

## Amy Dibble

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**From:** Benny Hempstead <bennyhempstead@gmail.com>  
**Sent:** Wednesday, February 21, 2024 5:21 PM  
**To:** Planning Department  
**Subject:** Winter Lake Phase 3 project

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### This Message originated outside your organization.

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Hello, Board of Commissioners,

Regarding: Notice of Public Use Land Hering; Item A File # ACU-23-074/FP-23-012

I own tax lot 2300 Industrial / EFU, The Old Chromite Mill. I have received a notice of a meeting in regards to future work to be done in the area surrounding my property in three directions: north, south, and west.

A few years back there was a project immediately west of my Tax Lot 2300, on Tax Lot 2100 owned by ODFW. The project lowered the dike on the west of what was referred to as The Old Luckman Parcel on Tax Lot 2100, opened up areas of the dike and installed two bridges allowing waters from the channels west of the dike to flow onto and flood the easterly areas of Tax Lot 2100, and deepened the water channels significantly from the main channel under bridges, and throughout the Old Luckman Parcel (now owned by ODFW). That project has permanently damaged my EFU land by allowing the flow of water through Tax Lot 2100 to flow on to my Tax Lot 2300, as a dike or berm on the east side of Tax Lot 2100 abutting my property was never constructed. Water that never reached my parcel is now allowed to flow freely and flood. No effort to prevent flooding on parcel 2300 was attempted.

I am writing this letter to notify the Board that I do not approve any work to be done on or through Parcel 2300 which could create flooding, deposits of soils, or modify water flows. Additionally I am not in favor of projects adjacent to my property that could now or in the future possibly cause damage or a loss of value to, due to activities created from any private project, permitted project, or Agency projects/work. I am in support of projects such as restorations of lands designated for such projects, however I am not a supporter of over-reach of State or Federal agencies making significant modifications which create a negative impact on private properties. I have a financial stake in the development of this land.

It is my hope that ODFW would provide the required water dike on the westerly side of my land to protect my parcel 2300 from previous projects. The same for future projects as to the one being given notice to.

**"Anyone entering a signed petition(s) into the record is responsible for providing individual notice to the signee(s) of the petition(s). Please be aware that failure to raise an issue prior to the close of the evidentiary record, in person or by letter, or failure to provide statements or evidence sufficient to afford the decision makers an opportunity to respond to the issue, precludes appeal to the Land Use Board of Appeals based on that issue. An appeal of a Hearings Body decision shall be made pursuant to Article 5.8 of the CCZLDO.**

**Further explanation concerning any information contained in this notice can be obtained by contacting the Planning Staff members at (541) 396-7770, or by visiting the Planning Department Website. This notice was posted, mailed and published."**

I raise concern that any such project could adversely impact adjacent properties. A recommended potential impact study including surveys of all adjacent properties be completed to ensure such activities are contained

within the proposed work boundaries and ensure the adjacent lots are not affected, along with post construction survey and verification. I request additional information providing the full parameters for the proposed activities be provided specifying the grades and water flows at all lot boundaries.

Sincerely,

Benny Hempstead  
541-297-5600