

This packet is for:

PL15-0363 Pit 1, LLC, C/O Lake Erie Trucking (Bill Wooding)

EXHIBITS

- (1) Assessor's Map**
- (2) Land Use Map, Zoning Maps – (4)**
- (3) Ownership Certifications**
- (4) Quick Claim Deed for the subject Parcels 19158, 19164, 19165, and 90028**
- (5) Legal Descriptions of MRO Expansion Parcels – 19158, 19164, 19165, & 90028**
- (6) Skagit County Parcel Details – P19158, 19164, 19165, & 90028**
- (7) Lake Erie Pit 1998 SEPA**
- (8) Skagit County Pre-development Meeting Notes 2/19/15**
- (9) Skagit County/WSDNR Approval For Surface Mining (Form SM-6) 7/1/98**
- (10) Skagit County / WSDNR Letters Pre-Existing Non-Conforming Use 12/9/98**
- (11) McCorkle Letter to Skagit County verifying P19158 historic use from 1964 – 6/21/11**
- (12) Skagit County/WSDNR Letters 1998, Verifying Expansion From 19.9 acres to 83.3 acres**
- (13) Rosario Pit History**
- (14) McLucas Brochure – Licensed Professional Geologist**

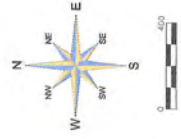
EXHIBIT 1



6	5	4	3	2	1
7	8	9	10	11	12
16	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

T 34 N R 01 E

ATTENTION
 THIS MAP CONTAINS A PIANO RECORD
 THAT HAS BEEN PLACED WITH THE
 EXACT LOCATION OF THE PIANO
 RECORD.

