EXHIBIT 12 tabbies'

Jennifer Orozco

From: Will VanVactor
Sent: Wednesday, October 23, 2024 2:29 PM
To: Plan
Subject: Fw: Evidence for submission to taxlot 1415270000204
Attachments: CROO_52382.pdf; IMG_3689.HEIC; IMG_1086.HEIC; IMG_9016.MOV; IMG_0713.HEIC

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From: Isabelle Eyman <isabelle.eyman@gmail.com>
Sent: Wednesday, October 23, 2024 1:09 PM
To: Will VanVactor <Will.VanVactor@crookcountyor.gov>
Subject: Evidence for submission to taxlot 1415270000204

To whom it may concern,

I am unable to attend the hearing today...but want to share the following.

I am a concerned resident of Westridge Subdivision and live just 75 feet (according to google earth...see also attached photo...please note the stick coming out of the rimrock for reference when showing a picture of the bald eagle using it as a perch) below the proposed Pinecrest Ridge subdivision. I have several statements and arguments which I will back up with evidence/testimony to the extent time and research has allowed. I am asking the planning committee to keep the record open to collect more evidence for which you will base your decision on. I understand you have a deadline...but considering the potential impact I am grateful for your consideration. If you are not willing to grant my request to keep the record open, I am hoping to provide enough information to consider the plan currently not suitable /sustainable for approval given our past recent experiences with water and honoring the Crook County Comprehensive intent of holding developers to a higher standard when resources are scarce.

Learning of this development at the hearing just two weeks ago, I walked away with a gut instinct that this project didn't make much sense as submitted and should be improved to make better sense for the future community. Note I am not opposed to development...I'm just opposed to this specific

development application. This project, in essence, is trying to turn one piece of land with no evidence of water (and evidence to the contrary) into 10 different pieces of land with the same water problem. Except the impact of the problem will be multiplied by 10.

What then followed was a crash course in planning, procedures, land use policy, geology, water, and habitat preservation for me and my family...researching the internet for similar planning examples, reading the Crook County Comprehensive Plan (twice), reviewing staff reports, the application, speaking to a real estate agent versed in land use, having discussions with planning staff and experts like the Watermaster and waiting for return calls from special interest groups and government agencies...requires an extensive amount of time without the help of a legal expert. The energy behind this research comes from my desire to preserve the nature of the rimrock, the habitat above for all to share (including future residents), and the continued enjoyment of our property. The problems with the development above which threaten these are listed below:

1. Noise carries off of the rimrock into our backyards below
2. Water has proven to be an issue on that property which is why it hasn't been developed. The likelihood that these parcels will each and all find water is unlikely. The John Day formation where water has been found is not reliable...
3. The Rimrock is designated a natural scenic area which can be threatened by structures (not requiring permits), furniture, vehicles, fences, etc.
4. The habitat of the rimrock may be outdated...but needs to be considered.
5. A better use of this land to preserve the rimrock, wild habitat, and the peace and tranquility of neighboring properties would be a cluster development once water has been found.

1. Noise carries off of the rimrock into our backyards 75 feet below:
When the West ridge development was put in, the land above was used as cattle roaming. At some point the land was sold and was zoned R-5 ...our HOA either wasn't notified or organized around this...and I am just learning of it. So having a threat of residential units above our home is new to us. How this can and will be disruptive to the enjoyment of our property is as follows.

A few days ago there were two ladies standing back from the edge of the rimrock and one was sitting on the edge taking a selfie. The two ladies were telling the lady seated on the edge to give them their camera and that she was too close to the edge...the lady sitting down pulled out her camera and took a selfie. **"I got it, I got it"** Conversations on the rimrock are easily heard as if they are in our back yard. When I shared this story with our neighbor, she said there was a woman up above yelling at her from above as if she was trying to have a conversation with her. Take all of the noise of a residential family (the cars, the dogs, the children, the deliveries and multiply those extra noises times ten. Given there is no noise ordinance, I'm somewhat terrified. **I ask that the 200 ft setback have some sort of provision that doesn't allow for use such that noise travels downward. A clustered community would preserve the edge and put houses near communal resources which makes sense for resource conservation and to avoid problems.**

2. Water has proven to be an issue on the Princrest Ridge proposed property.

Drilling to the depth of 1,000 feet on each lot with success is unpredictable as the geological formation at Pinecrest Ridge is where Deschutes and John Day formations meet. The Deschutes formation allows for water to flow through cracks whereas the John Day Formation stagnates the flow of water. Please see attached water log for that taxlot. The combination of the two formations leads to unpredictable pockets

which may be either ancient trapped pockets of water or poorly filling wells; the current well yields just .25 gallons per minute as opposed to places like Bend where that is contrasted to hundreds of gallons per minute. This amount of water return would not support even a single home.

