC Gary Bedortha ([00:17:46](#)):

Just what I stated.

PC Michael Warren ([00:17:47](#)):

Okay. Laquita Stec.

PC Laquita Stec ([00:17:49](#)):

No.

PC Michael Warren ([00:17:50](#)):

Bob Lunquist.

PC Bob Lundquist ([00:17:51](#)):

no

PC Michael Warren ([00:17:51](#)):

Lawrence Weberg.

PC Lawrence Weberg ([00:17:53](#)):

No.

PC Michael Warren ([00:17:54](#)):

And Mike Warren, no. Are there members of the public or on the phone who wish to challenge any member of the commission on any items on the agenda staff, please unmute the phones. And if so, please speak up and state the bias. So if anybody, either on the phone or here in person has any objection, please state the bias. No, thank you. Okay. Hearing none. We will move on. So we'll mute the phone lines, order proceedings staff report. We will hear from the staff first and then ask each commissioner for any questions. Staff will provide an overview of the request county commissioners then will be pulled to see if we have any questions from staff. All right, staff.

Ann Beier ([00:18:41](#)):

Good evening for the record Ann Beier cook county community development. I'm gonna take this off just to talk so you can hear me if you can't hear me do this. Okay. I have a good loud voice, but there are machines. So as, um, chair Warren explained we have two, uh, applications in front of us. So it's a two part process. Um, the first is the comprehensive plan amendment, which asks the planning commission to make a recommendation to our county court. That's our board of commissioners on whether or not the resource on the subject property is a significant resource. And that's a process that's set out in state law. There are criteria for what makes a resource significant in terms of its value as an aggregate product. Um, so that's one set of decisions that the applicant provided us with information on. And that's kind of either a yes or a no, it either meets standards for, uh, mostly cement or, or it doesn't.

Ann Beier ([00:19:58](#)):

And based on the information in the record, it probably meets that test. That's only the beginning though. Then we have to look at, um, it's, it's state law language. That's kind of funny, but it's called an ESEE analysis. And that asked the planning commission to weigh the economic, social, environmental, and energy consequences of either developing the aggregate resource or not. Okay. So many of you will have comments on those kind of impacts and that's part of the discussion tonight. The other thing we do on any comprehensive plan impact as we evaluate the proposal against the statewide land use planning goals, and there are 15 of those that apply in this county, um, some of them apply to the coast. We don't have to worry about those, but 15. And some of the ones that are most important here are citizen participation. That means everybody gets to talk.

Ann Beier ([00:21:14](#)):

The other is, um, goal three, which is our farmland protection. Um, statewide planning goal protection of aggregate is under statewide planning, goal five. So you start to see that some of these are goals, what they may conflict. So that's what the planning commission will be asking you to testify on are those potential conflicts. Okay. We can probably agree that this is an important resource, but what does that actual mining activity mean to the community? Okay. Pros and cons, our planning commission balances, those. So we get through that discussion. The planning commission will ultimately make a recommendation to our county board of commissioners, our county court. If the county court ultimately decides that this is a significant resource that should be mined, then we would go back in and approve any kind of conditional use approval. That's the second application that's here. And that many of you are probably here to testify on a conditional use approval, looks at the proposed activity, mining this site, which is about 75 acres.

Ann Beier ([00:22:44](#)):

Um, and looking at whether or not there are impacts to adjacent property owners, whether there are significant impacts or increases in costs to farming operations, that's something we have to consider. Um, and other impacts to the community. We also get to hear that, you know, mining is an important activity and important resource. Again, it's a balance. So tonight we'll be going through your comments. Because it's so complex and so many people want to weigh in on this, the planning commission probably isn't gonna get to a decision tonight. And that's probably okay, because if you're like me, you may have more questions than answers at this point. So if there are things you think haven't been addressed in the staff report, or haven't been addressed in the application, this is your time to say we need more information, or, you know, I can't, I can't say anything right now because I don't know that's appropriate now.

Ann Beier ([00:23:55](#)):

So with that, I'm gonna be quiet and let you start taking testimony. I'm here to answer your questions. I gave some recommended conditions. Um, but they, they are only that. I don't think we need to get into those today. Um, Laquita pointed out an error in my staff report. Um, I think it was page 16 of the, uh, conditional use, where I had referred mistakenly to a hunting preserve, which was a previous conditional use. So I will modify my decision for that. Um, and then I received a comment from one of the neighboring property owners in the comp plan amendment, where I had described the existing Woodward operation as an industrial site. That's incorrect. So on the original mine site that we visited today, that property is split zoned. Um, I wrote down the acreage. So, um, one of the pieces of the property where the aggregate processing is, is zoned heavy industrial.

Ann Beier ([00:25:07](#)):

And that is about, um, 36 acres. The remainder of the site that we visited today, where the active mining was going on is about 76 acres. So that aspect of the staff report was incorrect. The existing site is not entirely, um, industrial, it's a split zone. Um, the intent of the operator is to use that industrially zone property, um, to maintain processing. So the processing plant that we saw on the site today will remain there materials from the Vanier property, the proposed new mining site would be transported to the existing processing facility that would occur on roads internal to the mine site. So the trucks wouldn't go out on Lamonta. They wouldn't go out on stahancyk. They would go on the area that's, um, going to be mined and going to be reclaimed to get materials to the processing site. Yep.

PC Susan Hermreck ([00:26:20](#)):

You said that the place where the rock plan is, is split 36 acres of a heavy industrial what's the other split. I know veers is ECU, but,

Ann Beier ([00:26:28](#)):

and, so the other part of the Woodward site that we saw being mined and being reclaimed is EFU. It's also, EFU. Does that help?

PC Gary Bedortha ([00:26:44](#)):

I just wonder, uh, question on that. I just want for clarification, industrial is where the plant's at outright permitted use

PC George Ponte ([00:26:54](#)):

On that parcel

PC Gary Bedortha ([00:26:54](#)):

Industrial is it's an outright permitted. We don't, we're not here to discuss any of that anyway.

PC George Ponte ([00:27:00](#)):

Right, right. Yeah. Thank you. Any other clarifications? I didn't go into my staff report in detail. I know the applicants will describe the site. They can do a better job. Um, know that we received a lot of comments on this most in opposition with a lot of questions, dust control, water, both water quality and quantity are huge controls for the neighbors, um, aesthetics, um, noise. Those are the main issues that were raised in the exhibits that we've received to date. That's a big summary, but better to hear from the folks who are here tonight. So thank you.

PC Gary Bedortha ([00:27:47](#)):

Um, compliance has the department or the compliance officer had any complaints or concerns recorded in the last six years? Since 2015.

PC George Ponte ([00:28:03](#)):

Yeah. So our compliance officer is Lewis seals. I believe that, um, he's received several comments over time. Okay. And has worked with the neighbors and the, um, operator to try to address those. I, I know I have that list.

Staff Katie MacDonald ([00:28:22](#)):

in the back of the crane folder, left in the very back who.

Ann Beier ([00:28:28](#)):

it was here somewhere because Katie's done such a good job for me.

PC Gary Bedortha ([00:28:34](#)):

And with that being said, though, make it I'll make it quick for my part. Yeah. Can we get just a, if we do a continuance, can we get a, uh,

PC George Ponte ([00:28:43](#)):

Recap?

PC Gary Bedortha ([00:28:45](#)):

Yeah. Thank you. Just to recap and if it was resolved or what, what the issue was.

Ann Beier ([00:28:50](#)):

Okay. So, um, many of the comments dealt with the reclamation schedule, uh, which is unfortunately something that we don't enforce because it's through the department of geology and mineral industries, but also maintenance of the vegetation on the berms, um, weeds and , and those kind of issues. Um, hours of operation have been a concern, um, that, that they haven't shut down at sunset as, as you required as our code requires. Um, and, um, continuing concerns about the impact of the mine on groundwater and impact to local water sources. And that's something that will be addressed, I'm sure is part of this discussion, the number of truckloads per day. Um, and then, um, again, reclamation, how much of the mine is open versus being in active reclamation and just, um, for everyone who's here, this decision is kind of the first decision that has to be made before a mining operation permit can be issued.

Ann Beier ([00:30:12](#)):

So we do a plan amendment, the planning commission determines whether or not a conditional use approval can be granted if they determine that, um, the applicant would then have to apply for, for an actual mining permit and reclamation permit from the state department of geology and mineral industries. Um, that agency also works with the state environmental quality, um, department to address issues of water quality and storm water runoff. So we're at the beginning of the process. Um, but there's more process to come and I believe the applicant will discuss that. Susie.

PC Susan Hermreck ([00:31:21](#)):

I was, um, in Gary's recap and I don't know, it might be too lengthy, but is there any way to get kind of a recap of what Alami requires for reclamation? I mean, how they, what their structure is so that you know, that you're not asking for more than what the state would ask for, or that I,

Ann Beier ([00:31:21](#)):

I can get that for you, but it's not something that we have control over.

PC Susan Hermreck ([00:31:22](#)):

No, but it would give a person a good idea. How they're, how they're mining.

PC George Ponte ([00:31:26](#)):

I guess I think, um, we have department of geology, these annual reports on this particular mine, we can make those available. They are available to the public. So their annual inspection reports, um, my sense is in the applicant probably knows this better than I do that each site is site specific. So it would be difficult to come up with that list of reclamation requirements, but I could be wrong. That's a great question for the applicant.

PC Susan Hermreck ([00:32:04](#)):

It's just, then you're not you have the state and you have the county and you're kind of riding in between and it would be nice to know that you're not. What you're asking for.

Ann Beier ([00:32:12](#)):

So I would ask that question to the applicant. Okay. Other questions,

PC Gary Bedortha ([00:32:18](#)):

One more real quick. And I, the reason I'm asking some of these questions is they're talked about in all the exhibits and noise, the county still does not mitigate noise. Is that correct?

Ann Beier ([00:32:29](#)):

Yeah. So the county doesn't have a noise standard. So we have nothing in our code that says, this is too much. This is too little, the department of environmental quality has regulations regarding noise. Um, but it's my understanding that they historically haven't had much budget to enforce those noise regulations. Um, so the county couple years ago, I think we talked about whether or not we should adopt noise standards and we just felt we could never enforce that. So, um, but certainly something, if we hear from you all, we can take it to our county, um, court and ask them to consider it. Um, before I forget kudos to Katie for filling in for Hannah, who's off. What can I say? So, but thank you, Katie, for taking on this extra thing, because it's, it's a heavy lift. So anyhow, other questions

PC Michael Warren ([00:33:35](#)):

Did you have, I thought you were gonna, were you gonna say something? Did you have a question for Anne?

PC Laquita Stec ([00:33:38](#)):

No.

PC Michael Warren ([00:33:39](#)):

Oh, okay.

Ann Beier ([00:33:41](#)):

Well, thank you for the careful questions

PC Michael Warren ([00:33:45](#)):

George. Lawrence?

Staff Katie MacDonald (00:34:03):

Mike, we do have another member of public up on the phone. Should I unmute now?

PC Michael Warren (00:34:09):

No, go ahead and do that.

Staff Katie MacDonald (00:34:12):

I'll put it up here. Oh, I should've done that before.

PC George Ponte (00:34:18):

Also, just for the record, all the exhibits that we've received so far in tonight's testimony will be entered into our records. So just note that your comment letters today will be part of this decision record. So we appreciate all the folks who got things to us, particularly those of you who got things to us early, so that the planning commission can, so thank you.

Staff Katie MacDonald (00:34:45):

I can't see it. Um, I've sent it, if they come on, I'll let you know.

PC Michael Warren (00:34:58):

Oh, okay. They're not on now?

Staff Katie MacDonald (00:35:00):

Um, if they're still muted and maybe I, so they have to on their end need to umute as well. So hopefully the other person dropped off. I'll let you know if they come back

PC Michael Warren (00:35:14):

Okay. Gotcha. Okay. So before opening for testimony, either in person or by phone, I want to remind everyone that all testimony must be directed to the specific items for consideration. We'll first take testimony from any federal state or local agencies, and that we don't have any that I know of.

Ann Beier (00:35:39):

And we didn't receive any written testimony from any agencies.

PC Michael Warren (00:35:43):

Okay. We will then offer an opportunity for the applicant and individuals in support of the proposal. Then those that are neutral and to the proposal next individuals opposed in the proposal, but will be asked to testify after each person testifies I will call on the individual planning commission members to determine if we have any questions. So there's, there is nobody from any agencies right now, so we don't have any of that. So we'll just go ahead and have the applicant come up And then just please state your name and address for the record.

Matt Ropp (00:36:26):

Did you want me to sit or, or stand?

PC Michael Warren (00:36:30):

Whatever you feel comfortable, you sit most comfortable.

Matt Ropp (00:36:32):

I'll just put my binder down here.

PC Michael Warren (00:36:34):

Sure.

Matt Ropp (00:36:35):

Thank you.

Matt Ropp (00:36:40):

Okay. Good afternoon. For the record, my name is Matt. Ropp Everybody can hear me. Okay. Yeah. I'm Matt Ropp. I'm the, uh, I work for knife river, the applicant and I'm the manager of land planning for the Northwest region. Um, our office address, 32260 old highway 34, tangent, Oregon, 97389. Um, I'd like to start by acknowledging the number of folks that are in the room. It's nice that this is an evening or late afternoon hearing, but, um, I'm getting paid to be here. This is my job. And I know some folks have, uh, moved things around to be able to participate. So, whereas typically in a hearing like this, uh, I would present, you know on procedure and Statewide planning goals. Um, Anna has done such a wonderful job of that. I'm gonna go ahead and, and just move into key issues.

Matt Ropp (00:37:43):

Um, but if I miss something and, and if you'd like me to respond to it, please just, you know, ask, um, I'd also like to introduce the folks that are here, on behalf of knife river on behalf of applicant. Um, we have a team of folks. So I'm a land use planner. Um, but we also have our general manager here for the central Oregon region. He can speak to our, our business, uh, unit, our operations, how we're using the aggregate, uh, the regional context, the importance of the resource to us and to our customers. Um, I also have here tonight, our aggregates manager and engineer, he's our senior engineer. And so, he can speak to any technical questions regarding the plant configuration, the mining operations equipment used water use those kind of technical things. Um, we have a consulting hydrogeologist, here tonight, and he will speak to the groundwater in particular.

Matt Ropp (00:38:43):

Um, and, and on that note, uh, we have talked as a, as a team and we're really gonna try to push through our kind of introductions and anything that is already in the record that you folks have had an opportunity to review and give the majority of our time to our hydrogeologists because I know groundwater's a huge issue and I, and I want him to have the opportunity to kind of walk through, some of the work that he has done in order to, uh, inform us, uh, about how to mine this property, um, without impacting area Wells. Uh, we also have our environmental director here, um, and he is responsible for agency, uh, permits, particularly state agency permits. So that would be any DQ permitting, storm, water, water, quality, air contaminate, discharge permits, dust. Um, and so, uh, the, and then we also have our environmental scientist here.

Matt Ropp ([00:39:43](#)):

Um, who's a, a consulting environmental scientist and, um, she will speak to, water monitoring and water quality, uh, of area wells, so I wanted to kind of put that format out there, uh, just to let you folks know if it, if I skip over something that's technical, uh, what I may do is just quickly, you know, defer to someone who is more qualified to address that, that matter. Um, any questions so far. Okay, great. Um, okay, so again, thank you staff planning director, Ann, for that great introduction, you've cut a lot of my presentation. Um, and, um, what I want to do is, is also acknowledge that, you know, we've submitted this application based on our current operations at the Woodward property, just to the west. Um, as Anne has indicated, we have, uh, an industrial processing facility there, uh, that's gonna stay there.