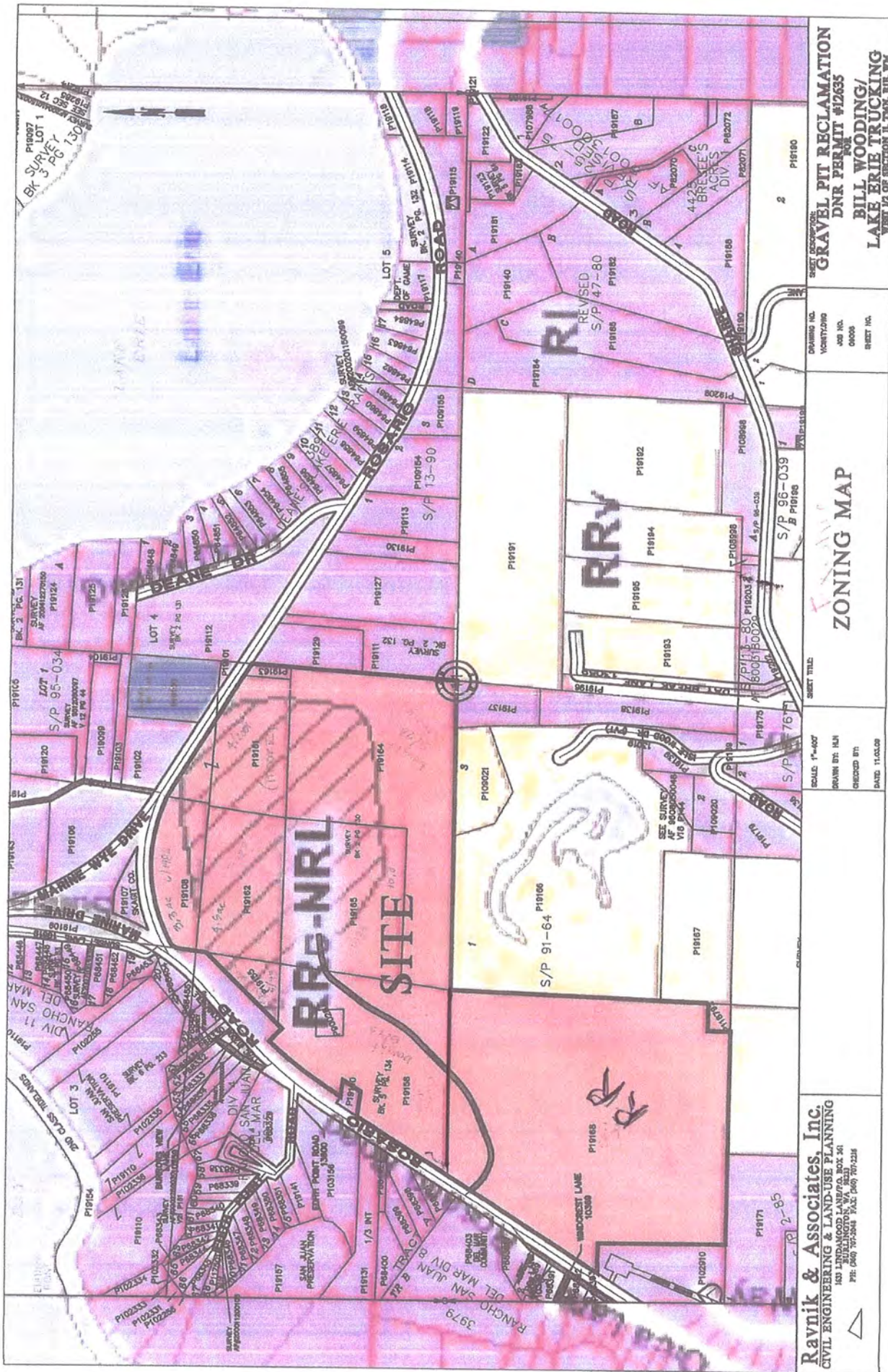


These maps were created from existing public records. They do not constitute a warranty of accuracy. The user assumes all liability for any errors or omissions. The user agrees to hold the County harmless for any and all claims, damages, or losses, including reasonable attorneys' fees, arising from the use of these maps. This map is not a substitute for field survey.

DATE	INIT.
DRAWN BY	11/17/95 LWS
REVISED	1/13/14 DP
PLOTTED	1/13/14 DP
DATE PRODUCED BY	SKAGIT COUNTY RECORDS SERVICES

Section 11
 T 34 N R 01 E





Ravnik & Associates, Inc.
 CIVIL ENGINEERING & LAND-USE PLANNING
 143 LINDAWOOD LANE/VA, BOX 24
 LINDAWOOD, VA, 22083
 PH: (540) 767-2548 FAX: (540) 767-2216

SCALE: 1"=400'
 DRAWN BY: JLM
 CHECKED BY:
 DATE: 11.6.09

SHEET TITLE:
ZONING MAP

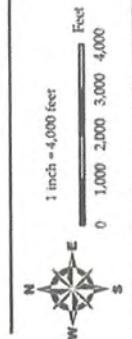
DRAWING NO.: V09172190
 JOB NO.: 09000
 SHEET NO.:
 SHEET DESCRIPTION:
GRAVEL PIT RECLAMATION
DNR PERMIT #12635
BILL WOODING/
LAKE ERIE TRUCKING
 STREET 1/2 OF SECTION 11, T24N, R11E, W1E

SOUTH FIDALGO ISLAND



**FIGURE 4-2
EXISTING PARCEL SIZES**

- Skagit County
Comprehensive Plan
Land Use Designation
- RI - Rural Intermediate
(1 du/2.5 acres)
 - RRv - Rural Reserve
(1 du/5 acres CaRD,
1 du/10 acres standard)
 - RMI - Rural Marine Industrial
 - RC - Rural Center
 - RRc-NRL - Rural Resource
Natural Resource Lands
(1 du/10 acres CaRD,
1 du/40 acres standard)
 - SSB - Small Scale Business
 - RB - Rural Business
 - OSRSI - Public Open Space of
Regional/Statewide Importance



This map was created from available public records and existing map sources, and not from field surveys. Map features from all sources have been adjusted to achieve the "best fit". While great care was taken in this process, maps from different sources rarely agree as to the precise location of geographic features. This is not a substitute for field survey.