The Crook County Comprehensive Plan in reference to Air, Water, Land resource policies...(p. 23) states: *Encourage "design with nature" considerations in the design and engineering of all development proposals (Housing, Industrial, Commercial and Transportation Elements, Chapters VIII, III, III, and IV)*

The Crook County Comprehensive Plan in reference to Air, Water, Land resource policies...(p. 24) states: *Evaluate development proposals according to available scientific data pertaining to potential impact on the environment, including but not limited to:*

(a) Depth of soil
(b) Slope
(c) Septic tank suitability
(d) Agricultural suitability
(e) Hazards
(f) Unique species or habitats
(g) ***Water availability and impact (Housing Element and Natural Resources Element, Chapters VIII and IX)***

the Crook County Comprehensive Plan in reference to Natural Hazards Policy..(p. 122) states that:

NATURAL HAZARDS POLICIES

1. ***The county shall recognize the development limitations imposed by the carrying capacities of natural resources; i.e. surface and ground water capacities, soils, geology, etc.***
2. ***Natural resource physical limitations shall be one of the primary evaluation factors for development approval****. The carrying capacities thereof shall not be exceeded.*
3. *It shall be recognized that problem areas or hazards do not necessitate disapproval of development,* ***but that higher development standards can be expected in order to minimize problems or hazards.***
4. ***To maintain development costs at a minimum and to encourage the most efficient use of resources by guiding development to low hazard or physical limitation areas.***
5. *High density development shall be encouraged in areas having high carrying capacities and low physical limitations, and discouraged in areas having low carrying capacities and high or severe physical limitations. Thereof, the following criteria shall be considered:*
   (a) Slopes greater or less than 30%.
   (b) Safe distance from rimrock scarps, talus debris and fractures.
   (c) Sufficient quality and quantity of water.
   (d) Location relative to floodplain channels, high ground water, unstable soils or geology, etc.
6. ***It shall be the developer/builder's burden of proof for determining the degree of hazard or physical resource carrying capacity.***
7. ***Natural resource evaluations, hazard determinations, development effect and corrective measures shall be determined by a licensed/bonded consultant at the expense of the developer for proposed developments located in recognized hazard areas or areas with severe physical limitations.***

The Crook County Comprehensive Plan in reference to Water Resources..(p. 123) states that:
Water potential outside of these alluvial aquifers is very limited. The remaining geologic formations are only capable of yielding very small amounts of water (1 to 8 gpm) and these generally occur as perched aquifers. Wells tapping these formations can sustain household use if the density of the development is low (less than 2 dwellings/acre).

The Crook County Comprehensive Plan in reference to Water Resources..(p. 126) states that:
The following guidelines can be used to help curtail potential water problems in new developments.

1. *The groundwater supply (and its carrying capacity) shall be used as major criteria for evaluation of any growth policies in Crook County.*
2. *The water potential of major geologic formations can be used as a first approximation for the carrying capacity of the groundwater system. It should establish whether or not the population projections to the year 2000 can be realistically supported, and whether or not all support active services needed for that population can be supplied, i.e. industrial, commercial development, housing, utilities, etc.*
3. *At present, there is insufficient data to estimate either the carrying capacity of the county's water supply or the ability of the recharge areas to keep up with the increased demand as the county grows, even at the low estimate of 2% per year population increase. The groundwater study of the Prineville valley needs to be updated and expanded to cover the remainder of the county.*
4. *Knowledge of the water potential of geologic formations will assist in predicting future problems of water supply to any area being developed.*
5. *Detailed well log information from the Central Oregon Watermaster can help further refine these general predictions of water potential in cases where recent wells have been drilled.*
6. *The carrying capacity of the water resources shall be determined as this capacity is the key to the survival of the community, its economy and growth potential.*
7. *The largest carrying capacity exists for the alluvial aquifers; the smallest carrying capacity for the formations outside of the alluvial valleys and terraces.*
8. *The alluvial valley and terraces are used as a first approximation for estimating the amount of irrigable agricultural land in the county.*