Matt Ropp ([00:40:45](#)):

And then we also have mined, have mined, and are newly complete with our mining on the farm zone portion of the Woodward property. So, you know, when, when we put this application together, it was really intended to be more of the same. To us it's a pretty simple continuation of our operation. We don't see this as a, as a new site. Um, they are abutting properties and we would essentially continue to March right through and, uh, and on over the east line of this new property, we don't own the property. We have an agreement with the landowner, uh, to mine this property. Um, and so, that's important to point out, you know, we, everything that we're doing here is in coordination with the landowner. I'd also like to point out that in presenting this application, in submitting this application, again, we're describing kind of more of the same, um, fairly recently, we've had very good dialogue with a, with most of our neighbors around here.

Matt Ropp ([00:41:54](#)):

And, um, and I think very important issues have been raised. And so we're working with the neighbors right now to try to address some of this stuff. So you'll note some of this stuff is not addressed in the application yet. I believe new evidence is being received in the record, uh, at this hearing. So per statute, we would need to leave the record open, and I will just tell you that, you know, in addition to responding to your questions tonight, with testimony, we would intend to capture all of the information that, that we've gained from working with the neighbors, all the testimony that we received tonight. And, uh, go ahead and incorporate that into a supplemental findings document, and submit that to the record so that you have that when you do move to deliberations,

Audience ([00:42:45](#)):

can I speak up ?

PC Michael Warren ([00:42:46](#)):

no, you'll get a chance to, but,

Matt Ropp ([00:42:52](#)):

Um, you know, generally the property is 78 acres zone EFU, uh, a relatively flat, um, and it's irrigated farmland. I believe it's, an alfalfa crop currently. It's got frontage on a public road as the planning director indicated. Traffic is, in my opinion, less of an issue with this case than a new case in that we've committed to a condition to not use a new road approach from the subject property. We're not gonna be putting trucks on a road where they weren't previously entering a road. We're gonna move all the material with offroad, haul trucks, using an internal haul road and move that material to our existing

processing facility. Uh, this is not an expansion, uh, with respect to the volume of work that we're doing. Um, this is just a continuation so that we can continue to use that plant in that location. So you're not gonna see an increase in the number of, truck traffic as a result of this decision. Um, with that I'm gonna go ahead and ask our general manager. First of all, any questions for me,

PC Michael Warren (00:44:13):

I'm just gonna say, let's see if there's any questions. Does anybody have any questions for him before he

PC Gary Bedortha (00:44:20):

So, um, did you give, uh, when did you think you'd be done processing on Woodard's parcel? Did you maybe, I didn't hear that.

Matt Ropp (00:44:29):

I I'd like our, our general manager's gonna come up, he is overseeing all of our aggregate activity in the region. So can speak to that specifically. Okay. Thank you so much. And of course I'd like to reserve time for rebuttal

PC Michael Warren (00:44:53):

Absolutely.

Chris Doan (00:45:03):

So my name is Chris Doan. I'm the general manager for knife river here in central Oregon. Um, my address, our work address is 6450 OB Riley road in bend.

Chris Doan (00:45:17):

And, um, I'll be brief. I appreciate the time we were able to spend together this afternoon, uh, talking about, um, our operations there at Woodward and our, our, uh, our plans, um, next door, um, specifically want to just address the need for concrete. And, um, the, you know, we were sitting in this room, uh, six years ago talking about, uh, a different property, the Woodward property and, and, and, uh, having some of the same conversations, uh, since then, um, we have, um, seen a, uh, increase in the need for our concrete, um, in central Oregon, and specifically related to, uh, servicing the, uh, the Facebook, uh, project here at the top of the hill. Uh, as you come into Prineville. We have since, uh, three, three and a half, four years ago, we installed a ready mix concrete plant at that site per the request of the, of the contractor there to have an onsite plant.

Chris Doan (00:46:17):

Now we're not onsite, but we are adjacent to the site and we are, um, leasing ground there to place our plant, but we're shipping rock from the Woodward facility to that plant. And so we have three plants in central Oregon, one, uh, one in Pineville, one in Redmond, and one in, in bend. And this site, the Woodward site has been supplying the ready mix aggregates for those plants, um, for the last, uh, six years. And so, um, we are, um, we're, we're just to answer your question, we will finish mining the Woodward property sometime this fall. And the expectation is that we will process that material. Um, you know, some of you that were there today saw the large, the large pile of sand, but you also saw the adjacent pile of three quarter number four round rock that was adjacent to that pile.

Chris Doan ([00:47:14](#)):

We will exhaust that pile of, of round rock sometime this winter, most likely. And so, um, you know, that doesn't mean we'll, we won't be able to produce concrete, but we, we have con we've we've, um, we've hauled that rock to our plants. And so we'll have stockpiles at our plant locations, but, um, that's, you know, we'll still have sands there, but we will, we will most likely exhaust the supply of the round rock sometime this winter. And so that is the need. That is why we're looking for an adjacent property to supply that, that material with. And so if, if approved, we will move in and we will be, uh, washing rock off the vanier property sometime next spring.

Chris Doan ([00:47:59](#)):

Any questions?

PC George Ponte ([00:48:01](#)):

Yes, sir. Yeah. Can you just clarify, um, so you have, um, three plants, all being supplied from the Woodward property. Um, so, and the plants are in Prineville, Redmond and Bend, is That correct?

Chris Doan ([00:48:16](#)):

That's correct.

PC Laquita Stec ([00:48:20](#)):

And those are, and those are just cement.

Chris Doan ([00:48:24](#)):

Those are all red mix concrete plants, and we, we have an asphalt plant in Redmond as well, but we, we supply the aggregates for that asphalt plant from a different source. It's a, it's a hard rock desalt quarry in Brook county off of, uh, in the, uh, lone pine area.

PC Laquita Stec ([00:48:41](#)):

So the original Woodward, uh, permit, there was a space available there for a cement plant, and that did not happen.

Chris Doan ([00:48:52](#)):

No, we did not. We did not put the plant there. We set this, we set the plant up adjacent to the project,

PC Laquita Stec ([00:48:58](#)):

Which is at Facebook

Chris Doan ([00:48:59](#)):

Yes, It's across the highway from Facebook, it's behind kind of behind and to the south and west at the Les Schwab facility up there

PC Linda Manning ([00:49:12](#)):

Is all the material that you mine out there. Does it stay in central Oregon or is it sold to other places. It stays in central oregon, right

PC Michael Warren ([00:49:19](#)):

Yes, I would say that. I mean, we, we have hauled concrete out of, out of the Redmond plant all the way over to, uh, John Day and so that's still kind of central Oregon, but for the most part, uh, we stay within a, within about an hour, hour and a half radius of each of those plants.

PC Linda Manning ([00:49:37](#)):

So it does not go out of the state

Chris Doan ([00:49:38](#)):

No.

PC Gary Bedortha ([00:49:42](#)):

Does your prineville plant only provide for Facebook or is it a general purpose plant

Chris Doan ([00:49:45](#)):

Um, we've, we've supplied some other, um, other projects we've, we've hauled concrete to, um, post and, and some other area Mitchell we'll haul concrete out to Mitchell on occasion, but, but I'd say 90% of the concrete that comes outta that plant is, is, is hauled across the highway to the Facebook project.

PC George Ponte ([00:50:07](#)):

Are you mining any other sites in like the Tri-County area?

Chris Doan ([00:50:12](#)):

Um, we are we're mining. The it's not it's, we're not using it for concrete aggregate though. We're using it for either base rock or asphalt aggregate. It's the Butler property, um, in lone pine. Okay. And that, and we've been there for, um, I don't know the exact number of years, 15, 20 years we've been there. Um, but we, we had that site previously was supplying the round rock or the ready mix aggregates. Um, and we exhausted that. And so when we, when we, um, finished our mining there, that's when we moved to the Woodward property.

PC George Ponte ([00:50:46](#)):

Okay. Thank you. Um, you're gonna be finished in the fall mining, the Woodward property. And so you were permitted in 15 I believe I wasn't on the planning commission in, in 15, but, um, so it's taken roughly six years. These, these sites are approximately the same size. Is that what you're anticipating for this 78 acres.

Chris Doan ([00:51:12](#)):

Yes. If, if at, at the current rate that we are supplying concrete to the, to the TriCounty area. Yes. Um, we, we, we anticipated, we were sitting in here six years ago. We thought it'd be, um, you know, a 8, 10, 12 year <laugh>, um, operation and, and we've, uh, it gone a lot quicker.

PC George Ponte ([00:51:34](#)):

So if Facebook quits building then it's possible it could run out to 8, 10, 12 years.

PC Michael Warren ([00:51:39](#)):

Absolutely.

PC Linda Manning ([00:51:44](#)):

So after you finish the completion of the Woodward project, how many acres will go back into be reclaimed? Can you,

Chris Doan ([00:51:54](#)):

Well, I think even, even the processing area, I think you said that includes the, the area that's west of the buildings there. Um, but the processing area would probably go in, you know, there's a chance that could be used as farm use, but, um, the 76 acres will all be reclaimed as farm use.

PC Linda Manning ([00:52:16](#)):

And how long will that take to reclaim?

Chris Doan ([00:52:18](#)):

Um, we should be done grading out there. I would think, uh, sometime next, well, you we're gonna continue processing in the processing area. So that could take eight to 10 years, whatever that is. And so that area will, will remain untouched. There'll be a berm around that area that will remain untouched to the east of that big berm, which we were out there today in the bus. That area will be reclaimed and hope hopefully planted late this fall.

PC Linda Manning ([00:52:50](#)):

So you could reasonably say that you're going to have around 76 acres that will be reclaimed,

PC Michael Warren ([00:52:56](#)):

Um, approximately. Where the ponds were. we won't take those ponds out. So I don't know what the acreage involved in those that area is, but it's something less than the 76 and yeah.

PC Linda Manning ([00:53:09](#)):

Okay. Thank you. Yeah.

PC Bob Lundquist ([00:53:12](#)):

Whose responsibility is it after, after it's been reclaimed actually make it productive? Is it the the landowner, I assume.

Chris Doan ([00:53:20](#)):

Yeah. It's, it's our, it's our responsibility to provide, um, you know, to take it back to, to replace the soil that was removed to remove the aggregate. So we replaced that soil. It's our responsibility to grade that to asuitable, um, plan or elevation, and then hand that over back to the owner for his use.

PC Gary Bedortha ([00:53:49](#)):

I might add to that Bob, and I'm not real familiar with it, but DOGAMI won't sign off on your bonding or permit until you've reclaimed. And it's ready to hand back to. Is that correct?

Chris Doan ([00:54:03](#)):

That's correct. There's a reclamation plan that is yes. Filed with DOGAMI that they have to, ultimately, if we think we're done with the reclamation, they will have to agree with that.

PC George Ponte ([00:54:17](#)):

And you have posted a bond of financial guarantees that that will happen. So just for the public that goes on outside of this process, but it's very typical for mines and our solar projects that we require bond to make sure things get put back.

PC Michael Warren ([00:54:40](#)):

George.

PC George Ponte ([00:54:42](#)):

Um, so has any portion of the Woodward property been reclaimed yet?

Chris Doan ([00:54:46](#)):

Yes.

PC George Ponte ([00:54:47](#)):

Okay, and I apologize for not making it to the site visit. Um, so you guys probably saw,

PC Michael Warren ([00:54:53](#)):

We did. On, on that particular one, we were looking at, what do you figure? 10 acre? 15-20. I mean that one.

Chris Doan ([00:55:03](#)):

Yeah,

PC Michael Warren ([00:55:04](#)):

The industrial part

PC Michael Warren ([00:55:05](#)):

yeah, the industrial part is, is reclaimed it's certainly there, I, I don't think have any plans to seed that area, but the, the area to the west of the ponds and to the, to the north of the ponds, that's been seeded and farmed for four or five, six years, uh, five years at least, um, how much you're asking the acreage?

PC Michael Warren ([00:55:24](#)):

Approximate,

PC Michael Warren ([00:55:26](#)):

I'd say maybe 15-20 acres.

PC Michael Warren ([00:55:35](#)):

I had it, it's not necessarily a question, but, um, Gary had brought it up. And I think it would be helpful because there was a lot of discussion in some of the testimonies, cuz people can look at crook county and see how many aggregate mines, but what you have and like what Gary said, he they've got is totally different. You don't use it for the same thing. So it would be good. I think for the commissioner's knowledge and the public, just to explain that a little bit, you know, that not every mine out there can do what your's does

Chris Doan ([00:56:04](#)):

Yeah. I think it's, um, you know, our preference to is to use an alluvial aggregate, which is a, a, uh, G a geologist behind me can help you with that a little bit, but, but it's a round rock. It's a river rock deposit, um, in, in ReadyMix concrete and that's, it's hard to find. And there are some, there are some, um, other locations in crook county, but none left really in Deschutes county. And so that's why we have, we've spent the last 20 years in crook county, whether it's at, at the Butler property off of lone pine or now Woodward property, and then now adjacent to it. So, um, that's the, um, the most appealing aggregate to use for the ready mix concrete it's the, the natural sands are, you know, we can go to a manufactured sand. The end user does not, does, does not want to use a manufactured sand in the concrete product. It's, it's, it's harsh, it's hard to finish. Um, and, um, and so, so long as we have this round rock, um, that's going to be the preference, uh, not just for the producer, but for the end user as well

PC Michael Warren ([00:57:14](#)):

Okay. Any other questions?

Ann Beier ([00:57:20](#)):

Can I just,

PC Michael Warren ([00:57:21](#)):

Yes.

Ann Beier ([00:57:21](#)):

so I just want to make sure that the map that we got on the site visit gets entered into the record because it was a very helpful document. The second is that I believe Laquita asked for a list of active mining permits in crook county. Um, and I believe we generated a spreadsheet and a map that shows active mining sites or permitted mining sites in the area around mine, the, the proposed mine, it was an issue that was brought up by a number of comments that we received was there are a lot of mines already. Um, the DOGAMI permitting system shows those active mines, the closed mines, and then the type of material typically. So the, the basalt is different than the sand and gravel. Um, and, and somebody asked the brilliant question of, so what does closed mean? Closed means that they don't have an active department of geology mining permit. It doesn't mean they couldn't come back in and get more material. They would have to ask department of geology for new permit.

PC Gary Bedortha ([00:58:44](#)):

Still listed on the resource

PC George Ponte ([00:58:46](#)):

List. Yes. Yes. It's still on our inventory as an important important resource. Thank you.

PC Michael Warren ([00:58:53](#)):

And that's kind of why I brought that up because somebody looking at that says, well, you can go to all these different locations, but, but you, you can't for specific users. Yeah.

PC George Ponte ([00:59:03](#)):

So you, you know what admin means under the status column?

Ann Beier ([00:59:07](#)):

I think it's, it's on the back page of the table. There should be a summary or on that second tab on the website, I think it means that it's in process of a permit review. I don't have that.

PC Gary Bedortha ([00:59:24](#)):

Are you looking at 13 exhibit 13?

Staff Katie MacDonald ([00:59:27](#)):

that last, that last page didn't get on there. So, on the DOGAMI

PC George Ponte ([00:59:34](#)):

I got it. It came through.

Ann Beier ([00:59:40](#)):

No, no. It's, it's a funny page. Katie, do you know what exhibit that was? 13,

Staff Katie MacDonald ([00:59:51](#)):

13

Ann Beier ([00:59:53](#)):

And for those of you in the public, this exhibit is on our website.

Staff Katie MacDonald ([01:00:06](#)):

Uh, right there

Ann Beier ([01:00:07](#)):

I'm not seeing that last. I, it didn't get attached. We can attach that. Yeah. We'll, we'll get that kind of the, the key to the dog Ammy permit status. So exhibit 13 has a list of all the mine sites in crook county. Does, does it

PC Michael Warren ([01:00:34](#)):

but it's missing a page is what you're saying

Ann Beier ([01:00:35](#)):

It's missing the explanation of what closed means and what admin means. I think it has some closed gold sites, but they're closed. So like,

PC Linda Manning ([01:00:49](#)):

So Anna, as far as, as far as this particular mind, is it listed?

Ann Beier ([01:01:02](#)):

So I think the Woodward site is listed as an active mine.

PC Michael Warren ([01:01:07](#)):

It is.