Data provided by Skagit County GIS
Cartography by Tetra Tech, Inc.
March 2010

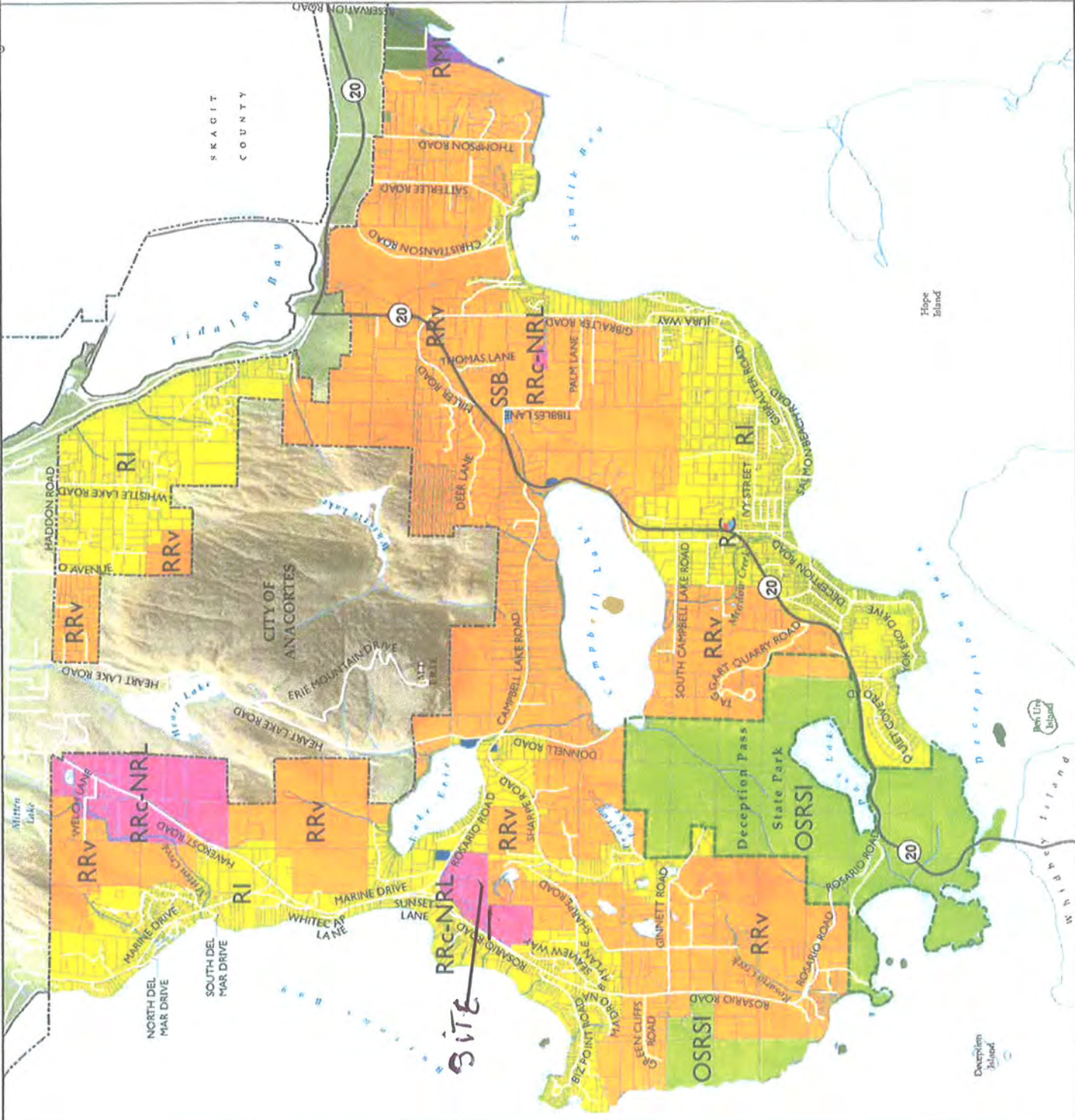
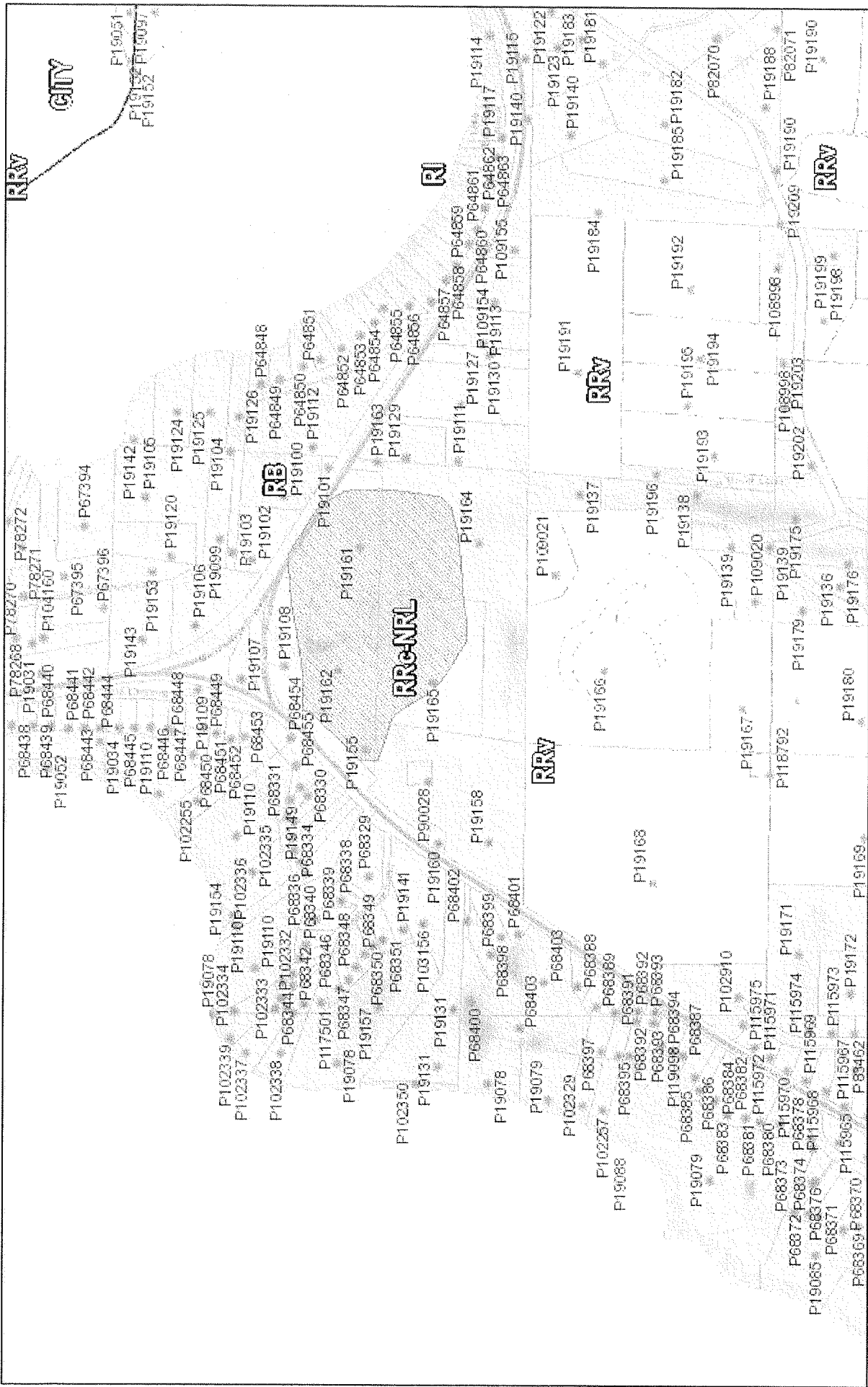


