



**Hannah Elliott**

**From:** Adam & Shauna Schmidlin <asw.schmidlin@gmail.com>  
**Sent:** Thursday, July 11, 2024 8:51 AM  
**To:** Plan  
**Subject:** Written Testimony for 7/24 Public Hearing  
**Attachments:** Greenbar Mining Letter - Google Docs.pdf

**RECEIVED**

**JUL 11 2024**

**Crook County  
Community Development**

Hello,  
Please see my attached document for consideration at the 7/24 Public Hearing.

Please let me know if you have any questions or concerns prior to the hearing.

Thank you!  
Adam & Shauna Schmidlin

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Adam & Shauna Schmidlin  
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July 10, 2024

Crook County Planning Commission  
300 NE 3rd Street  
Prineville, OR 97754

Subject: Request for Denial of Land Use Application for Mining Purposes

Dear Members of the Planning Commission,

I am writing to express my deep concern regarding the proposed land use application for mining purposes on Tax Lot No. 16116120000500. As a resident of this community and someone deeply invested in preserving our natural environment, I urge you to deny this application for the following reasons:

1. **Environmental Impact:** Mining operations have significant environmental consequences, including habitat destruction, air and water pollution, and disruption of natural ecosystems. We have serious concerns regarding the proposed land use application for mining, specifically related to its potential impact on groundwater resources and wells in our community. As a resident and property owner in this area, I urge you to deny this application for the following reasons:
  - A. **Groundwater Contamination:** Mining operations, particularly those involving extraction and processing of minerals, have a high risk of contaminating groundwater sources. Chemicals used in mining processes can leach into the ground, potentially reaching aquifers that serve as the primary water source for nearby wells.
  - B. **Water Quantity:** Mining activities often require substantial amounts of water for processing and dust suppression. This increased demand can lead to a decline in groundwater levels, directly affecting the availability and reliability of water from local wells, which many residents depend on for drinking water and agricultural purposes.
  - C. **Well Integrity:** The physical impact of mining operations, including blasting and excavation, can jeopardize the structural integrity of nearby wells. Vibrations and ground disturbances may cause wells to crack or collapse, rendering them unusable and necessitating costly repairs or replacements for affected residents. With our static water level sitting at 65 feet and our well being unlined; water quality and water integrity are of the utmost concern for us.

- D. **Long-Term Impact:** The potential long-term consequences of allowing mining in our community include irreversible damage to our groundwater resources. Once contaminated, groundwater can be difficult and costly to remediate, posing a lasting threat to public health, the environment, and land values.
  - E. **Precautionary Principle:** In line with the precautionary principle, which urges decision-makers to take precautionary measures when faced with uncertain risks, it is prudent to prioritize the protection of our groundwater resources and community well-being over potential economic benefits from mining activities.
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- 2. **Public Health Concerns:** Mining operations often release harmful pollutants such as heavy metals and particulate matter into the air and water. These pollutants can lead to serious health issues for nearby residents, including respiratory problems, neurological disorders, and even cancer.
  - 3. **Community Health and Safety:** Mining activities often pose risks to public health and safety through increased traffic, noise pollution, and potential accidents. The proximity of mining operations to residential areas can also affect the well-being of local residents. With the proposed mine being located inside a housing development, not just nearby, this is of an utmost concern.
  - 4. **Long-Term Sustainability:** It is crucial to consider the long-term sustainability of our community and the preservation of natural resources. Approving this application may lead to irreversible damage to our environment and compromise future generations' ability to enjoy and benefit from these resources.
  - 5. **Alternative Land Uses:** Exploring alternative, more sustainable land uses that align with the community's values and long-term goals should be prioritized. Aggregate rock is plentiful in Crook County and does not need to be harvested in the middle of a housing development.
  - 6. **Public Opinion:** There is strong opposition within the community to the proposed mining activities. One mining operation in our small town has already ruined many citizen's wells. Senator Merkley and Governor Tina Kotek have already been contacted regarding this specific application, in hopes of preventing another disaster.

Aside from the above listed concerns, it also violates the land use CCR's already established for Tax Lot No. 1616120000500 in the following ways...

- 1. **Section 1 states:** No lot shall be used except for single family residential purposes.
- 2. **Section 8 states:** No obnoxious, noxious or offensive activities shall be carried on upon any lot, nor shall anything be done thereon which may reasonably become an annoyance or nuisance to other property owners in the subdivision.
- 3. **Section 13 states:** No part of the property shall be used for the purpose of exploring for, taking thereof or producing therefrom gas, oil or other hydrocarbon substances.

4. **Section 20 states:** It is the intent of these covenants to preserve the natural vegetation of Cimarron Hills estates phase II.
5. **Section 22 states:** No part of any lot shall be used in a manner that materially or adversely affects the value of the adjoining or adjacent lots for residential purposes or the neighborhood wherein the lots are situated.
6. **Section 24 states:** The foregoing protective covenants, conditions, and restrictions shall run with the land and be binding on all the parties.
7. **Section 26 states:** The lot owners or any mortgagee on any lot shall have the right to enforce all of the CC&Rs.

These CCRs were created by the Bartels Family when they developed Cimarron Hills and the rock pit. The CCRs were specifically put into place to prevent this exact circumstance from jeopardizing our property values, our water sources, and our quality of life. We purchased our lot, directly adjoining Tax Lot No. 1616120000500 in 2023 with the understanding the rock pit was almost fully harvested and that Lot #15 could not be used for mining purposes. If the expansion were to be permitted, the Planning Commission would be doing a great injustice to not only our neighborhood but also the citizens of Crook County.

In addition to the CCRs and listed in the "Burden of Proof" (pg 14) of the Comprehensive Plan, it states that the parcel is "landlocked" and "without access" is not suitable for housing and is not "buildable land". This is simply untrue. The land is accessed through an easement named, "Snowflake Ct". The owner of Tax Lot No. 1616120000500 has a gated entry at the end of the easement that they and only they can access. Not only that, this lot has an approved septic drain field site, a well, and electrical utility available.. Making this lot not only "not buildable" but fully ready to be developed as intended by the original developers the Bartels.

Given these concerns, the lack of burden of proof, and the overall irresponsibility to mine in a housing development, we respectfully request that the Planning Commission prioritize the protection of our environment and community well-being by denying the application for mining purposes. I believe this decision will uphold our shared commitment to sustainable development and responsible stewardship of our natural resources.

Thank you for considering my views on this matter. I trust that you will carefully weigh all factors before making your decision and uphold the public trust for the people of Crook County.

Sincerely,

Adam & Shauna Schmidlin