PC George Ponte ([01:01:10](#)):

Yeah.

PC Michael Warren ([01:01:20](#)):

Okay. Any other, any other questions for Chris and then you were gonna have, who was gonna come up, Matt?

Matt Ropp ([01:01:32](#)):

The record, Matt Ropp, knife river again. I had intended on bringing our mining engineer and aggregates manager up to respond to any technical questions about the plant equipment we use and just our general operation. If the commission has those technical questions, then we can certainly have him talk about how an excavator loads a truck and how we use scrapers and how the plant is constructed and the different components. Where it's washed and it's screened and things like this. I think that it may be informative, but I also don't want to take too much time. So you let me know if you would like to hear

PC Michael Warren ([01:02:22](#)):

I, I actually think maybe that'll be based off what we hear tonight.

PC Michael Warren ([01:02:28](#)):

and again, with, it sounds like we're gonna be continuing this anyway, that it may be, it may be worth it. Once we hear

Matt Ropp ([01:02:36](#)):

If there's questions for Bill, then he can, he can respond, but on rebuttal. Okay. Um, I would say next I would like to have our hydrogeologist come up and speak to groundwater. Katie will you please bring up, exhibit 14 and put that on the screen and just start with, I don't think that's exhibit 14, there you go, and start with one.

Mark Stacy ([01:03:36](#)):

Good afternoon, I am mark Stacy. I am a senior hydrogeologist with wenck, now part of Stantec, I will also say I'm a registered professional geologist in the state of Wyoming. Sorry. State of Oregon. Let me just start over. I'm Mark Stacey. I'm with wenck, part of Stantec, I'm a registered professional geologist

in the state of Oregon registration number is G 19053. Address is 3325 south Timberline road, Fort Collins, Colorado 80525. So with that, um, I was hired, I'm a consultant to knife river. Uh, they have hired us to investigate the hydrogeology of Woodward and Vanier Um, and I'll describe a little bit about that. So last November, we'll just talk a little bit about the background where we, how we came to be involved in this. Um, my favor was mining at Woodward, um, in late 2020. What you'll notice on the slide is there's a picture, an aerial photograph of the area that they were mining in, uh, late 2020.

Mark Stacy ([01:05:00](#)):

There you go. Thank you. Um, and what you can see is that, uh, clearly there's ponding and there's water that they ran into as they were, as they were mining into the east. And, uh, what they had discovered, or what they had been doing obviously is, you know, we've got a 20 foot mining limitation. They have been mining dry with no groundwater encountered until they hit these Eastern properties on Woodward. So my knife river approached us with a question of we've encountered this groundwater where this come from, how do we deal with this? Why are we seeing this? So those are the questions they have. They approached us with and said, can you help us out with it? So we said, yes, we can do that. And so the questions that ultimately came that we settled on are the questions that you see on the screen.

Mark Stacy ([01:05:45](#)):

It's a question of, can we reduce or eliminate what's going on with this groundwater? Because it's affecting our ability to back fill and ultimately potentially reclaim site. Can we meet the desired final land use, putting this back to agricultural use? Can we handle the groundwater without impacting the existing water rights and neighboring landowner? Big question. Can we continue our reclamation success that you noticed this afternoon? Um, or do we need modifications to ensure that we can do this in the future? So those are the big picture questions that they asked us to address in the context of both Woodward, which obviously current mining, but also vanier which is clearly what we're here to consider. So if you go to the next slide, please, there you go. So we approach this from a purely geologic and hydro geologic assessment perspective, which means our job as professionals is to look at the area, identify what do we have for geology conditions?

Mark Stacy ([01:06:50](#)):

What do we have for ground water conditions? What's going on out here from a scientific perspective, as best as we can understand it. So we can make sound recommendations to knife river so that they can continue doing what they've been doing. Um, as we go forward. So our approach was to, first of all, look at water rights that have been identified that are on file with Oregon division of water resources. And we also looked at the geology and the hydrologic data. We have drilled and geologically logged three test holes on the east side of Woodward. When we cross from Woodward to vanier today, you may have noticed if you look north right at that property line, there are three yellow painted stickup. Those are the three Wells that we installed. Yeah. I wonder some one might have noticed um, so on those wells that we installed, we actually completed a aquifer test to identify what the hydrogeologic properties are of the sand and gravels that we've been mining we've cored and tested the alluvium to identify what the agronomic characteristics are of the soil to try and get at the reclamation question of what's up with those materials.

Mark Stacy ([01:08:04](#)):

We also took those hydrogeologic parameters, those estimates of how water flows through and develop some estimates of what potential inputs inflows we might be looking at is my minds, these different cells of vanier. And we also evaluate reclamation plans and options. It's all big picture stuff, trying to answer that question of what do we got, what can we do? How do we deal with this in a way that still allows us to do so let's move forward to the next slide, please.

Mark Stacy ([01:08:39](#)):

So let's talk a little bit about geology, my favorite subject. Um, what you're looking at here is the geologic map, the symbols on the map and the areas are shaded. Identify what geologic units are, where, so I'll first start by pointing out that Woodward is identified with the red outline, then here to the east, and it's outline in yellow. And it really doesn't show up very well on the slide. Um, those as you'll notice are both sitting a top an area labeled QS. QS refers the terrace deposits that knife river has been mining at woodward, and would be mining at vanier. The terrace deposits according to, uh, Oregon state department of geology, and also the United States geological survey are composed of sand silt and gravel and clay that extends up to a depth of about 300 feet in this area. Those are adjacent to, uh, the Q a L, which is the alluvium located on Crooked Creek. I'm just mentioning this for reference in terms on the map. Those are the two significant, um, units on the map. The only one that's significant for the purposes of this hearing is QS. It's all about the terrace deposits. You'll only be mining in the terrace deposits. So let's move to the next slide please.

Mark Stacy ([01:10:13](#)):

So the terrace deposits

PC Laquita Stec ([01:10:16](#)):

Mark

Mark Stacy ([01:10:17](#)):

Uh, yes,

PC Laquita Stec ([01:10:18](#)):

Can we back up to terrace level again? You said it is sand and clay and what

Mark Stacy ([01:10:26](#)):

Sand , gravel, salt and clay. Those four different, okay. Unconsolidated rock types, compose the,

PC Laquita Stec ([01:10:35](#)):

Okay. And it's 300 feet deep

Mark Stacy ([01:10:37](#)):

up to 300 feet thick up to 300 feet thick. Okay. So if a land surface to the bottom would be roughly 300 feet.

PC Laquita Stec ([01:10:44](#)):

Okay. Thank you.

Mark Stacy ([01:10:47](#)):

Other questions.

Ann Beier ([01:10:50](#)):

So is, is the clay continuous as a whatever layer? You know what I mean? A barrier layer.

Mark Stacy ([01:10:59](#)):

That's a great question and I'll try to address that over the next slide. So if we can do

Ann Beier ([01:11:03](#)):

I didn't mean to interrupt, but it's like clay.

Mark Stacy ([01:11:06](#)):

So what we've noticed in looking at the local geologic blocks for the water Wells have been in this area is that the terrace deposits roughly stack up as shown on the left hand portion of this slide, where you have about four feet of top soil or silt that sits on top of sand and gravel that extends to a depth of roughly 30, 35 feet. Below that is a layer of silt that's roughly 10 feet and then beneath that is a very thick layer of clay. It's about 180 feet thick and below that's is another layer of sand gravel that extends another 20 feet. So what's happening here, geologically and consequently hydro geologically is that the upper Sand and gravel is separate from the, the lower Sand and gravel. And the reason we know this is because when we look at the depths to water that I've been identified in wells that are completed to depths less than 40 feet is depths to water, roughly 16 to 20 feet or something in that ballpark, the depths to water in wells are completed in the lower sand and gravel is on the order of 30 or 40 feet.

Mark Stacy ([01:12:27](#)):

So while the depths to water in the sands and gravels above is within the sand gravel unit. In other words, where the water we've encountered inside Woodward, the depth of water in the sand gravel that stand below stands well above the top of that lower sand gravel unit and geologic hydrogeologic parlance that means it's confined. In other words, you have to drill a well and complete it in that lower aquifer in order to get the water out of it. And the lower water level only stands above the top of the aquifer because you completed a well and allows the water rise in that well, it's a clear indication that we're dealing with an upper aquifer and a lower aquifer. Does that make sense? Okay, so they're all part of the same terrace deposit formation, but hydrogeologically they're different.

Ann Beier ([01:13:24](#)):

So they're not connected.

Mark Stacy ([01:13:25](#)):

That's connect. That is correct.

Ann Beier ([01:13:27](#)):

And the, does the clay, is that the confining layer?

Mark Stacy ([01:13:31](#)):

You're absolutely correct.

Ann Beier ([01:13:32](#)):

Yes. I, I know enough about geology to be dangerous.

Mark Stacy ([01:13:36](#)):

If you think about it in terms of permeability, it's very simple. I used to do edible aquifer experiments with my daughters where you would take some kind of permeable material say Cheerios, okay. And then you put a layer of ice cream underneath it, and then you put a layer Cheerios underneath. Cheerios are permeable, right? You can pour water through them, ice cream. No, it's not permeable Cheerios are. So if you think about it in that simple context, that's essentially what we're talking about. We're talking about a layer of permeable, sand gravel over an impermeable layer clay over a permeable layer of sand gravel. And they're not connected.

Ann Beier ([01:14:09](#)):

You're gonna go home and try yourself.

Mark Stacy ([01:14:11](#)):

Yes, you can look it up. It's on YouTube. I've done it for my daughters multiple times. They love it. So anyway, so this configuration is based on the well records. Um, there's a record that's in here. That's part of the record. Um, that's the picture that's depicted on the right hand side. It doesn't show particularly well, but if you look at the lithologic log in that section, you will notice these layers called out where they talk about a top soil and gravel, a clay, and then the lower gravel it's it's they even mentioned the differences in static water levels on that, on that, uh, completion report. Any other questions on that?

PC Michael Warren ([01:14:54](#)):

Yeah, so I, and that's, I, you, you just touched on it, but I can't read it. What is the static water level in this particular well?

Mark Stacy ([01:15:01](#)):

I believe the static water level in the upper zone is around 20 feet and I believe on the lower zone, it's around 40 feet. And if you'd like, we can certainly add those to the record.

PC Michael Warren ([01:15:15](#)):

I, I was just curious, and this does, is this one, like 254 feet deep? Is that what it says?

Mark Stacy ([01:15:20](#)):

I believe the ultimate depths on this one was around 280 or 290.

PC Michael Warren ([01:15:28](#)):

Okay. I just couldn't read the numbers.

Mark Stacy ([01:15:29](#)):

I just, yeah, I, I understand that. I apologize.

PC Gary Bedortha ([01:15:32](#)):

And you record each of the three wells you record when you first hit water, Is that correct? When you drilled the three wells?

Mark Stacy ([01:15:39](#)):

So the three wells we actually drilled on site are all 30 to 32 feet deep, they're all in the shallow aquifer.

PC Gary Bedortha ([01:15:47](#)):

So they're just, uh, 40 foot would be the farthest. You went down the three wells.

Mark Stacy ([01:15:52](#)):

Yeah, we did not go past 30 to 32 feet. We, we were specifically looking only at the upper sand gravel that we've been mining, trying to identify what is the ground water condition in that one? The reason I mentioned it, the difference between the two wells that you'll see in the next slide is that there are a lot of wells that are completed in the shallow aquifer. There are a lot of wells are completed in this deeper aquifer.

PC George Ponte ([01:16:30](#)):

And if you could keep speaking up, cuz we're trying to keep the temperature.

Mark Stacy ([01:16:35](#)):

I understand.

Ann Beier ([01:16:36](#)):

If you can use your outside voice for us.

Mark Stacy ([01:16:39](#)):

Yes ma'am. Okay. So this slide specifically addresses and identifies water wells in the local area. So again, you'll notice that Woodward is outlined in red, vanier is outlined in yellow. And if we could zoom in or zoom out a little bit, zoom out so we can see the legend. Okay. And then zoom in a little bit for the legend. You'll notice that we've differentiated between wells that are completed to depths greater than 40 feet and wells that have been completed to a depths less than 40 feet. So again, wells that are completed to a depth less than 40 feet are completed in the shallow aquifer of the terrace deposits. Wells that are completed deeper than 40 feet are completed in the deeper aquifer or something deeper than the terrace deposits and would not necessarily be affected by anything that we're considering here, we're not mining deeper than the upper, you know, that shallow aquifer zone of the terrace deposits. So when you zoom in, if you could zoom in to there a little bit, let's see if we, this works to Woodward and vanier, I believe the pink I'm trying to remember, which is, the pink symbols indicate Wells are completed in greater than 40 feet. Blue dots indicate wells that are completed to depths of 40 feet or less. Is that clear?

Mark Stacy ([01:18:22](#)):

So basically what we've noticed is that there are several properties around vanier where we have wells that are completed in both the shallow aquifer and the deeper aquifer , including just to the south of the, Southeast corner of vanier, looks like they have both a shallow well, and then a deeper well, two wells there pretty much at the intersection of vanier and Woodward have both a shallow and a deep, and then to the farther west, there's a shallow and a deep well at that property as well. So, and as far as we can tell from the, uh, water rights going to the north and Northeast of the property, if you can, Katie if you can move them out just a little bit to the north, we can see that a little bit better to the north.

Mark Stacy ([01:19:13](#)):

Let's go up. Yeah. That's that's far enough. Okay. Um, they're really, it looks like there's one deep well completed on the vanier property and there's really nothing. Uh, no other shallow wells completed to the north. Now with that said, we understand that there are two springs just north of vanier's property line. One is located, if you look at the property line, just look northwest of the, um, the, well, 915, you'll see where that there's like a green, there's a green piece that just starts coming to the west. Yes. See how the green starts coming to the west and kind of expands along the property. That is a spring it's located in that drainage. There's a second spring and it's located just below the four in section 14. There's the second drainage kind of comes down to the south a bit and it's right in there. So there are, there are those two springs that are in close proximity to the property.

Mark Stacy ([01:20:23](#)):

Um, the other thing I'll point out on this map is that the ochoco irrigation district canal, distribution canal, sorry, is located to the east of the property. Just pointing that out. That canal is located about 20 feet higher than the elevations of these two Springs. So it's in a configuration where if this canal is not lined adequately, the canal could be losing water to the shallow deposits and that could be part of what's contributing to these Springs and if you were to go out there you would find there's cattails up and down this drainage. It's, it's very obvious. There's been pretty consistent water out there. And we are well aware of that.

Mark Stacy ([01:21:09](#)):

So let's move on to the next slide, please.

PC Michael Warren ([01:21:11](#)):

Are those, are those numbers tax lots or those numbers well numbers.

Mark Stacy ([01:21:15](#)):

So these numbers on here are all, um, well permit numbers that are on file with Oregon department of water resources. So if you looked up any of these, you'd find out all the specifics on depths, depths to water, completion dates, um, you know, everything that's going on. So if we go to the next slide, what we'll see is that we prepared from information we obtained from those well permits a water table map. Next slide, There you go. So we prepared a water table map based on water level measurements that were noted on the completion reports for these wells. This is for the shallow aquifer only. Water levels between June and October.

Mark Stacy ([01:22:06](#)):

So we're trying to get, because water Wells are completed all the time, the completion reports are filed in multiple different years, multiple different times. So in order to take this data and try to make something that's representative and real, it's the best data we can have in some respects. But the best thing we can do with that is take some things that are a similar time, time of year in this case, identify what, what do we anticipate is really happening with ground water based on those depths to water and the elevations associated with the wells. And so when we did that, what we discover is that, and what you'll notice on this map is that each well that's on here has both the well permit number or on the site, the number or the label of the test pit or hole that was dug there along with its water elevation, contours, reflect water elevations, reflect the same water elevations.