EXHIBIT 2



February 18, 2015

Legend

- County Boundary
- Incorporated Areas
- Airport Environs Overlay [AEO]
- Building Only Accounts
- Mineral Resource Overlay [MRO]
- Tax Parcels
- Water
- Dirt Accounts
- Senior Citizen Accounts

Data Accuracy Warning: All GIS data was created from available public records and existing map sources. Map features have been adjusted to achieve a best-fit registration. While great care was taken in this process, maps from different sources rarely agree as to the precise location of geographic features. Map discrepancies can be as great as 300 feet.

EXHIBIT 2

SOUTH FIDALGO ISLAND



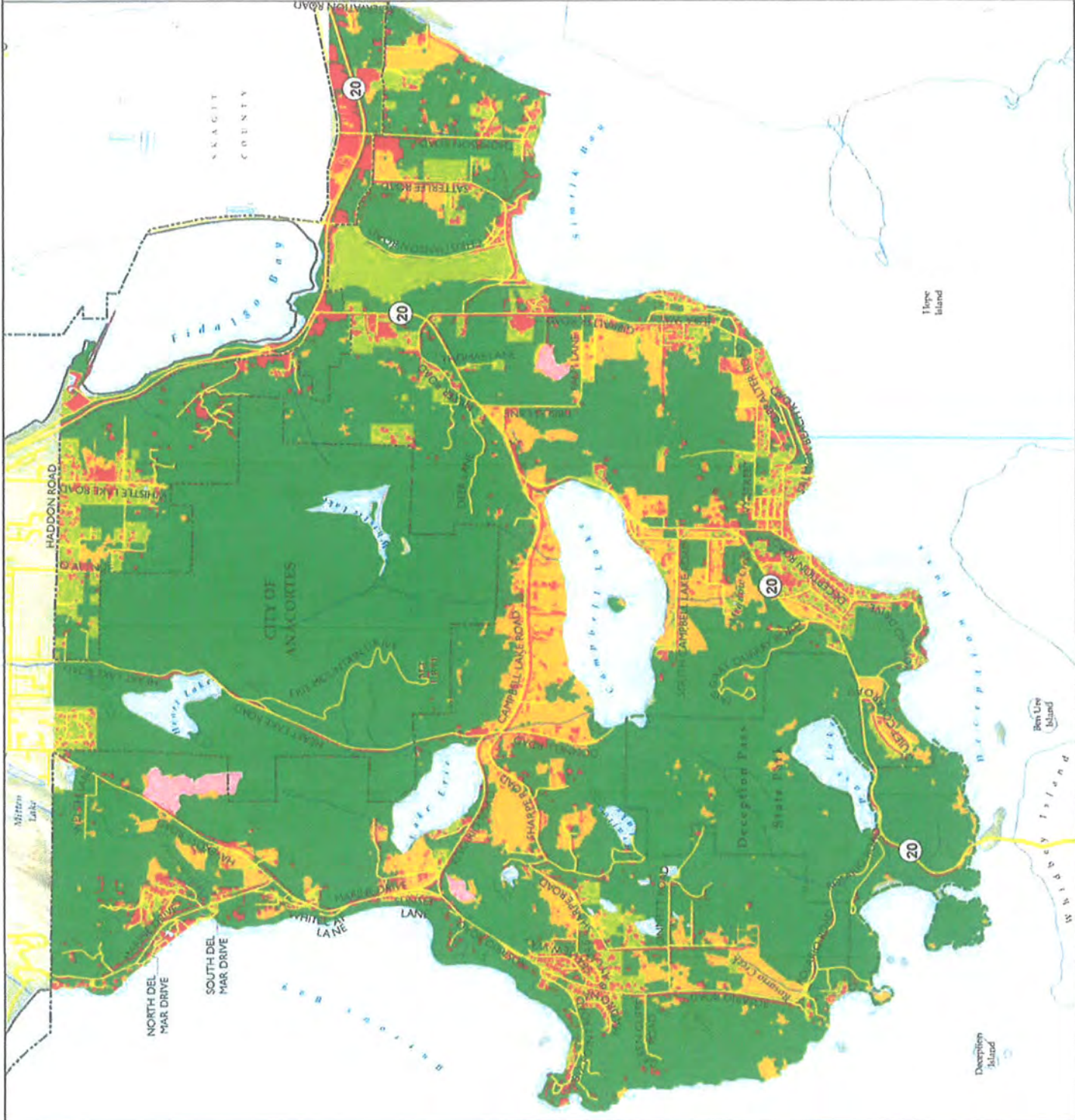
FIGURE 4-4
EXISTING LAND USE

- Impervious
- Forest
- Pasture
- Lawn
- Quarry
- Open Water



This map was created from available public records and other sources. While every effort has been made to ensure the accuracy of the data, the user assumes all responsibility for the use of the information. While great care was taken in this process, maps from different sources may not agree as to the precise location of geographic features. This is not a substitute for field survey.