Given the geology of the Deschutes and John Day Formations...and specific to the rimrock, it's not very likely that each 5 acre parcel would find a reliable source of water. I was informed by the water master that:

- It will cost "hundreds of thousands of dollars" to drill down to 1,000 feet...where water could be found in the John Day formation (see well log attached)
- that the return would be unreliable as the water being found in the John Day formation is inhibited by the clay like nature (see well log for 0.25 gallon per minute return rate)
- That not every parcel is likely to find water, that finding it will be spotty
- That when water is found, it could be an ancient trapped body of water that would yield a dry well once used up (we see this evidenced in communities to the east of Prineville where there wells have gone dry in the John Day formations and they are spending hundreds of thousands of dollars to truck in and drill for more water
- Trucking in water is cost prohibitive
- A more efficient and better way to provide water would be for the developer to find the water.

The Comprehensive plan for Crook County wants us to consider water as a resource when approving development, that it's on the developer to prove that water is a sufficient resource and to do it in an economical/sustainable way to avoid hardship. Without water, fire trucks are unable to fill trucks easily and put out a fire which would blow embers with the westerly winds onto the roofs of homes putting these homes at risk. Cisterns will not fill fire trucks.

A clustered community would preserve the edge and put houses near communal resources which makes sense for resource conservation and to avoid problems.

3. The Rimrock is designated a natural scenic area (the Crook County Comprehensive plan describes the rimrock at O'Neil and Elliott on pages 109 and 110. These designated scenic area can be threatened by structures (not requiring permits), furniture, vehicles, fences, etc.
In the past residents on top of the rimrock have put structures up there. This needs to be protected with CC&Rs...
in addition, Is there any precaution that can be made to ensure boulders don't break off during construction or drilling? I don't know if this is a real threat.

A clustered community would preserve the edge and put houses near communal resources which makes sense for resource conservation and to avoid problems.

4. The habitat of the rimrock may be outdated...but needs to be considered
I am an expert on my backyard. I see Bald eagles, golden eagles, hawks perched in trees and cruising the rimrock. Owls (screecher, barn, and horned owls have all been seen) and bats own the night sky...Geese have nests on the rimrock and walk their babies down in May/June through our backyard. Swallows nest in the rimrock and would likely be disrupted by development on the rimrock. Fox (not sure of the species hang on the rimrock...you can see the head of one in a movie I have attached). I've attached another movie so you can hear the excitement of birds on a typical morning during the migration taken a few days ago.

Seems like the last survey done by Oregon Fish and Wildlife was '93? I haven't been able to touch base with anyone there despite a few phone calls. See attached photo of wildlife seen enjoying the rimrock. **Since I have evidence of protected species frequenting the rimrock, can we please ensure this survey is up to date?**

According to Charles Gates, former Board Member of the Oregon Field Ornithologists, a Founding Board Member and past President of the East Cascades Bird Conservancy, the author of the online web resource called the Oregon Birding Site Guide (1200 places to go birding in Oregon), and the author of the book, "Common Birds of the Deschutes Canyon Areas."

"Little development has little effect. A lot of little developments have a large effect. Often, it's not the volume of the land taken up by the houses. It's also the areas in between the houses and between developments. If those are not preserved in large enough spaces, the whole area can experience a loss of bird life"

The following is a comprehensive list of rimrock species that is searchable on public websites like ebird. that most likely will be impacted by the development:

"Each will be adversely affected either by habitat destruction or by nesting disturbances. Most of these are birds that could nest in the area of the development. They include:
Canada Goose
California Quail
Mountain Quail
Turkey Vulture
Golden Eagle
American Kestrel
Prairie Falcon
Rock Pigeon