Mark Stacy ([01:23:09](#)):

So you'll notice that the 2910 contour goes from the Northwest to the Southeast and snakes its way through all these wells. Well, this is very much like a topographic map. How I'm contouring is the top of the water table based on the elevation. So groundwater flows generally perpendicular to those contours. So what this means is contours are highest elevation in the Northeast, 2920, and lowest elevation at the Southwest. So hydro geologically, what that means is groundwater is generally flowing from the Northeast to the Southwest toward crooked river, which is that's just the way it appears from the way that the data presents to us.

PC Laquita Stec ([01:24:02](#)):

Could we make that a little bit bigger? And, could you repeat that please? Thank you.

Mark Stacy ([01:24:07](#)):

So ground

PC Laquita Stec ([01:24:13](#)):

Question. Okay. 2920 is the top basic elevation

Mark Stacy ([01:24:21](#)):

Right. Water elevation

PC Laquita Stec ([01:24:23](#)):

water elevations. uh, the three blue thing is there are your test pits or wells down below. And then the main elevation through the project site is 2910

Mark Stacy ([01:24:42](#)):

Correct.

PC Laquita Stec ([01:24:45](#)):

And the water flows from Northeast to Southwest,

Mark Stacy ([01:24:50](#)):

Northeast to Southwest. Yes.

PC Laquita Stec ([01:24:52](#)):

So basically For instance, that spring up there at the top of that, right where the 2920 is

PC George Ponte ([01:25:02](#)):

Mm-hmm

PC Laquita Stec ([01:25:03](#)):

The water coming into that or whatever the well is up there should be flowing back into the yellow outline place. Correct?

Mark Stacy ([01:25:18](#)):

That's an interesting question. And it's one I've been thinking about

PC Laquita Stec ([01:25:23](#)):

What?

PC George Ponte ([01:25:23](#)):

It's one I've been thinking about.

PC Michael Warren ([01:25:26](#)):

There is a drainage there that runs down to

PC Laquita Stec ([01:25:29](#)):

The drainage. Yeah. But the drainage from everything above the projected expansion.

Mark Stacy ([01:25:39](#)):

So the drainage.

PC Laquita Stec ([01:25:44](#)):

Well the

Mark Stacy ([01:25:44](#)):

Go ahead

PC Laquita Stec ([01:25:48](#)):

So basically the water on the ground and the water under the ground is basically headed in a Southwest direction.

Mark Stacy ([01:25:59](#)):

I believe the groundwater from the way that the surface topography sits, surface water would flow to the Northwest Groundwater would flow to the Southwest.

Mark Stacy ([01:26:15](#)):

So you might remember when we were out when we took our tour today, I noticed that topography changes and kind of a line between our test wells and Southeast corner of vanier toward that, it's a white roofed building to the Northeast. So there's basically a topographic divide. If you will, uh, a little farther to the Southeast, see that white roof building over to the east of the road? The topographic divide basically runs between those points. So surface water Northwest of those points would flow Northwest and surface water Southeast of those points would flow to the Southeast

Mark Stacy ([01:27:07](#)):

Surface water and groundwater are not flowing the same directions based on what this map and topographic maps are telling.

PC Gary Bedortha ([01:27:19](#)):

So this water flows to McKay Creek is what you're saying.

Mark Stacy ([01:27:23](#)):

Excuse me? I didn't hear the question

PC Gary Bedortha ([01:27:26](#)):

The surface water on that side is flowing to the McKay Creek drainage. Is that what you're saying? Is it McKay Creek that is on, uh,

Mark Stacy ([01:27:33](#)):

McKay Creek I believe is in the Southeast

PC Gary Bedortha ([01:27:36](#)):

Okay.

PC Laquita Stec ([01:27:37](#)):

What's the, is it ryegrass?

Mark Stacy ([01:27:40](#)):

Canal, right.

PC Laquita Stec ([01:27:42](#)):

Ryegrass canal.

PC Gary Bedortha ([01:27:43](#)):

That'd be more north, I think

Mark Stacy ([01:27:45](#)):

I think it's actually on this map, if you go north I think we could see it on there.

PC Gary Bedortha ([01:27:52](#)):

It's okay. I just was trying to get a picture in my mind.

Mark Stacy ([01:27:54](#)):

Yeah. So there, you can see how the drainage contributes to ryegrass canal.

PC Laquita Stec ([01:27:59](#)):

Okay. There, I see it. Yeah. Yeah.

Mark Stacy ([01:28:09](#)):

Are there any further questions on that slide? Next slide please. Can you zoom out a little bit. So, Uh, with all this information we did put in the three test wells. We put in ww1a, ww2a and ww3a. on that Southeast, uh, along the margin between vanier and Woodward

Mark Stacy ([01:28:44](#)):

And discovered we had water in all three Wells around 20 to 22 feet deep. And we did aquifer testing on those wells. The wells made two to three gallons a minute when we were doing the testing, doesn't sound like a, of water, two, three gallons a minute, that's not necessarily a lot of water, but we also discovered when we were doing the testing is that our water levels during, after the test, recovered within 15 to 20 minutes of turning off the pump. What that means to me is that the permeability is higher than you think based on how much water you're pumping. Now we're testing four inch diameter Wells. We're not testing 20 inch diameter wells we're testing, slim wells, just trying to identify what do we actually have for hydrologic parameters. And so what we discovered from those tests is that we have permeabilities that range from about 200 to 900 gallons per day, per square foot, which is pretty typical of a saturated clean sand. So we didn't find anything in here that was surprising in terms of our permeabilities for this type of material. And it gave us the information we needed to start looking at how much water we might have coming in based on those permeabilities in the saturated condition. any questions on that slide?

PC Michael Warren ([01:30:07](#)):

And you were doing that so you could determine when they're, when they're mining it, what's coming in. What could, what could potentially come in?

Mark Stacy ([01:30:15](#)):

Yes. So, when knife river went and did a series of test pits last November, they found in one of those test bits that they had an inflow about a hundred gallons a minute. So it was those test pits they did before we actually did our testing that informed us, let's go out there and actually do some permeability tests to see, you know, what things might look like. Let's actually get some, let's get some quantifiable numbers, let's get some quantifiable measurements of permeability. So we can actually make some estimates about what inflows might look like. So it, it's one thing to look at a, a trench and see the water inflow coming. We can all look at that, but in order to actually make these estimates on how much water might be coming in under a mining condition. You have to quantify that permeability to do that. And there are equations that you can use then to make those estimates, which is what we did. Next slide, please?

PC Laquita Stec ([01:31:18](#)):

Can I ask a question about that? Um, you said in November you did test pits, which are different from your test Wells.

Mark Stacy ([01:31:25](#)):

That's correct.

PC Laquita Stec ([01:31:26](#)):

Okay. And your test pits are putting out a hundred gallons per minute.

Mark Stacy ([01:31:30](#)):

So one,

PC Laquita Stec ([01:31:31](#)):

They're filling up a hundred gallons per minute?

Mark Stacy ([01:31:33](#)):

One of three, one of the three test pits that was dug by knife river.

PC Laquita Stec ([01:31:37](#)):

One of three. Okay.

Mark Stacy ([01:31:39](#)):

They encountered about a hundred GPM flow in the test pit.

PC Laquita Stec ([01:31:43](#)):

So in your Wells, you had water at 20 to 22 feet deep.

Mark Stacy ([01:31:52](#)):

Mm-hmm

PC Laquita Stec ([01:31:52](#)):

Two to three gallons per minute with a recovery time of 15 to 20 minutes.

Mark Stacy ([01:31:56](#)):

Mm-hmm.

PC Laquita Stec ([01:31:56](#)):

Okay. I got it.

Mark Stacy ([01:31:58](#)):

Can you back up one side please? Katie? So given the concerns we have given the springs, we have to the north, given the wells, the shallow Wells that you observed to the south of vanier, we have put together, um, some recommendations for, knife river to put in a series of recharge trenches along with a

series of monitoring or observation wells. So the purpose of the recharge trench, and I'll just talk first about, if you could zoom into vanier a little bit, Katie that'll help us see what we're proposing in there. So the recharge trenches are shown is the yellow lines around areas one, two, and three to the Southwest and to the north, well, to the west and the south and to the Northwest. We've also proposed that we put one in north of areas, 10 and 11.

Mark Stacy ([01:33:10](#)):

I'm only using those for purposes of reference and also, uh, potentially depending on how things look between areas five and 13, 14 and six, um, in that area too, we would then also put in some observation wells, these are conceptual locations, they're certainly up for discussion. Um, but the purpose of the recharge trenches is as follows. If we find water as we did in the test pits, so we find hundred gallons a minute, we find 300 gallons a minute. If we find 500 gallons, a minute, whatever water, we find our intent is not to pull the water out and take it out of usability. Our intent is to take that water, put it back into a recharge trench in close proximity in the confines of the mine boundary. So we're taking out 500, but we're putting 500 gallons a minute back. We're taking a hundred gallons a minute out. We're putting a hundred gallons per minute back. We're not planning to use the water for purposes of any aggregate production. We're just pulling the water out for purposes of allowing mining to continue with the intent that we would just put it back. So there's no use, it's pull it out, put it back. So these recharge trenches allow us to accomplish that.

PC Gary Bedortha ([01:34:35](#)):

So if you're mining and you're resourcing the water back into the ground, and it's a stratus of clay with sand and gravel on top of it, are you putting it in on top of the clay, or you're gonna go below the clay?

Mark Stacy ([01:34:49](#)):

The next slide actually addresses. It shows a cross section of how we

PC Gary Bedortha ([01:34:55](#)):

Was doing. So isn't it different water? I mean, I, I don't care particularly, but I mean, are you not charging? Which system are you recharging then? The one below the clay or the one you're taking it out of from on that clay to sand.

Mark Stacy ([01:35:12](#)):

Yeah.

PC Gary Bedortha ([01:35:13](#)):

Does that make sense? A little bit.

Mark Stacy ([01:35:14](#)):

We'd be taking it out of the sink. So if we're pulling, we're mining that upper sand and gravel, that upper 30 feet, we're putting it back in that same sand and gravel zone. We're not putting it in the deep aquifer

PC Gary Bedortha ([01:35:24](#)):

oh, I misunderstood you. I thought you were going deeper.

Mark Stacy ([01:35:27](#)):

No, no.

PC Gary Bedortha ([01:35:27](#)):

So how do you keep that water from just flowing right back to your project? To sand and gravel?

Mark Stacy ([01:35:33](#)):

We don't necessarily, if we don't it's okay. If it does, we'll just pump it out. We'll put it back in. We'll just we'll deal with it. I mean, in order for us to mine forward, but also to protect the interest of area water users, that's what we're willing to do.

Mark Stacy ([01:35:50](#)):

And so the purposes of the, the observation wells that are going here, it gives us an opportunity to test our effectiveness. So if let's just say, for example, we're mining area two, okay. And we find 500 gallons a minute. We need to get rid of this water so we can mine, but we don't want to get, we're not gonna waste it. We're gonna put it in the recharge trench. Our observation wells in area five and seven, give us an opportunity to look at our water levels in the, aquifer to see our water over static, static. Are they rising? You know, what are our water quality conditions look like? Um, you know, is our turbidity looking good. Are we causing any potential issues on our property before we even look at anybody else outside? What are we doing to ourselves that might have an impact from anybody around us? We wanna make sure that we are covering that question and answering that question. So we have that information. We have the ability to get that right on site.

PC Laquita Stec ([01:36:50](#)):

Um, , I sort of have another question about that. In looking at my picture versus yours, it looks like the recharge trenches are kind of pink. Is that right?

Mark Stacy ([01:37:03](#)):

Pink or yellow?

PC Laquita Stec ([01:37:05](#)):

Well, we have something yellow there that says vanier boundary.

PC Michael Warren ([01:37:12](#)):

I think the pink You're looking at is the area boundaries differentiation of the cells

PC Laquita Stec ([01:37:15](#)):

the recharge trench and then there's a, what does that look like to you?

PC George Ponte ([01:37:21](#)):

Well, pink is the area boundaries.

PC Laquita Stec ([01:37:25](#)):

Okay.

Mark Stacy ([01:37:25](#)):

So there's mine cell boundaries there's recharge trenches.

PC Laquita Stec ([01:37:31](#)):

Okay. So, so one of the other things you, you discussed let's do example area two. You said there's kind of a little continental divide right there between

Mark Stacy ([01:37:45](#)):

topographic divide.

PC Laquita Stec ([01:37:46](#)):

Yeah. Um, so you have one observation well above that area and another below.

PC George Ponte ([01:38:02](#)):

So is your question, why?

PC Laquita Stec ([01:38:05](#)):

well, what my question was is I can't see the map and your picture is much better than mine. So there's basically going to be an L shaped Recharge. So, okay. You're gonna pump the water out into a recharge trench

PC Laquita Stec ([01:38:35](#)):

and it will go back into the ground Where you're not going to be digging.

Mark Stacy ([01:38:48](#)):

Correct.

PC Laquita Stec ([01:38:48](#)):

It will flow down back to where it's supposed to be.

Mark Stacy ([01:38:53](#)):

Yeah. The point, the point is to pull the water out from where we're trying to mine put it in another area of the permit within the permit area, but put that water back into the ground. So it's there for others downstream of us, you grading of us to use

PC Gary Bedortha ([01:39:10](#)):

And if exceeds capacity of the ditch.

PC Laquita Stec ([01:39:13](#)):

Yeah. That's kind of where I was headed with my question. Sorry.

PC Michael Warren ([01:39:17](#)):

I think that's what he was saying. It's just to you just keep pumping, right?

PC Gary Bedortha ([01:39:19](#)):

Well, um, Unless you exceed the capacity of your recharge ditch,

Mark Stacy ([01:39:28](#)):

Then we would need to address the recharge trench in order to make sure that we are actually able to continue doing what we're.

PC Gary Bedortha ([01:39:39](#)):

Sorry. We, I didn't mean to be stepping on

PC Laquita Stec ([01:39:40](#)):

No, no, that's sort of where I was going. Uh, I remember reading in here somewhere. You're looking to go 35 feet deep.

Mark Stacy ([01:39:49](#)):

Yes ma'am

PC Laquita Stec ([01:39:50](#)):

And the water's 20 to 22 feet deep

Mark Stacy ([01:39:54](#)):

Mm-hmm

PC Laquita Stec ([01:39:57](#)):

So you're gonna have to have pretty deep trenches aren't you?

Mark Stacy ([01:40:02](#)):

Um, that's a great question. I'd like to move to the next slide so we can better address that question.

Mark Stacy ([01:40:10](#)):

So the first map showed you roughly where we're thinking of putting them and I will emphasize the fact that those wells. The observation well locations are conceptual. We can certainly discuss, you know, where else might be better locations. As I said, conceptual, the recharge trench itself would be designed roughly as, as indicated on the picture on screen at the moment. So the plan would be to construct the trench, roughly 20 feet wide. We would basically dig that trench down, take out the top soil. So strip off the topsoil set that aside, save it, dig through the overburden, do what we do with overburden and then put a gravel filled trench down into the sand and gravel in the unsaturated portion of the sand gravel, such that we put the water in and just allow that water to migrate down to the sand gravel, and then down into the shallow aquifer. That's our proposed approach.

Mark Stacy ([01:41:14](#)):

So what you see here is, you know, we've got about four feet topsoil slash over burden, gravel and sand. Um, and then we're just putting that water right back down in the same place that we're pulling sand gravel from, but we're doing it as I showed previously, we're doing it away from the cell we're mining. So

we want take the water from where we don't want it, put it back into the aquifer where we do need it so that everybody downstream can use it. And that satisfies the need to get the gravel and satisfies downstream water rights users, people who need the water. With regard to quality, you know, we're mining sand and gravel, we are anticipating and expecting that our sand and gravel will act as a slow sand filter and effectively filter out whatever turbidity, you know, may in the water. Any questions on that?

PC Laquita Stec ([01:42:14](#)):

Yeah. So you're gonna have four feet of sand on top of 10 feet of gravel to filter the water through. Is that, am I misunderstanding that,

Mark Stacy ([01:42:25](#)):

Um, sand or gravel?