Data provided by Skagit County GIS
Cartography by Tetra Tech, Inc.
March 2010



Section 5 General Requirements

1. Under the Growth Management Act (RCW 36.70A), the County may only amend its comprehensive plan once annually (with few exceptions). All proposals are considered together so the cumulative effect of the various proposals can be determined. It is important that amendments to the Comprehensive Plan retain the broad perspectives articulated in the community vision statements, satisfy the goals, objectives and policies of the Plan, and remain consistent with the intent of the Growth Management Act. Amendments must be supported by factors including changes in population, land capacity, economic indicators, changes in technology, omissions or errors, or declared emergency.
2. Amendments to the Comprehensive Plan, Comprehensive Plan/Zoning Map and Unclassified Use Permits must conform to the requirements of the Growth Management Act (RCW 36.70A), the Planning Enabling Act (RCW 36.70), Skagit County Code, the Skagit County Comprehensive Plan, Countywide Planning Policies, and all other applicable federal, state, and local laws, standards and polices.
3. In addition to the general requirements indicated above, specific submittal requirements and approval criteria may be found as follows:
 - ✓ Comprehensive Plan Chapter 2 – Urban, Open Space and Land Use Element
 - ✓ Comprehensive Plan Chapter 3 – Rural Element
 - ✓ Comprehensive Plan Chapter 4 – Natural Resource Lands Element
 - ✓ Comprehensive Plan Chapter 12 – Plan Implementation and Monitoring
 - ✓ SCC 14.08 – Legislative Actions
 - ✓ SCC 14.12 – SEPA
4. Applications will be accepted until the close of business on the last business day of July. Applications received after the last business day of July will not be considered until after July of the following year.
5. Incomplete applications will be returned to the applicant. It is recommended that the petitioner request a pre-submittal meeting with Planning and Development Services, well in advance of the deadline, to discuss amendment requirements and procedures.
6. Completed applications will be reviewed by Planning & Development Services and submitted to the Board of County Commissioners with a recommendation as to which of the applications the Department recommends for further consideration by the County. The Board of County Commissioners will hold a public hearing to allow comments on the recommendations. At a subsequent public meeting the Board of County Commissioners will consider the Department recommendation and public comment, and decide whether to proceed with further review of each application.
7. If an application is not approved by the Board of County Commissioners for further consideration, it will not be reviewed further. All applications approved by the Board of County Commissioners for further consideration will be subject to further review under SEPA and then forwarded to the Skagit County Planning Commission for public hearing(s). Thereafter, a recommendation will be forwarded to the Board of County Commissioners for their review and final action.
8. Upon Board of County Commissioners approval for further consideration, applicants for site-specific amendments and unclassified use permits shall complete and submit any required environmental checklists along with the appropriate fees. The Planning and Development Services will issue an environmental threshold determination after receipt of the environmental checklist(s). Costs for SEPA review related to individual site-specific applications will be charged to the individual applicant.
9. The final decision on all applications rests with the Board of County Commissioners and will take the form of a single ordinance listing whether each individual application has been approved or denied, and setting forth the appropriate findings of fact and/or application-specific conditions, if necessary. All applicants, whether approved or denied, will be notified of the final decision.

EXHIBIT 4

When Recorded Please Return To:
LAWRENCE A. PIRKLE
321 West Washington, Suite 300
Mount Vernon, WA 98273



200612270024
Skagit County Auditor

12/27/2008 Page 1 of 5 9:48AM

This space for Recorder's use only

QUIT CLAIM DEED

THE GRANTOR, WILLIAM W. WOODING, a single person, for and in consideration of transfer to wholly owned Limited Liability Company, pursuant to Internal Revenue Code 721 (mere change in form of ownership), conveys and quit claims to GRANTEE, PIT I, LLC, a Washington Limited Liability Company, the following described real estate, situated in the County of Skagit, State of Washington, together with all after acquired title of the grantor therein.

Assessor's Parcel No: P19108 340111-0-004-0101 P19161 340111-2-004-0008
P19162 340111-2-004-0107 P19163 340111-2-004-0206
P19164 340111-2-005-0007 P19165 340111-2-005-0106
P19155 340111-2-001-0001 P19158 340111-2-003-0009
P19168 340111-3-003-0023 P90028 340111-2-003-0306

Abbreviated Legal Descriptions:

P19108: RT#0-004-01 PTN W 18AC OF LT 2 LY SLY OF ROSARIO CO RD

P19161: THAT PORTION OF THE FOLLOWING DESCRIBED TRACTS LYING SOUTHERLY OF THE ROSARIO COUNTY ROAD; 1) GOVERNMENT LOT 2 OF SEC 11, TWP 34, RNG 1, EXCEPT THAT PORTION THEREOF LYING WITHIN THE WEST 18 ACRES THEREOF; 2) THE NORTH 330 FEET OF THE SE1/4 NW1/4 OF SEC 11, TWP 34, RNG 1; EXCEPT THE WEST 717.46 FEET AND EXCEPT THE EAST 60 FEET THEREOF LYING SOUTHERLY OF THE ROSARIO COUNTY ROAD

P19162: W 717.46FT OF N 330FT OF SE1/4 NW1/4 EX CRDS & ANY PTN LY WITHIN S 990FT OF SE1/4 NW1/4

P19163: THE EAST 60 FEET OF THE NORTH 330 FEET OF THE SE1/4 NW1/4 OF SEC 11, TWP 34, RNG 4 LYING SOUTHERLY OF ROSARIO ROAD