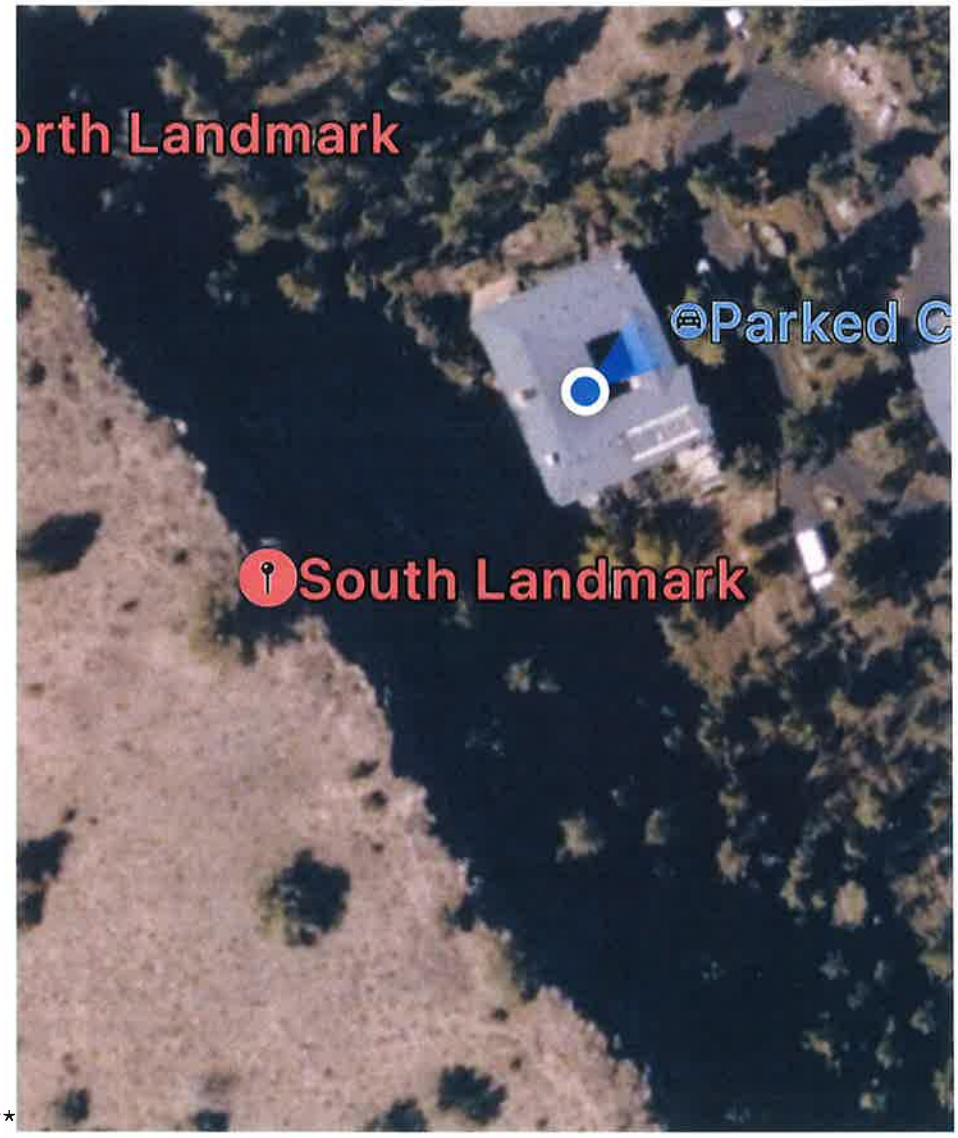
Mourning Dove
Eurasian Collared-Dove
Great Horned Owl
Northern Pygmy-owl (winter)
Northern Saw-whet Owl (winter)
Western Screech-owl
Common Night-hawk
Common Poorwill
White-throated Swift
Ash-throated Flycatcher
Gray Flycatcher
Common Raven
Violet-green Swallow
Mountain Chickadee
Bushtit
Canyon Wren
Rock Wren
Mountain Bluebird
Townsend's Solitaire (winter)
American Robin
Sage Thrasher
Black-throated Gray Warbler
Brewer's Sparrow
Vesper Sparrow"

5. Please consider approving development which is a smart use of our resources and one which preserves the rimrock, wild habitat, and the peace and tranquility of neighboring properties. A clustered community would preserve the edge and put houses near communal resources which makes sense for resource conservation and to avoid problems.