PC Laquita Stec ([01:42:27](#)):

Whatever's what are these little specky things?

Mark Stacy ([01:42:30](#)):

Yeah, that would be a sand.

PC Laquita Stec ([01:42:32](#)):

Okay. And this is gravel and is it gonna be river run rock that you're pulling out of your holes?

Mark Stacy ([01:42:37](#)):

I would anticipate that we'd put in some kind of gravel or pit run, or something that would allow us to, the point is as I believe Mr. Bedortha brought up the plan is to pull this material from the surface, set that aside so that we make sure we have permeable material connecting the permeable sand and gravel below. So we make sure that we actually have that water going down, going through it.

PC Laquita Stec ([01:43:01](#)):

Going through it, Yeah. Right. Okay.

Mark Stacy ([01:43:06](#)):

So the point is just make it, make it permeable to make the connection.

PC Gary Bedortha ([01:43:10](#)):

Can I ask a question on your question?

PC Michael Warren ([01:43:13](#)):

Sure.

PC Gary Bedortha ([01:43:15](#)):

Is this an acceptable practice to DOGAMI, which is the state mining? Is it, is it used elsewhere? Is it a common practice?

Mark Stacy ([01:43:22](#)):

Yes. It is a common practice.

PC Gary Bedortha ([01:43:24](#)):

Does the water resource department, state water resource department, did they have a, any say or did they, because they monitor groundwater, obviously, the state, I mean, for anybody with a well around their, um, is it, does state water resource, did they step in and discuss any of these with you or is it permitted to them?

Mark Stacy ([01:43:49](#)):

Well, this would be in our application to DOGAMI and so everything would have to be vetted through DOGAMI. If DOGAMI wants to go contact the water resource department and bring them in to consult with them on this.

PC Gary Bedortha ([01:44:02](#)):

And, and, and, and we're getting out of our, uh,

PC Gary Bedortha ([01:44:08](#)):

Portion of discussion to a certain degree. I mean, we don't, you know, whatever DOGAMI, if we approve, DOGAMI's really the deciding agency for the mining of things. I'm just trying to get clear in my mind is the water that, that you're pulling out an acceptable practice and who all maybe has a say in it too.

Mark Stacy ([01:44:30](#)):

Yeah, and that's a great question. DOGAMI has approved this in other context, um, specifically for very similar reasons and similar concerns. Uh, we've done this, in several different mines in Oregon and it's been a very good way of allowing the mining that needs to happen to, such that the water rights that are equally as important are not impacted.

PC Michael Warren ([01:45:06](#)):

Any other questions.

Mark Stacy ([01:45:11](#)):

Okay. Katie, can you move the next slide please? So wrapping up, with our findings and recommendations, given those questions we had coming into it, these are our findings and recommendations coming out of our project. These are all documented in our report, which is part of the applications that you have in front of you. Just to summarize, mining will remove water only from the uppermost aquifer and again, our proposed mine plan knife river will be able to mitigate any operational impacts to groundwater that will not impact neighboring water rights. That is our commitment.

Mark Stacy ([01:45:54](#)):

Testing of these wells indicates the shallow aquifer has pretty high permeability and you can see the numbers. Potential groundwater flows to vanier may range up to 290 gallons a minute, and diminish to the west. As I mentioned earlier, Woodward clearly observed as they mined it, no groundwater flow to

the west, but as they moved to the east, they started getting more. We're anticipating as we move to the east end of vanier and around venier, that the amount of water that we find in different mine blocks will vary as the saturated thickness varies and as, aquifer permeability varies. So we are anticipating that we may get, you know, several hundred, 300, 400, 500 gallons a minute in a cell, but that would not necessarily be every cell. And they've already experienced a fair amount of variability at the east edge of Woodward.

Mark Stacy ([01:46:50](#)):

So to minimize potential impacts to local water resources and water rights knife river will establish recharge trenches and observation wells so that we can make sure that all water removed the mine cells will be replaced in the recharge trench and that water quality impacts are mitigated. Knife river will backfill mine cells immediately following mining. Overburden will be backfilled followed separately by stockpiled top soil. And the characteristics that are found in the soil are such that there are no agronomic limitations. We are expecting that they be able to put this land back to for agricultural production. So are there any questions

PC Laquita Stec ([01:47:33](#)):

Can I just ask one more question about the reclamation part of it, if, you may not be the right person to ask, um, after you have removed the sand and gravel, and then you get ready to backfill the sites, um, you're going to use the, put the backfill junk you don't want dirt back in it and then put the top soil on top. So what happens to the water that's still coming up when you back fill it? Is it going to be soggy for the time you put the top soil on before you, because of the water still inflowing after you do the backfill, is it gonna be a swamp farmland?

Mark Stacy ([01:48:29](#)):

That's a good question.

Chris Doan ([01:48:40](#)):

I can jump in. Chris Doan, with knife river. So when we back fill, we take the aggregate out, we back fill with the overburden and cap it with the top soil. Okay, so there's no, there's no permeability between the clay that we placed the, the soil back on the top of, so this, the, the water that was in the aquifer prior is, is actually gonna go around the area that we back fill. It'll go around the perimeter of the area that we had back filled.

PC Laquita Stec ([01:49:22](#)):

Now, when you, when you use the term overburden, that's basically the dirt you dug out of the hole to get to the gravel that you made berms out of, right?

Chris Doan ([01:49:40](#)):

Correct.

PC George Ponte ([01:49:40](#)):

So the berms are gonna come down and go back in the hole?

Chris Doan ([01:49:40](#)):

Yes.

PC George Ponte ([01:49:40](#)):

And then the top soil go back on top of that.

PC Gary Bedortha ([01:49:41](#)):

That is the top soil

Chris Doan ([01:49:43](#)):

We have top soil and overburden in berms and so we, we keep track of where it is.

PC Gary Bedortha ([01:49:48](#)):

Gotcha.

Chris Doan ([01:49:49](#)):

The overburden goes back in first, the top 18 inches is your topsoil

PC George Ponte ([01:49:55](#)):

So there's no, the water groundwater, I mean, here, cuz the Woodward site can go 20 feet. You're looking to go 35 feet, but the water table is around the 20, 22 feet. Correct. So that 15 extra feet you're saying that the water can't get through that overburden and saturate the overburden below the top soil.

Chris Doan ([01:50:19](#)):

Yeah. I don't know what the permeability of the overburden is. I'm sure that it's going to be, there's just gonna be some better. Let the water guy talk here, but, I would think he could better answer that

Mark Stacy ([01:50:26](#)):

So I would anticipate we're gonna have some water. The water's obviously gonna keep moving into that area. So when we were out today, you saw the area that they had reclaimed or had mostly reclaimed on the Northeast corner of Woodward, we drove right by that area. Um, and they basically said, my recollection is we had about another foot to go before it was up to where we wanted it to be, I think. Correct?

Chris Doan ([01:51:02](#)):

Yes.

Mark Stacy ([01:51:02](#)):

Okay. So you probably noticed that. I mean there was no water on the surface at that point there. So clearly from what we've seen so far in terms of reclamation in that area where we saw most of the water, which you notice on that first slide, that water has not come back up to that level. It does not appear to causing a problem.

Mark Stacy ([01:51:22](#)):

Part of what knife river did in this area is, um, specifically the area that they've been mining right now, they actually mined in such a fashion, they mined from east to west and backfilled along that Eastern edge with the thought of trying to mitigate or minimize the amount of water that was coming in from that Eastern edge, from upgradient into the area. And then they've been working from east to west with the intent of trying to make sure that that water goes around using, using the materials we have, the native materials, the less permeable materials to encourage that water, to go around us and not cause problems as we continue to mine in that area. So the thought to answer the question more specifically with regard to where that water level might come back to, we're anticipating it would be somewhere around the four to five foot below ground surface, from final grade

PC Gary Bedortha ([01:52:29](#)):

Anticipating? Okay. So, alright. I think,

Ann Beier ([01:52:37](#)):

But is that part of what your observation Wells are supposed to be looking at?

Mark Stacy ([01:52:41](#)):

We will use the observation wells to identify what our groundwater look like as we are doing this mining. Um, I'd have to defer to knife river in terms of how the, how the mining goes and the observation wells are left or you know, how they would work through that as the mine through it. But yes, there would be some, there needs to be some way to continue to, you know, verify that things are functioning the way they should.

PC Gary Bedortha ([01:53:19](#)):

So I'm sorry. I know I've got lots of questions, but water seems to be a pretty major issue on this project

Mark Stacy ([01:53:26](#)):

Sure.

PC Gary Bedortha ([01:53:28](#)):

In your findings and recommendations, I don't think we really know and I'm assuming you've talked with the neighbors and, and it's, uh, your first one on the findings, it will be able to mitigate any operational impact to ground water, that would impact the neighbor's water rights. So in condition 18, I believe it is, is where you folks addressed this. And that's um, let me see if I can find and maybe, Ann, am I getting too far ahead to ask this question?

Ann Beier ([01:54:05](#)):

Um, I think while we have somebody who can help answer questions and I would just thank the audience for being patient on this, but a number of you raised questions about water quality, water quantity, and our planning commission has to be able to understand this. So thank you for your patience in letting us go through this, um, presentation, because as you can see, it raised as many questions as we've had before. And, and so I think asking that question now is, is fair.

PC Gary Bedortha ([01:54:42](#)):

And I apologize in advance for all the questions folks on this, but I, so on, on 18, uh, potential to influence by mining activities on a vanier property. Um, so you've come up with a map that might have a potential influence on people's wells. Is that correct? And I think that was one of your first slides you were talking about the shallow wells and the deeper wells, the clay Stratus, you know, that water sits on top of that. That's what the shallow wells use deeper. Is that, is that correct?

Mark Stacy ([01:55:17](#)):

I think generally that's correct. Yes. Our intent was to, I'll just clarify, just to identify what who's in the shallow aquifer, where are those wells and who might be impacted

PC Gary Bedortha ([01:55:27](#)):

And I'm assuming that's what the impact is, would be on the shallow wells is the assumption

Mark Stacy ([01:55:35](#)):

That's correct. Yeah. We are not concerned about the deep wells. Anybody's got a well over

PC Gary Bedortha ([01:55:42](#)):

Other than, and I'll just say it on, on a deep, well, there may be people that have drilled wells years ago that went deeper. They may not have cased more than 20 feet. So they're relying on that first 20 feet of water and with the assumption that they're probably getting water from deeper, I just hate to see a condition. Oh, we're only gonna look at the 40 foot Wells. I mean, to me, there's a potential for impact on more than that, not knowing, uh, if the well is cased or where they're, where their pump is set even in the well, so that's, that's my concern is there, Is that something that can be mitigated?

Mark Stacy ([01:56:28](#)):

Um, I'm going to defer to Matt on that one

PC Susan Hermreck ([01:56:35](#)):

Well, before you defer to Matt. So you go back, you've mined it, you've got your, your trenches and you put your overburden, you put your top soil and you're saying your permeability is affected and so your water flow is gonna kind of go around that cell. Okay. You've got a series of cells there. So are you moving your water flow that goes through here now you're moving your water cells clear over there. And what effect is that gonna have? Because you basically are stating they're not gonna permeate through, it's gonna go around it.

Mark Stacy ([01:57:05](#)):

We're anticipating that the water will continue going around it. So,

PC Susan Hermreck ([01:57:10](#)):

But it's gonna change your water flow chart that you had up here, significantly

Mark Stacy ([01:57:15](#)):

There is the potential, there is the potential that water flow, you know, pathways will change because yes, we are encouraging that groundwater to go around. So, um, we are not putting barriers between

the wells where the groundwater flow might be affected. So if you look at the wells, the shallow Wells along the south margin of vanier, we're not affecting anything south of the road. So there's still, the water can still flow to the south and move around in that direction. We're not anticipating anything necessarily changing in terms of availability of water to those wells based on the mining

PC Susan Hermreck ([01:58:00](#)):

Okay. I don't know how you can say that when you state on one hand, the cell is gonna change. You know, it's gonna change and it's gonna go around it. And these cells are contiguous across there. Seems to me that you have a pretty major change in water flow.

Mark Stacy ([01:58:21](#)):

I won't deny that there could be a change in water flow.

PC Michael Warren ([01:58:24](#)):

Okay, and that's all I need, that's all I want to hear. I just think that there could be there is that possibility

PC Michael Warren ([01:58:34](#)):

Any other questions for Mark? Did you have anything else to add anything?

Mark Stacy ([01:58:42](#)):

No, sir.

PC Michael Warren ([01:58:42](#)):

Okay. Thank you for your patience.

Ann Beier ([01:58:42](#)):

That was helpful. The tables were overwhelming.

PC Michael Warren ([01:58:42](#)):

Chris, did you, was there anybody else you wanted to

Amber Hudspeth ([01:59:22](#)):

Hi, I'm Amber Hudspeth. How's my volume?

Amber Hudspeth ([01:59:29](#)):

Hi my name's Amber Hudspeth. My address is 7485 Southwest Joshua court Powell Butte, 97753. My firm is hudspeth land and water. I'm an environmental consultant and scientist. I've worked in the field for 24 years. I've worked in research and consulting and my primary areas of service is a Pacific Northwest and the Pacific Rim. I've been retained by knife river to, sample the designated private water Wells that are going to be that were addressed by the Wenck report and to also sample the adjacent monitoring wells, the ones on the Woodward property. Um, I'm not sure yet if we're gonna do all three of them as close as they are in proximity, I would say that wouldn't be necessary professionally. So we'll be working on doing water quality testing on those adjacent designated Wells and water quality testing,

meaning looking at the physical characteristics of the water, as well as the chemical makeup of it. So some of those , So the EPA addresses drinking water standards nationally. So we have for all of the contaminants of concern, we have available data and there are standards set forth for drinking water for what that should be.

Amber Hudspeth (02:01:08):

So as part of the analysis for verifying water quality of the adjacent properties initially, and then also the onsite wells, as was said, you know, keeping track of the onsite water and making sure that it's meeting quality, is as important as making sure that the adjacent wells are meeting standards as well. So there'll be a number of parameters and I printed out some of the test methods. I don't think anybody wants me to read all 300 compounds that are potentially available to be tested, but, um, there's things like halogenated hydrocarbons, acetates, ether sulfides. Um, we'll be testing for there's some PE pesticides that come up in those screenings, petroleum products, and then there's the physical characteristics of the water as well. Like the temperature, the water level, the turbidity, the actual physical characteristics of the water. So, um, a combination of those things would be identified and specified for all of those wells and tested for verification of the water quality.

Ann Beier (02:02:29):

And if I might, I think the intent was to get a baseline of water quality in existing wells, so that, um, if people have questions a year from now five years from now, there's some baseline data. Um, some of these wells may be adjacent to nearby industrial areas. So some of the chemicals you've referred to may be they're at a very low level, but they may be there.

Amber Hudspeth (02:03:01):

Yeah, thank you, Ann. And so yes, that, so the data is to be baseline data and that way, should anyone have, you know, a future complaint or concern about their water quality, then we would have, um, an extensive, analyte suite or, or number of tests and parameters that were evaluated to look at that. So we'd be able to say, you know, at this time it was this and yes or no, it's, it's better or worse than it was at the initial sampling time.

PC Laquita Stec (02:03:30):

Um, you say you're do quality testing of adjacent wells. Are you talking about adjacent property owner wells?

Amber Hudspeth (02:03:41):

Yes.

PC Laquita Stec (02:03:42):

Okay. Can you give us an idea of where

Amber Hudspeth (02:03:45):

Well, as part of the adjacent wells that were identified by Wenck

PC Laquita Stec (02:03:55):

Ok, well, can you

Amber Hudspeth ([02:03:58](#)):

Yeah. And I'm sorry, I didn't have this screen. I just came back to vacation last night, so I haven't seen the slideshow till today

PC Laquita Stec ([02:04:06](#)):

So, surrounding property owners.