P19164: THE SE1/4 NW1/4 OF SEC 11, TWP 34, RNG 1; EXCEPT THE NORTH 330 FEET THEREOF; ALSO EXCEPT ALL THAT PORTION THEREOF DESCRIBED AS FOLLOWS; COMMENCING AT THE SOUTHWEST CORNER OF SAID SE1/4 NW1/4 OF SEC 11; THENCE NORTH 8-06-48 EAST ALONG THE WEST LINE OF SAID SE1/4 NW1/4 A DISTANCE OF 216.46 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUE NORTH 8-06-48 EAST ALONG THE WEST LINE OF THE SE1/4 NW1/4 A DISTANCE OF 607.24 FEET TO THE SOUTH LINE OF THE NORTH 330 FEET OF SAID SE1/4 NW1/4 OF SECTION 11; THENCE SOUTH 88-31-35 EAST ALONG THE SOUTH LINE OF SAID NORTH 330 FEET A DISTANCE OF 722.30 FEET; THENCE SOUTH 8-06-48 WEST PARALLEL WITH THE WEST LINE OF THE SE1/4 NW1/4 A DISTANCE OF 607.24 FEET; THENCE NORTH 88-31-35 WEST A DISTANCE OF 722.30 FEET TO THE TRUE POINT OF BEGINNING

P19165: PTN SE1/4 NW1/4 N 937.25FT OF W 722.30FT LESS N 330FT

P19155: NE1/4 SW1/4 NW1/4 LESS PLATTED & PTN TO RD CONV AF#743830 & 767533

P19158: SE1/4 SW1/4 NW1/4 LESS PTN TAX 10 & LES SPTN TO CO RD CONV AF#767533 LESS RT 2-003-02 LESS THAT PTN DAF COM AT INT OF CTR LI OF EDITH POINT RD WITH W LI OF ROSARIO RD TH S 31 37 39W ALG W LI ROSARIO RD 125.00FT TH S 89 00 21E 320.04 FT TPB TH N 02 44 30W 1.00FT TH S 89 00 07E 125.00FT TH S 02 33 30E 130.00FT TH N 89 00 07W 125.00FT TH N 02 44 30W 129.00FT TPB

EXHIBIT 4

P19168: NW1/4 SW1/4 LY ELY ROSARIO RD EXC BAT SW COR OF SD NW1/4 SW1/4 TH S 89-11-16 E ALG S LN OF SD NW1/4 SW1/4 280FT TH N 0-13-00 W 601.12FT TH N 89-11-16 W 144.51FT TO INTERSECTION OF E LN OF ROSARIO RD TH S 31-52-40 W ALG E LN OF SD ROSARIO RD 254.98FT TO INTERSECTIN WITH W LN OF SD NW1/4 SW1/4 TH S 0-13-00 E 382.68FT TO POB. EXCEPT THAT PORTION OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 34 NORTH, RANGE 1 EAST, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4; THENCE SOUTH 89-11-16 EAST, ALONG THE SOUTH LINE OF SAID SUBDIVISION, 1,430.21 FEET TO THE SOUTHEAST CORNER OF SAID SUBDIVISION AND THE TRUE POINT OF BEGINNING; THENCE NORTH 2-00-38 EAST, ALONG THE EAST LINE OF SAID SUBDIVISION, 110.02 FEET; THENCE NORTH 89-11-16 WEST, PARALLEL WITH AND 110.00 FEET NORTH OF THE SOUTH LINE OF SAID SUBDIVISION, 132.30 FEET, THENCE AT A RIGHT ANGLE, SOUTH 0-48-44 WEST, 110.00 FEET TO THE SOUTH LINE OF SAID SUBDIVISION; THENCE SOUTH 89-11-16 EAST, ALONG SAID SOUTH LINE, 130.00 FEET TO THE TRUE POINT OF BEGINNING.

P90028: ACREAGE ACCOUNT, ACRES 0.37, A TRACT OF LAND IN THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 34 NORTH, RANGE 1 EAST, W.M., DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE CENTER LINE OF EDITH POINT ROAD WITH THE WEST LINE OF LATERAL HIGHWAY NO. 4; THENCE SOUTH 31 DEGREES 37'39" WEST ALONG THE WESTERLY LINE OF LATERAL HIGHWAY NO. 4, ALSO KNOWN AS ROSARIO ROAD, A DISTANCE OF 125.00 FEET; THENCE SOUTH 89 DEGREES 00'21" EAST, A DISTANCE OF 320.04 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 2 DEGREES 44'30" EAST, A DISTANCE OF 1.00 FOOT; THENCE SOUTH 89 DEGREES 00'07" EAST, A DISTANCE OF 125 FEET; THENCE SOUTH 2 DEGREES 44'30" EAST, A DISTANCE OF 130.00 FEET; THENCE NORTH 89 DEGREES 00'07" WEST, A DISTANCE OF 125.00 FEET; THENCE NORTH 2 DEGREES 44'30" WEST, A DISTANCE OF 129.00 FEET TO THE TRUE POINT OF BEGINNING.