The Definition Section of the Statewide Planning Goals provides the following definitions to be used in the Goal 5 context:

- CONSERVE. To manage in a manner which avoids wasteful or destructive uses and provides for future availability.
- IMPACT. The consequences of a course of action; effect of a goal, guideline, plan of decision.
- PRESERVE. To save from change or loss and reserve for a special purpose.
- PROTECT. Save or shield from loss, destruction, or injury or for future intended use.
- SOCIAL CONSEQUENCES. **The tangible and intangible effects upon people and their relationships with the community in which they live resulting from a particular action or decision.**

A clustered community would preserve the edge and put houses near communal resources which makes sense for all of the goals above.



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IMG_3846.MOV

I am requesting that the record stay open for collection of evidence, arguments for or against, and testimony to support the planning comitte's decision in the coming months.

CROO 52382

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765)
Instructions for completing this report are on the last page of this form.

WELL I.D. # L 71627
START CARD # 155526

(1) OWNER: Well Number 1183
Name Jim Chancey
Address PO Box 5278
City Bend State OR Zip 97708

(2) TYPE OF WORK
☒ New Well ☐ Deepening ☐ Alteration (repair/recondition) ☐ Abandonment

(3) DRILL METHOD:
☒ Rotary Air ☐ Rotary Mud ☐ Cable ☐ Auger
☐ Other

(4) PROPOSED USE:
☒ Domestic ☐ Community ☐ Industrial ☐ Irrigation
☐ Thermal ☐ Injection ☐ Livestock ☐ Other

(5) BORE HOLE CONSTRUCTION:
Special Construction approval ☐ Yes ☒ No Depth of Completed Well 1005 ft.
Explosives used ☐ Yes ☒ No Type ____ Amount ____

HOLE Diameter	From	To	SEAL Material	From	To	Sacks or pounds
12	0	25½	Benbait.e	0	25	13
8	25½	1005				

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E
☒ Other Poured in Dry
Backfill placed from ____ ft. to ____ ft. Material ____
Gravel placed from ____ ft. to ____ ft. Size of gravel ____

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:	8"	+½	25½	250	☒	☐	☒	☐
					☐	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐
Liner:					☐	☐	☐	☐
					☐	☐	☐	☐

Final location of shoe(s) ____

(7) PERFORATIONS/SCREENS:
☐ Perforations Method ____
☐ Screens Type ____ Material ____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
						☐	☐
						☐	☐
						☐	☐
						☐	☐
						☐	☐

(8) WELL TESTS: Minimum testing time is 1 hour
☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
.25	unknown	1005	1 hr.

Temperature of water 58° Depth Artesian Flow Found ____
Was a water analysis done? ☐ Yes By whom ____
Did any strata contain water not suitable for intended use? ☐ Too little
☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other ____
Depth of strata: ____

(9) LOCATION OF WELL by legal description:
County Crook Latitude ____ Longitude ____
Township 14 N or (S) Range 15 (E) or W. WM.
Section 27 SE 1/4 SW 1/4
Tax Lot 204 Lot ____ Block ____ Subdivision ____
Street Address of Well (or nearest address) Pinecrest
No Street Number

(10) STATIC WATER LEVEL:
410 ft. below land surface. Date 7/16/04
Artesian pressure ____ lb. per square inch. Date ____

(11) WATER BEARING ZONES:
Depth at which water was first found 410

From	To	Estimated Flow Rate	SWL
410	480	.25	410

(12) WELL LOG:
Ground Elevation ____

Top 5 Material	From	To	SWL
Topsoil	0	2	
Hard Grey Basalt	2	90	
Hard Brown Sand Stone	90	280	
Hard Cong.	280	291	
Hard Brown Sand Stone	291	302	
Soft Tan Clay stone	302	335	
Soft Green clay Stone	335	360	
Soft Tan clay stone	360	410	
Soft Brown clay Stone	410	480	410
Soft Grey clay stone	480	863	
Soft Brown clay stone	863	1006	

RECEIVED
OCT 13 2004
WATER RESOURCES DEPT
SALEM, OREGON

Date started 7/13/04 Completed 7/16/04

(unbonded) Water Well Constructor Certification:
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.
WWC Number 1573
Signed David A Schlichting Date 8/4/04

(bonded) Water Well Constructor Certification:
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
WWC Number 584
Signed Darrell Markbet Date 8-4-04

ORIGINAL – WATER RESOURCES DEPARTMENT FIRST COPY – CONSTRUCTOR SECOND COPY – CUSTOMER