PC Gary Bedortha ([02:04:09](#)):

So can I add to your question might clarify it, how far out are you going and how many wells are you testing? Do you have you need permission from the people that have Wells I'm assuming, is that correct

Amber Hudspeth ([02:04:20](#)):

Oh, absolutely. Absolutely. That would, that would be coordinated with each of those landowner. They would have to agree to access to, to their, to their water system.

PC George Ponte ([02:04:35](#)):

Is this something that anybody who has a concern, whether it's a deep well or shallow well, can contact you guys and be on the list to be tested prior and I mean, I don't

Amber Hudspeth ([02:04:48](#)):

That's a Matt question

Matt Ropp ([02:04:49](#)):

This is Matt, knife river. Again, that was kind of an ambush for Amber because we've been working with Wenck on identifying those wells that have the potential to be influenced and we, that's a condition that we see in the staff report . We are currently talking with landowners right now and trying to identify which wells those will be. So, our hydrogeologist would identify the wells that have the potential to be influenced and, you know, if we wanted to discuss that, I think that Marc Stacy from Wenck would probably be able to address this. So I just didn't want to leave you hanging up here, Amber. She wasn't prepared for that

PC Michael Warren ([02:05:31](#)):

Matt, before you go, or Amber, whichever one. Um, is this something that you guys would, if, if you talk to the property owners, you know, you're talking about getting a baseline, is this something you just do annually as you're progressing? Would it, is there any type of schedule or you would just do it based on, Hey, we think our water might be bad. I mean,

Matt Ropp ([02:05:51](#)):

So, that's a good question. So our objective right now is to, again, um, first evaluate the groundwater conditions, try to determine where we may influence, by our activities, which wells could be influenced by our activities. Um, and then identify those wells, communicate with landowners, which we are already starting to do or have been doing and request permission to enter their property and collect baseline data so that we know what the initial condition of their, of their water is. We would share that data with the landowner and we would share that data with the county so that there is a record

available of basically existing conditions. We would continue to monitor our wells on site by placing a data logger in that well, to watch static levels and also, continuing to do, I would estimate quarterly tests on that well to determine if anything's changing on our property before it, you know, so we can catch as quickly as possible. Um, we wouldn't, intend to regularly monitor those, neighbors wells into the future. Uh, but we would have that communication and they would have that baseline data. And if a neighbor were to come forward and say, Hey, something's not right. Then we have existing data or we have baseline data for their well, we have baseline data and regular data for our wells, and we can then investigate the stop and try to get to the, to the source of it.

PC Michael Warren ([02:07:27](#)):

So, so with your wells that are there, those would be quarterly. You said you think,

Matt Ropp ([02:07:32](#)):

Uh, it would, it would be a program that we would have to work out with Amber. I mean, whatever she would suggest,

PC Michael Warren ([02:07:38](#)):

But it would, I mean, it wouldn't be a one time deal. So that way, if you guys saw something

Matt Ropp ([02:07:43](#)):

That's right. So we're going to monitor on site so that hopefully if there is any change, we can catch it and, and share, continue to share that data so if there's a change with our water conditions, we can then reach out to adjacent landowners. And that might be an example of when we might go ahead and ask, can we test, we're seeing something that doesn't quite make sense. Um, can we test and just make sure you guys are okay. Okay. So does that answer your question?

PC Gary Bedortha ([02:08:11](#)):

Okay. So what's your solution at the end of the day with landowner?

Matt Ropp ([02:08:18](#)):

In the case of, of an impact?

PC Gary Bedortha ([02:08:20](#)):

Your impact yes. And who determines the impact? So, I mean, some,

Matt Ropp ([02:08:26](#)):

Not me. A qualified professional. So I would say that's a really good question and that's, that's the question I think most people are gonna ask. And what I would say is, you know, it would be an agreement between our operations, our company, and the landowner as to, you know, what's wrong, whose fault is it, who fixes it. And there's a lot of scenarios where there there's a lot of things that you need to determine in order to decide what to do, but to answer your question, what we're doing is we're providing them baseline data and access to our data so that if I don't work here anymore, if everything changes around and they suspect something's changed, and it's a real impact that we caused, they can say all the evidence is right here. Um, and come to us and say, this is what we want you to do, to fix it.

PC Gary Bedortha ([02:09:19](#)):

So from my part, I understand what you're saying, but, a solution is still being evaded somewhat here. And, and I guess they're gonna want, I don't think it's for us to determine it other than we need to condition. If there is a solution, if there becomes a problem and it, how do I want to put this? Uh, there has to be a resolvable solution for the land owners around and it, it, it needs to be conditioned. So, like I said, we don't need to maybe know the details, but we do need to know that there's resolution for the impacted neighborhood. And, and I, and I'm gonna go a little farther as far as conditioning. Are you interested in from your geologist's report to go out so far from the distance of the property, some way to determine because we're pretty vague at this time as to who's really affected possibly and who may not be affected. I mean, I'm not asking to go a long ways, but I think there is a concern with the neighbors out there that they may be affected by and, and I still myself personally, and I'm only one of seven or eight of us that have an issue with, I hate to be the guy that says 40 feet. And if you go below that, you're outta luck so there maybe needs to be some sort of a buy in on the condition that you deal with.

Matt Ropp ([02:10:52](#)):

So, there's a couple parts to this conversation. One is, you're absolutely right, the Commission needs to have us respond directly to that question. What happens if you guys cause impacts to a neighbor's as well? And I'm not trying to evade the answer to that. What I'm trying to say is to start with, the conditions that the county may impose have to tie to a approval criterion or standard, and they have to be based on substantial evidence. So, where we're at today is we're saying we hired the best available expert to give us that substantial evidence and that guidance and their determination was, I think, commissioner Hermreck, I think you were probably the most interested in getting a concrete answer when Mr. Stacy was up here regarding where the water's going to go and you know, would there be a change?

Matt Ropp ([02:12:00](#)):

And when, when he said, yeah, there could be a change, your response was okay, that's all I need here. Right? Well, that's not the end of the conversation. A change doesn't necessarily mean a negative or an adverse impact. And so what I'm saying is we're doing our best to provide substantial evidence to the record, with a finding that our experts indicate there will be no substantial adverse impact. Further we are installing monitoring wells to do both static level testing and quality testing on site. And we're offering to share that data with the county and with the neighbors. We're also offering, with their permission, to collect that same data from their well so that they have a baseline data. Um, so on one hand we don't believe there is going to be an impact based on our expert's advice and substantial evidence. But if there is an impact, we're providing evidence to our neighbors so that if they make a claim, they're not starting from some kind of unsubstantiated claim. And it then becomes a legal question, not as in, you know, it has to be litigated, but it becomes a legal question. Do they have actual evidence that we're the cause of it? And so that's just a conversation that has to happen. So I can't give you an exact answer, but I want to give all the background with our intent to be responsible and be willing to remedy any adverse impacts we cause.

PC Susan Hermreck ([02:13:37](#)):

There's a little bit of concern of what Gary say in the fact you're a big guy, you're a publicly owned company and these are little people,

Matt Ropp ([02:13:45](#)):

Right?

PC Susan Hermreck ([02:13:45](#)):

Like, which is not, I'm not saying that in a bad way. And that is the problem is if they do have a claim, they end up in the legal machine and you can outrun 'em

Matt Ropp ([02:13:57](#)):

Right.

PC Michael Warren ([02:13:58](#)):

And so there, there is need to be, I agree with Gary, there needs to be a little bit more of a solution because they don't have a hundred thousand dollars to go up in a legal battle against you that you maybe easily can get out of a coffer. So there is a little bit, I understand what you're saying. And, but there is a little bit of ambiguity there.

Matt Ropp ([02:14:21](#)):

I understand. And you know, it does go both ways though. We're not, we're not just a, a fly by night gippo outfit. So, if some of our activities, if we can make a correlation based on this evidence, which we are being completely transparent about providing to the government and also to our neighbors and they come forward and they say, I have evidence, um, because we are a big public trade company. I think that we're probably a better operator than working with, because we're gonna care about the optics and being able to continue to do business in the community. So, I mean, now we're getting into more kind of anecdotal, but I wanted to respond.

PC Susan Hermreck ([02:15:02](#)):

There is, there is a, I say a point to Gary's Point

PC Gary Bedortha ([02:15:06](#)):

Absolute solution, a quick solution to the problem

Matt Ropp ([02:15:09](#)):

And just to, just to make sure that I'm doing as good a job as I can to respond to your question. Um, as I said, at the beginning of my presentation, this is a really good question. I'm just not prepared to give you the silver bullet answer right now, but I will respond to that question in writing on rebuttal.

PC Gary Bedortha ([02:15:30](#)):

So that question, basically that at the end of the day, are you willing to condition it

Matt Ropp ([02:15:34](#)):

Right?

PC Gary Bedortha ([02:15:35](#)):

Are you willing to put this in condition if the project was to pass. I'm sorry. I did too back. I'm sorry. Um, are you willing to condition this? So in other words, when, at the end of the day, if we say, yeah, this is the fined project, these are the list of conditions. So are, are you willing to say number 18 deals with the water Wells? Are you willing to condition some sort of a remedy to this problem for the neighborhood

Matt Ropp (02:16:03):

Today, I'm prepared to commit to the data collection and the transparency, all the things that I just described, I can commit to that. Yes, we would absolutely accept a condition that says you will monitor the Wells. You will share the data and you will, you know, be transparent with that. With respect to what happens if somebody has a valid claim and substantial evidence to back that up. And our, you know, leadership says, now we should, we should take care of that. I don't know how to write a condition in a permit that would be able to capture that kind of nuance because there's just so many uncertainties.

PC Gary Bedortha (02:16:40):

And, and we may not have the legal standings anyway.

Matt Ropp (02:16:43):

I don't think so, but you, but it is a livability question and it is a substantial impact and that's why I'm trying to be as transparent as I can.

PC Gary Bedortha (02:16:50):

It brings us to the conclusion of the impact,

Matt Ropp (02:16:54):

Right? Absolutely.

PC Linda Manning (02:16:56):

I've got just one question , just curiosity, were there any impacts to wells on the Woodward site?

Matt Ropp (02:17:03):

Not that we know of, No.

PC Michael Warren (02:17:11):

Any other questions, or Amber, were you done?

Amber Hudspeth (02:17:14):

Not quite. Well, and I think this kind of feeds back into Gary's question a little bit of that's, you know, part of the reason, um, for the, for the suite of tests and the number of tests and the number of parameters within each of those tests that will be analyzed is, you know, we're, we're talking about parts per million and per, per billion, right? I mean, this is not like, hey, my wells kind of stinky or, you know, for us blonde girls that my hair got kind of orange, cuz the sulfur kicked up or something. I mean, this is literally a matter of, you know, a drip in a 55 gallon drum and a drip in a swimming pool, parts per million parts per billion. So this, there is going to be a high level of accuracy of the data and, and very

solid data, to start with for that evaluation. So there's not going to be a lot of room for, you know, well that just happened or you know, some kind of decision like that. If there's going to be changes, they're going to be very noticeable.

Amber Hudspeth ([02:18:26](#)):

And then one last thing, Gary, the concept that you mentioned about the well and the casing that is outside of the water resources department policy for well construction, so any well constructed, like that would be a liability to the well driller and those aquifers should not be

PC Gary Bedortha ([02:18:45](#)):

the landowner.

Amber Hudspeth ([02:18:48](#)):

I don't have a drill rig. Do you have a drill rig?

PC Gary Bedortha ([02:18:50](#)):

No, but I mean, at the end of the day, it's the landowner's well that's on the property the property.

PC Gary Bedortha ([02:18:55](#)):

Yeah. It's on the property owner

Amber Hudspeth ([02:18:56](#)):

Yeah, absolutely. Absolutely.

PC Gary Bedortha ([02:18:58](#)):

It's my concern and maybe I shouldn't bring it up

Amber Hudspeth ([02:19:00](#)):

No, no. I mean, I think, I think that's, you know, there's, there's a lot of things that are physically possible, however, within the rules of appropriate construction of a water well, that would not that scenario that you mentioned is, is not appropriate and would not, a licensed well driller would not have done that

PC Gary Bedortha ([02:19:19](#)):

50 years ago it might of

Amber Hudspeth ([02:19:22](#)):

Very possible, fully with you

PC Gary Bedortha ([02:19:25](#)):

But point well taken.

PC Linda Manning ([02:19:28](#)):

Yeah, yeah.

PC Laquita Stec (02:19:29):

Question. Okay. You're gonna be monitoring the quality of the water in the surrounding Wells and the ones on the property. Um, will you also monitor the, like the static level of the Wells that you're testing to see if their level drops?

Amber Hudspeth (02:19:46):

Yes. So that will be one of the physical parameters so some things are done by taking the sample and getting the data and then those physical qualities of the water are evaluated at the site. Temperature, depth to water.

PC Laquita Stec (02:20:07):

Okay. But

PC Gary Bedortha (02:20:08):

And quantity,

PC Laquita Stec (02:20:09):

Yeah. Quantity that's important.

Amber Hudspeth (02:20:11):

Well, the depth to water being the quantity

PC Gary Bedortha (02:20:13):

But quantity of the, well, so it pumps 10 gallons a minute. What's the well log say. So that's the issue a little bit here. I think on my part is, is the quantity of water.

Amber Hudspeth (02:20:27):

Well, but this, I was speaking to the quality

PC Gary Bedortha (02:20:30):

I know but I, my interest is really the quantity. I mean, same as what Laquita said, I'll leave it at that.

Amber Hudspeth (02:20:38):

Sure. Well, and just real quick, I mean, one of the examples that I often use because as they mentioned you know, this is a common system to, for this to happen and a lot of the wells that are, excuse me, a lot of the sites that I mining sites that I work with in the valley that are closer to a river, you know, so they're talking about putting 20 plus feet of gravel, you know, into this trench. Well, those, you know, we're hitting the water table at six or eight feet there. So we're using much shallower trenches, a lot less rock, a lot less filtration of the system. So there is, a greater chance by depth to have a water quality effect, you know, with a shallower water table and we don't see those problems traditionally in those systems. So this is something that, that it wouldn't just be used in this situation. That's used commonly within the mining industry.

PC Laquita Stec ([02:21:33](#)):

General question. Has there been any evidence down here in the, in the valley and the floodplain of well levels, becoming lower due to climate change and drought that you're aware of?

Amber Hudspeth ([02:21:58](#)):

Well, I know that the municipal wells got put up on the hill, but I think that's kind of a different discussion because be thinking of the valley floor and potentially where you're thinking of, you know, we're within the municipal service of, of the city of Prineville and so the number of wells that's utilized is, is much, much less for this area

PC Laquita Stec ([02:22:20](#)):

Basically this property is pretty much in the old flood plain, right?

Amber Hudspeth ([02:22:24](#)):

Correct.

Amber Hudspeth ([02:22:24](#)):

Yeah, so back to why we had all that contamination with the gas stations and stuff when those were all replaced.

PC Michael Warren ([02:22:37](#)):

Any other questions for Amber? George?

PC George Ponte ([02:22:41](#)):

I have a question, but I'm not sure who I can ask it of. So five, 10 years down the road, mining operations have wrapped up. Knife river has moved on, the landowners are back and a problem is discover then. Um, what you know, on a neighboring, landowner, I mean, what's the likelihood of that happening in terms of how fast hydrologic problems show up. Um, but again, what happens when knife river has moved on and somebody has a problem.

Mark Stacy ([02:23:35](#)):

Mark Stacy again, I'll try to answer that question

PC Laquita Stec ([02:23:37](#)):

Louder please.

Mark Stacy ([02:23:38](#)):

Yes. Ma'am

Mark Stacy ([02:23:41](#)):

What happens five years After they leave.

Mark Stacy ([02:23:46](#)):

So, we all need to keep in mind the fact that this will be permitted through DOGMAMI. DOGAMI has to sign off completely on this before they release the bond. Before they walk away, the state has to be fully satisfied that such issues like that would not happen before they'll let knife river go, that's they're job. That's the state doing its job?

Mark Stacy ([02:24:09](#)):

Does that totally eliminate the possibility? I don't know that it necessarily does, I mean, that's a what if, but I don't think it's in DOGAMI's interest as state regulators of the mining industry to allow such things to happen.

PC Laquita Stec ([02:24:32](#)):

Question, you talk so softly I still don't know your last name. I call you hydro Mark.

Mark Stacy ([02:24:41](#)):

Sorry. I'm hearing my mother-in-law speak here. My mom telling me to speak up and enunciate right now. it's Stacy.

PC ([02:24:45](#)):

<inaudible>

PC Michael Warren ([02:25:22](#)):

What we were just talking about, because we are running long on this and I think everybody's been patient, um, a lot of information's been coming through. I I'd like to make sure we get through the applicant and, um, I, I don't know how much more you guys got.

Matt Ropp ([02:25:37](#)):

Commissioner Warren, I was just going to say, we do have our environmental director here who would be able to answer any questions about DEQ air permits or DOGAMI permitting or storm water permitting. Those things typically relatively straightforward, as far as the permitting side but we would be happy to conclude at this point and let some other folks testify. I feel like between the evidence in the record and our opportunity to respond to whatever questions we hear either next time or in writing during an open record period, would be sufficient for us to be able to make our case. So I want to go ahead and give people a chance to talk.

PC Michael Warren ([02:26:19](#)):

Okay. And I, I don't, you know, obviously all these things that you guys are talking about, you guys have read the stuff that's been submitted too, so you you're trying to address that, which is great. I mean, that's, that seems to be, I don't know if we had a lot of concerns on the environmental part of it. there could be. So I, I, if you guys, if you, but I don't want to cut you guys short from explaining your process. So, I mean, if, if there's more that you would like to tell us, that's great

Matt Ropp ([02:26:49](#)):

There are some, there's some items that I could cover, uh, to be proactive and it's definitely our burden to prove, but I'm almost certain that those issues are gonna be better articulated by the folks that would

want to participate. So I think it would probably be more effective for me to respond to all those questions on rebuttal.

PC Michael Warren ([02:27:10](#)):

Okay.

Matt Ropp ([02:27:11](#)):

Unless your permission has any more questions.

PC Michael Warren ([02:27:13](#)):

Does anybody have any more questions for Matt? Okay. You have question

Ann Beier ([02:27:21](#)):

And you're all clear on what we do versus what department of geology and department of environmental quality do. I think we've been through that on other applications, but make sure you're comfortable with that because some things we can do, some things we can't. So just, just so you're comfortable.

PC Michael Warren ([02:27:46](#)):

Okay.

PC George Ponte ([02:27:46](#)):

I do have a question. I don't know exactly who it should be. I wanted to clarify some, cause we talked earlier about, you know, these parcels being about the same size as the Woodward parcel. Well, they only mined 20 feet in Woodward parcel. If you're wanting to go 35 feet. So that's like, what three quarters again more, so six years in the Woodward site, you're probably looking at at least 10 at the current, um, demand. And it could go possibly 15 if demand diminishes, Is that what, or more?

Matt Ropp ([02:28:23](#)):

So it, that makes sense, but it's not apples to apples. The reason that we need to go deeper on the Vanier side is that our overburden is thicker but the gravels are not, and so we have a consistent basically layer of gravels we just have more overburden. And, and when we're talking about 35 feet deep, we're not talking about a difference in 35 feet relative to sea level, we're talking about a difference relative to ground level. Does that make sense? Can I make a point real quickly that kind of follows on Ann's point? Um, much of the discussion today was groundwater, cuz I think it's a very important issue. I just wanted to point out that the purpose of today's, um, you know, presentation on groundwater was intended to be informative. Uh, but it's not the commission's, uh, the commission doesn't have a final responsibility in either accepting that or rejecting that, um, after this local land use process, assuming that we're allowed to continue to move forward, we will have to submit all this information to that DOGAMI and they do have a staff hydrogeologist that will evaluate this proposal and our evidence.

Matt Ropp ([02:29:46](#)):

And that will condition our mining permit on the, basically the plan put forth by our hydrogeologist. So there will be review and there will be conditions in our mining permit. I just wanna make that clear. And,

and during that process, there will be agency circulation and the county will have an opportunity to comment and will ultimately need to sign what's called a land use compatibility statement, acknowledging that that what DOGAMI is approving is in fact consistent with what the county approved.

PC Michael Warren ([02:30:25](#)):

Okay.

PC Laquita Stec ([02:30:27](#)):

I just wanna thank you for that. It was very informative, but one of the things that we need to consider for a comp plan amendment is the ESEE requirements, which are economic, social, environmental, and energy. So I think hearing these things about the water and the quality and so on is very helpful.

Matt Ropp ([02:30:47](#)):

Absolutely.

PC Michael Warren ([02:30:48](#)):

Thank you.

Matt Ropp ([02:30:50](#)):

Great questions.

PC Michael Warren ([02:30:51](#)):

Any other questions from Matt? Okay.

Matt Ropp ([02:30:56](#)):

Okay. I'll save time for rebuttal.

PC Michael Warren ([02:30:59](#)):

What do you guys think? My thought is to run it till seven. I would like some of the people to be able to, we may not get through everybody, but we might get through these lists of, and then at seven we'll just call it and we'll do our continuation on the 25th.

PC George Ponte ([02:31:26](#)):

Seven sounds good to me, but I'd be willing to go longer to allow a few more people, um, to speak. And I that's just me. The rest of you may feel different.

PC Michael Warren ([02:31:40](#)):

Well let's see where we're at by seven. I think generally we haven't gone over three hours. It is a lot of information, but I would like to get through the, and I'm sure there's gonna be more people too. But, um, so what we'll do is we have the applicant speak. Is there anybody here that wants to, wait we did have one

Ann Beier ([02:32:30](#)):

So you need to pretend you're at karaoke. Louder is better. And if you don't wanna speak tonight, you will get another chance if they continue this, which they probably will. So tonight's kind of listening night for all of us to get, get our mind around this project and we'll get through as many people as we can tonight and then know that you'll have another opportunity.

PC Michael Warren ([02:33:09](#)):

So, um, we had one from Billie Johnson who was just neutral. So I'll have you come out, just state your,

Billie Johnson ([02:33:19](#)):

Because I know you'd pick me first

PC Michael Warren ([02:33:22](#)):

State your name in the record.

Billie Johnson ([02:33:26](#)):

Then I don't have to sit here all night. I got things to do people to see places to go. Billie Johnson, Windy acres, dairy farm. My biggest concern is I'm a dairy farm. I'm already established business and I think it's going to impact many things at my farm. I don't know how to measure it. I don't know how to, ask my cows what they're gonna tell me. But, uh, first of all, my well is one of those 30 foot wells. Uh, I don't have time to wait for somebody to drill a well or uh, figure out what's wrong. It's that day I need my water. Um, so that is my biggest concern. Uh, and foremost, because I'm not gonna have, um, time for somebody to decide how they're gonna litigate or how they're going to figure out what's next. Because every day I need water. Uh, I need water for my cheese plant.

Billie Johnson ([02:34:28](#)):

I need water for the cows. I need water for the milking system. I've been in operation since 2004. Uh, we started building the dairy in 2003. Um, I've survived. I've gone from a grade A dairy to a herd share dairy to a, uh, raw milk cheese plant. And I have real concerns because I've seen what it's doing down to my neighbors. It's driving them crazy, first of all, but it's not that I'm against it cuz I know we're gonna have it bottom line. I know we're gonna have it, but I wanna be covered. I wanna be covered ahead of time. I wanna know. Are they gonna build a well for me or are they going to, what are they gonna offer to comp not to compensate, but to make sure that I'm not without water. Um, they're going down the depth of my wealth.

Billie Johnson ([02:35:32](#)):

Um, and I'm right across the road. I'm, I'm the, Southeast corner of the property. So I'm gonna be affected somehow and I'm not sure how, um, maybe I won't, you know, but uh, there's not one of my, um, water troughs that would do more than two or three cows at a time. Uh, so if I I'm without water, what do I do? Um, if it affects my cheese, what do I do? And when you affect the cows, it's a domino effect. Uh, we fed a pumpkins last fall and we saw a domino effect. Um, so they're the ones that's gonna tell us. What's affecting them. The grasslands, if they're covered in dust, well, it's gonna affect the cows four stomachs as you know. Um, so that's my biggest concern and I know it's coming in, I've been prepared. It is inevitable, but let's figure out how to take care of the people that are already in business.

Billie Johnson ([02:36:44](#)):

And you know, that's my piece and, and I think knife rivers, you know, they're fine people. Um, they're trying hard. Um, that's not the point. The point is, is what is etched in stone are they gonna do, um, ahead of time, not when the problem happens, but ahead of time, um, I need something. I need something in writing. I'm one of those people that you talk about that doesn't have the money to go to court, I'm gonna be doing good to get enough hay in the barn to cover the cows for this year, with the costs going up the way they are. So you know, um, but I've pretty much done it myself. So there you go with lots of volunteers.

PC Michael Warren ([02:37:33](#)):

Thank you. I have one here from Alex or Mona, but it didn't say if they're for or against or neutral. So if you're are you, what are you neutral? Neutral. Okay. Come on.

Ann Beier ([02:37:53](#)):

You learned from Billie didn't you? This is brilliant.

Mona Pomraning ([02:37:56](#)):

So I'm a professional management consultant. I do it for a living. I grew up on a farm. I bought the old Grimes.

PC Michael Warren ([02:38:05](#)):

Your name and address, please

Mona Pomraning ([02:38:06](#)):

Mona Palmraning 4540 Grimes road. I have the old Grimes farm, the historic farm. I've lived there for 15 years. I grew up on a farm in FFA when I was a kid. This is my life. I am a remote worker. Part of being a remote worker is creativity. I look out my window to work. What I see now is a mine. I am not an adjacent farmer, so I won't be covered by any of the provisions we previously talked about. My well is approximately 20. I have four Wells, some shallow, some deep because I have a farm that's been running since 19 hundreds. One of my Wells is 20 feet towards Brian's house. I'm on the north side, so I'm not covered. I have deep Wells. They don't care about deep Wells. So I'm a bit concerned on that.

Mona Pomraning ([02:39:02](#)):

So let me go through, um, I also said that it's Mona and Alex. So I'm gonna give a little bit about some of Alex's positions as well. So Alex, um, moved to the valley when he was in high school. So he's a crook county high school student. We then moved to Houston, as I said, I'm a management consultant. My customers are almost all fortune 50 resource companies. That's what you get when you work in Houston. So part of this is in the I though, the I is Alex, the me is me. So I've considered Prineville valley my home for 15 years, I've been away getting a degree in environmental science and biology and I'll finish next fall. When education is completed, I plan to move to the family farm. We bought this farm for Alex to run. Um, in the meantime I have been traveling back and forth and keeping tabs on the volcanic colleges that I considered my home. As often as I can, as someone who is trained in environmental science and biology, the state that this mining issues is going to have, well, I'm not gonna say what he says. Um, it's going to be negative. Let's just say that, um, the mining committees and what are the other concerns that I've heard that I think we need to talk about? It's a bit of a white elephant. So right now with the Woodard things, there are some things happening that are outside of the agreements. The

planning commission doesn't have jurisdiction to do anything about it. The state doesn't have pledge to do anything about it. Why can't, why are we gonna put something in which nobody can enforce? One of the things I do when I do an impact assessment or I make policy rules is it's not a policy if it's not enforceable. And so we're agreeing to an extend some policies that's currently not in quote unquote, the letter of the compliance agreements. Um, let me go on with this. There's really every show, um, of the runoff. It's not so much the water guys. It's more in the dust and it's more on the microbes that are going through as previously pointed out that gravel side acts as really good filter system. That's not the point. The point is what kind of microbes and stuff is coming through that and hitting our groundwater.

Mona Pomraning ([02:41:20](#)):

Now what's that going to do to us? Now? My farm is 42 acres, 50% of it. I've got Brian farming for me. So it's in alfalfa. The other fifty percent is sitting idle because we have a drought in, um, ochoco district. I can say ochoco, I know how to spell, er say it. Um, so that that's a real issue. Um, the main thing here is on infiltration. And again, sorry if I'm not, you know, a hydrologist, but when it comes to infiltration, we should be knowing that anything in the mine that has potential to become mobile and seep through the ground, flowing with the ground surface water and well the clays, are gonna act with the imperma varia barriers to the aquifer, they can greatly slow the flow of, of, um, information downward that doesn't stop the surface water. So if any of those microbes, those things we can't see without the microscope will contaminate is gonna contaminate into our ground water.

Mona Pomraning ([02:42:14](#)):

Particularly those poor people, the south keep in mind, I'm the north, which is good and bad because I don't have an adjacent, I've got one small farm between me. So they don't count. I don't count cause I'm not an adjacent landowner. Um, the other thing that really is like, what are we gonna do about the mines I walked around and talked to my community members. We have one member that is going to be sitting on an adjacent thing who has grandchildren. We have a 30 feet deep, well going there now, right now we were told my understanding that we would have a North berm. We've never had one again, a policy, but no one can enforce it or will enforce it. So what are we gonna do about that? And what have we're gonna do about that other family with the grandchildren's who have to be so close to that well? Or sorry with the, the mine, without any berming at all on the north side, um, the real issue is dusting blowing. What's it gonna everything they said about the dairy dairy thing. You know, we second right now we're doing organic gardening, which we're trying to do. It's really hard to make money farming guys. We're trying to figure out how do you do, um, farm market? We've done it like four years in a row. We've got another big, huge half acre good garden again, to try one more time. I don't know if they'll make money at it, but if Alex takes this over, after he gets this environmental degree, we have to make sure that that the land, which now is considered some of the best farming land in pretty much anywhere is gonna be as the same quality as it is today. And I don't necessarily understand how that's gonna happen when we have mines right next door to us.

Mona Pomraning ([02:43:54](#)):

Um, the other thing is really on the zoning. I mean, it went in and turned in a mixed loan with the industrial, with some farmland. Now it's going into farmland and it's gonna continue to go into farmland now in terms of the rolling, in terms of we're filling this land up, I don't actually see that when I drive by, it just looks like there's piles everywhere. It's pretty messy. And as I say, when I look out my window, it's ugly to look at. Um, and then the last part about this is those at home during the day, have to see and hear it. Um, it becomes an unviable part of the background noise, the ambient noise. And we're

wouldn't let's see again, my son, uh, when I was young, we came here to the valley. This is our home, the mine owners and operators can leave at the end of the day.

Mona Pomraning ([02:44:39](#)):

And they do intend to leave at the end of the day. But the local farming community, the horse lovers simply have to deal with the sight and on occasion, the sounds of it, it is something that we get to deal with every day, every day, we are reminded that no one wishes to listen to our complaints at this time, again with the first one, six years ago, I'm very close to the mine. I see it from my window at my house. I was not close enough for anyone to notify me. So it went on without me knowing it would happen. I was not notified about this, had my neighbor, Brian not said, oh, by the way, they're building, they're expanding the mine. So that's all record wise I have to say. Thank you.

Ann Beier ([02:45:19](#)):

Would you like to submit your testimony?

Mona Pomraning ([02:45:22](#)):

We've already submitted portions of it.

Ann Beier ([02:45:24](#)):

Got it. Okay. Thank you.

Mona Pomraning ([02:45:27](#)):

My Husband submitted one and my son submitted one. And then I'm talking for both.

Ann Beier ([02:45:31](#)):

Thank you so much.

PC Michael Warren ([02:45:33](#)):

Thank you

PC Michael Warren ([02:45:34](#)):

Questions?

PC Michael Warren ([02:45:37](#)):

I dont think so. I would like, those are the only ones I had that were neutral. Um, I would like to get

Staff Katie MacDonald ([02:45:44](#)):

There's no one on the call except for Jennifer and I. Now they, the others have dropped off

PC Michael Warren ([02:45:48](#)):

The one. Was she Fleming? The one that was on the call?

Staff Katie MacDonald ([02:45:52](#)):

Yeah. They've

PC Michael Warren ([02:45:53](#)):

Um, you wrote this right?

Staff Katie MacDonald ([02:45:54](#)):

I did.

PC Michael Warren ([02:45:55](#)):

Okay.

Staff Katie MacDonald ([02:45:56](#)):

They dropped off. Okay.

PC Michael Warren ([02:45:57](#)):

Well we'll, just'll hang on to it.

Billie Johnson ([02:45:59](#)):

Mrs. Flemming will be back. Her husband had surgery today or yesterday and she's having issues today. So she'll be probably at another meeting but hank you.

PC Michael Warren ([02:46:14](#)):

So, we'll just

Ann Beier ([02:46:15](#)):

We'll make sure she gets notice.

PC Michael Warren ([02:46:18](#)):

And like I said, if we're, we're just gonna go ahead and stop at seven. So we'll try to get through these, um, Adam and Karen, I'm probably gonna not say this right. Mikulski

Ann Beier ([02:46:37](#)):

And I think we have their slides

PC Gary Bedortha ([02:46:43](#)):

Do you know what, uh, exhibit

Adam Mikulski ([02:46:49](#)):

Can I move mine to the next time? Cause it's gonna take me longer in 10 minutes maybe. And I do have some questions

PC Michael Warren ([02:46:53](#)):

If you'd like to I'll just, yeah. We'll keep these and you can. Yeah, absolutely.

Adam Mikulski ([02:46:58](#)):

I have questions from what the, what they've talked about, the water and all that. So I want bring those forward to knife river and maybe come back and address those. So can I move it?

Staff Katie MacDonald ([02:47:06](#)):

Um, yep. And, and your exhibit is, um,

PC Laquita Stec ([02:47:10](#)):

seven.

PC Michael Warren ([02:47:11](#)):

Nice. Yeah, it looks just like that.

Adam Mikulski ([02:47:13](#)):

Seven,

PC Michael Warren ([02:47:14](#)):

exhibit seven. This is yours?

Adam Mikulski ([02:47:19](#)):

Yes, and all that

PC Laquita Stec ([02:47:21](#)):

A, B, C, D E.

PC Michael Warren ([02:47:22](#)):

Yeah. Yeah. Just like we did with the, the gal that was on the call. I'm just gonna save them and you're. Okay. Cause we're gonna pick up when we come back, we're gonna pick up right where we left off. Okay. Not like start all over.

Adam Mikulski ([02:47:36](#)):

Great. Thank you.

PC Michael Warren ([02:47:38](#)):

Okay.

PC George Ponte ([02:47:41](#)):

So I, I just heard this gentleman say he had questions for knife river. I think it needs to be made clear that he's not gonna be able to ask them directly of knife river, you can ask them of the commission

PC Michael Warren ([02:47:52](#)):

Yeah. But knife river would be able to respond

PC Gary Bedortha ([02:47:59](#)):

And, and he can talk to it's it's us to can't visit with anybody outside the public hearing. And if, if anyone in this room chooses to visit outside of the

PC Gary Bedortha ([02:48:10](#)):

They're, they're good. Is that right? I mean, that's really the only ones that are really bound by

PC Michael Warren ([02:48:15](#)):

And they could, he could also submit his questions as part of the Record.

Ann Beier ([02:48:22](#)):

Okay, perfect. And then we will share them, we'll post any new information on our website or give us a call. Um, and then if there are questions for staff, those can come in through some additional testimony as well. Thank you. Thanks.

PC Michael Warren ([02:48:44](#)):

Okay. Uh, Brian Zednick, and then just state your name and address for the record.

Brian Zednik ([02:48:55](#)):

My name's Brian Zednick. I live at 6222 Northwest Puckett road. I'm an adjacent farmer, uh, to both the current mine, uh, for the last six years. I was not notified of the initial mine and the Woodward property. Uh, so I didn't didn't really get the voice and opinion. I didn't, I was notified on this. So since we're right in the middle of harvest right now, I haven't had time to do a lot of research and actually I didn't even read the proposal until, until last night to try to prepare a little bit, I have visited with knife river they've um, they've answered most of my questions. I've pretty much just have comments and, uh some more questions for today. Maybe that you guys can take record of and, and that we can get some clarifi, you know, clarification on, uh, later I would, I'd like a little expansion, from them as far as the, the information on the manufactured product that they were talking about.

Brian Zednik ([02:50:04](#)):

Um, just kind of a small example. Um, you know, I restore, um, vintage four wheel drive pickups. They don't make a lot of the parts anymore OEM, you know, so we have to settle for, um, you know, aftermarket parts. I think that we're getting to a, uh, to a point with the populace in this area that, um, maybe we do need to look at some alternative sources. The comment was made from knife river that, um, they would prefer not to use those alternative sources for, uh, you know, a concrete mix. I'd like to know what those were and maybe, you know, it's an inconvenience for the end user. Um, but it would be less of an effect on them than, than maybe the community, where we're mining. Um, I've lived on my property since, uh, 2004. Um, at that time, uh, when I purchased it, it was all farm ground.

Brian Zednik ([02:51:04](#)):

My land value was based, uh, and my quality of life, um, was based on the surrounding area at that time. Uh, for the last six years, I've, I've lived next to a gravel pit, uh, with no dust mediation, um, noise pollution, um, and potential water pollution. We don't know, uh, my Well's 230 feet deep, so supposedly there's no issue, but I'm a thousand feet away. And, uh, that, uh, lower water table runs right my direction. So, you know, possibly, um, you know, there, there is gonna be an issue with that.

Um, in passing this, we're setting a precedence, you know, for the rest of the valley. I know that there's, um, other landowners that are possibly waiting for this to pass, and they're gonna be the next ones to hold up their hand. So we're gonna have Facebook on the hill and then we're gonna have mining in the valley.

Brian Zednik ([02:52:03](#)):

And this town, uh, was built on agriculture. Um, we don't have a lot of ag here anymore. Excuse me. Um, we're in a drought. Um, the Pineville valley is one of the only valleys of productive farm ground in this area that actually has water and the ability to grow crops, Madras you know, 52% or so of their ground is dried up. And they know that it will be next year, uh, because their, their water's a year out from them. Uh, Powell Butte's got shallow ground, they got lots of water. They don't have any depth. Um, we're not only hay growers and, uh, cattle operators, but we're high value seed, crop growers as well. And, uh, uh, the mad address, uh, ag is moving towards Pineville because of climate change. Uh, we have longer growing seasons, but also we have the water. Um, you know, this area is the largest carrot seed producing area in the world.

Brian Zednik ([02:53:07](#)):

Uh, so, you know, it's, it's important that we have good, uh, good quality ground and water. This piece next door, the Woodward property is very sloped and, you know, probably wouldn't be conducive for, uh, high value seed crops. The vanier property is very flat, uh, which by the way, uh, one of the questions that I have for knife river is at the end of this mining, they told us that this ground level's gonna be eight feet shallower. So when you're talking at 20 foot water table, and then you take eight feet off of that, you know, they were telling us already that, you know, the water's gonna be, you know, four feet or so below the ground. I mean, I got three feet of ground clearance under my tractors. So, you know, you hit, uh, you, you know, you, you, you hit some, hit some wet ground where you're plowing ground 12 inches deep in a, uh, you know, in a four foot water table or, or, or so, and, you know, I, I, I guess what I want to know is, is, uh, changing the soil profile, um, and adjusting that water table and the flow.

Brian Zednik ([02:54:20](#)):

What is that gonna do for the farm ability of the ground? And if it's not farmable, um, what's gonna grow on there, cheat grass foxtail, uh, that's gonna be adjacent to my property, uh, in addition lowering my property as well, even when the pit is gone. Um, you know, so those are some of the concerns that, uh, that I have. So I guess that's, that's probably about it on the list that I made today.

PC Michael Warren ([02:54:49](#)):

So, where are you at in reference to.

Brian Zednik ([02:54:55](#)):

my home property is, um, uh, due north of the existing Woodward pit. Um, so there's the pit and then, uh,

PC Michael Warren ([02:55:05](#)):

So you're on Puckett as it comes down

Brian Zednik ([02:55:06](#)):

So my driveway's on Puckett as it comes down. Um, I rent, uh, property, uh, to the east of me, uh, from the Davis's and that farm ground is just across the fence from the proposed new pit. Um, when we have the strong, the prevailing winds blow out of the Northwest. So most of the time, um, you know, the dust in that is not an issue for me personally, but on our, our strong wind days and our storms it's, um, you know, out of the Southwest and that blows right into my cellars right into the hay sheds and right onto, uh, the high value crops. And that is the section of land that there is, uh, no proposal for, um, a berm on that north end. So, um, I would like to see a berm on that north side, just, you know, mainly for the strong, for the strong winds, but I mean, first and foremost, I'd prefer not to have a rock pit in the area at all. So go on record as saying that. So, um, okay. But with that being said, that's all I've got. So thank you.

PC Michael Warren ([02:56:19](#)):

Thank you. Okay. We we'll do one. We'll do one more. Monica Davis,

Monique Davis ([02:56:35](#)):

You know, I sent a, submitted a written, um, comment. So if anybody here has not

PC Michael Warren ([02:56:41](#)):

Okay. If you don't wanna speak tonight, I'll hang on to this. And if you do want to later let

Monique Davis ([02:56:47](#)):

Let somebody speak that maybe didn't

PC Michael Warren ([02:56:49](#)):

Okay, well then I got one more and.

PC Michael Warren ([02:56:54](#)):

We read 'em, but the names we don't put all together. Tim Stafford, and again, just state your name and address for the record.

Tim Stafford ([02:57:12](#)):

I'm Tim Stafford. Uh, my address is 7269 Northwest Vista View road, and that property is not adjacent to, uh, the proposed pit, but, um, close to it that I feel a lot of the ramifications of the, the one on Woodward. Uh, and I just wanted to comment on a few things that, knife river said in their testimonial today. Um, I'm not sure what they criteria used as to communicate and, and well water, uh, with all the people, but know no one from, uh, knife river has ever contacted me or, uh, talked to me about anything, about their proposal. I moved to the, the, uh, property in 2015. Uh, we do hay in horses on a small scale. Uh, and since that time, um, this is not a scientific thing, but our groundwater, we had it tested not by any fund from, uh, knife river, but from a private source. And we had to put in a, a \$7,000 filtration system because of mud, uh, nitrates and iron now was that because of the Woodward pit? I don't know, but I just thought I would bring that up. I'm very concerned about that, where we are. Um,

Tim Stafford ([02:58:45](#)):

I think when they were talking about the reclamation, there, wasn't a lot of detail. There wasn't a lot of when, what, who was responsible, uh, who was going to enforce those things. Uh, for example, the vegetation on the berms the dust control, which we have to suffer through that if the wind is coming from the Southwest every day that I get up and look out, and it's usually windy our way, I there's a huge cloud of dust coming off of the Woodward property. And to add more dust, if you will, uh, to an adjacent property that they would open, uh, I think it just adds to the problem. For the recharge trenches that they were talking about. Again, it was very ambiguous. It was not, uh, the, uh, what they would do, who enforce it, you know, what's going to happen. If a problem occurs, what will they do? Just a lot of, uh, of generalization. And, and I find that, uh, very concerning. Um, And then I just one question, this, this is a for us out there, this is a big deal. And why isn't I, my question to either the planning commission or knife rivers, where are the state people in this? You know, the it's, it's, it's, it's a designated farm use land, and they're gonna turn it into a gravel pit. And it just, that is a huge deal for us. And that's all I had.

PC Michael Warren ([03:00:30](#)):

Thank you. Thank you, Tim.

PC Michael Warren ([03:00:34](#)):

And there, I'm sure there's more of you that may want to speak next, go around. I think this worked out okay. Since we got through my little sheets, um, I do want to really say, I appreciate everybody being here and, and, and being professional. I mean, a lot of times when we have this many people, there's a lot of back talk in the back and it, it makes it very tough for the applicant or people, uh, speaking. So everybody just, I, I can't tell you how much I appreciate that. So at this point, we'll, I, I guess I won't,

Staff Katie MacDonald ([03:01:06](#)):

One thing, Mike, Laquita just pointed out that, um, exhibit 10 is also from Stafford

PC Michael Warren ([03:01:15](#)):

Yeah, I recognize the name. Okay. Okay. Recognize the name. I just to put 'em together with all t.

PC Michael Warren ([03:01:19](#)):

So at this point, you guys, I mean, this is kind of a different one. I just close the public hearing portion of it. No,

PC Michael Warren ([03:01:35](#)):

do a continuance at time specific and we need a motion to do that. Okay, Laquita

PC Laquita Stec ([03:01:43](#)):

Mr. Chairman, I'd like to make a motion we continue this hearing until August 25th, at four o'clock. And we'll pick it up right where we left off.

PC Susan Hermreck ([03:02:01](#)):

I second Laquita's motion.

PC Michael Warren ([03:02:03](#)):

Okay. Okay. We have a motion in a second. Any discussion? Okay. So I'll call for the vote, Linda.

PC Linda Manning ([03:02:13](#)):

Sounds good to me,

PC Michael Warren ([03:02:17](#)):

George.

PC George Ponte ([03:02:18](#)):

Aye.

PC Michael Warren ([03:02:18](#)):

Susan.

PC Susan Hermreck ([03:02:19](#)):

Aye.

PC Michael Warren ([03:02:20](#)):

Gary.

PC Gary Bedortha ([03:02:21](#)):

Aye.

PC Michael Warren ([03:02:21](#)):

Laquita.

PC Laquita Stec ([03:02:22](#)):

Aye.

PC Michael Warren ([03:02:22](#)):

Bob.

PC Bob Lundquist ([03:02:23](#)):

Aye.

PC Michael Warren ([03:02:24](#)):

And Lawrence isn't voting. Is that correct? Okay. And Mike's an Aye. So motion passes. So we we'll continue right where we left off August 25th at 4:00 PM.

Ann Beier ([03:02:35](#)):

But, but, but, but, but I made some notes on kind of deadlines because they're always deadlines. So we wanna make sure we have everything available to the planning commission by the week before, if, if humanly possible and you get that, some people don't get notice or have life events, but if you can get

everything to us by August 18th, that would be lovely. Then we can get things to the, the planning commission. If you get them to me beforehand, I can revise my staff report, which would be lovely. Um, but I may not need to do that. It's probably better at this point to get your input by August 18th so we can get it to the planning commission. Um, and as commissioner Warren said, or chair Warren said, thank you so much for your patience. We just, these issues are so complex. We want to hear from all of you, um, get your comments into us. If there are questions you have, let us know. So we can do our homework before the next hearing. So thank you. And the 18th,

PC Gary Bedortha ([03:03:56](#)):

I'd like, add that. We don't want you to think though, if you can't get it in by the right 18, we're still open.

PC Michael Warren ([03:04:04](#)):

Yes. Yes we are. Okay. Is there anything else we need to discuss? Nothing else was on the agenda, correct. Okay. Then I would entertain a motion to

PC Gary Bedortha ([03:04:21](#)):

Does Staff have anything besides

PC Michael Warren ([03:04:22](#)):

Did you guys have anything? Okay. I'd entertain a motion to

PC Gary Bedortha ([03:04:31](#)):

I'd make motion. We close the meeting.

PC Michael Warren ([03:04:34](#)):

No, I thought that

PC Gary Bedortha ([03:04:39](#)):

No, she, she

PC Michael Warren ([03:04:40](#)):

It's a continuation. We didn't actually close the meeting

PC Gary Bedortha ([03:04:43](#)):

So I make a motion to close the meeting.

PC Michael Warren ([03:04:46](#)):

Okay. So we have a motion in second, close the meeting

PC Laquita Stec ([03:04:51](#)):

Close the meeting or adjourn,

PC Michael Warren ([03:04:51](#)):

adjourn, to adjourn. Thank you. Adjourn. All in favor. Say aye.

PC ([03:04:56](#)):

Aye.