Dated 1 day of December, 2006

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

0499

William W. Wooding

William W. Wooding

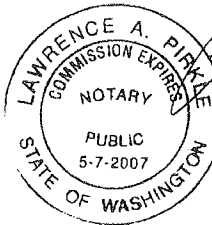
DEC 27 2006

Amount Paid \$ 0
By Pr Skagit Co. Treasurer Deputy

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

On this day personally appeared before me WILLIAM W. WOODING to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 1 day of December 2006



Lawrence A. Pirkle
LAWRENCE A. PIRKLE
Notary Public in and for the
State of Washington
Residing at Mount Vernon
My Commission Expires: 5/7/07



200612270024
Skagit County Auditor

EXHIBIT 4

EXHIBIT "A"

P19108

That portion of the West 18 acres of Government Lot 2 of Section 11, Township 34 North, Range 1 East W.M., lying Southerly of Rosario County Road (which is the most Southerly of the County roads traversing said tract). SUBJECT TO any encumbrance thereon.

P19161

Parcel A: That portion of the following described property, lying Southerly of the County road (also known as Rosario Road); Government Lot 2, Section 11, Township 34 North, Range 1 East of the Willamette Meridian, in Skagit County, Washington; EXCEPT any portion thereof lying within the West 18 acres thereof;

Parcel B: That portion of the following described property, lying Southerly of the County road (also known as Rosario Road); The North 330 feet of the SE Quarter of the NW Quarter of Section 11, Township 34 North, Range 1 East of the Willamette Meridian in Skagit County, Washington; EXCEPT the West 717.46 feet; ALSO EXCEPT the East 60 feet; Situated in Skagit County, Washington.

P19162

The West 717.46 feet of the North 330 feet of the SE 1/4 of the NW 1/4 of Section 11, Township 34 North, Range 1 East W.M.; EXCEPT County road and rights-of-way therefore; ALSO EXCEPT that portion, if any, lying within the boundaries of the South 990 feet of said subdivision. TOGETHER with a non-exclusive easement for ingress and egress over and along a 30 foot strip of land located in Government Lot 2, Section 11, Township 34 North, Range 1 East W.M.; the West line of which strip is adjacent to the East line of the West 18 acres of said Government Lot 2 and extends from the above described property in a Northerly direction to an intersection with the County road lying to the North of the above described property. SUBJECT TO any encumbrance thereon.

P19163

The East 60 feet of the North 330 feet of the SE Quarter of the NW Quarter of Section 11, Township 34 North, Range 1 East of the Willamette Meridian lying Southerly of Rosario Road. Situate in Skagit County, Washington.

P19164

The SE Quarter of the NW Quarter of Section 11, Township 34 North, Range 1 East of the Willamette Meridian; EXCEPT the North 330 feet thereof; ALSO EXCEPT all that portion thereof described as follows:

Commencing at the SW corner of said SE Quarter of the NW Quarter of Section 11, as shown on record of survey filed in Book 2 of Surveys at page 130, records of Skagit County, Washington; thence North 8 degrees 06' 48" East along the West line of said SE Quarter of the NW Quarter a distance of 216.46 feet to the true point of beginning; thence continue North 8 degrees 06' 48" East along the West line of the SE Quarter of the NW Quarter a distance of 607.24 feet to the South line of the North 330 feet of said SE Quarter of the NW Quarter of Section 11; thence South 88 degrees 31' 35" East along the South line of said North 330 feet a distance of 722.30 feet; thence South 8 degrees 06' 48" West parallel with the West line of the SE Quarter of the NW Quarter a distance of 607.24 feet; thence North 88 degrees 31' 35" West a distance of 722.30 feet to the true point of beginning.

P19165

That portion of the SE Quarter of the NW Quarter of Section 11, Township 34 North, Range 1 East, W.M., described as follows:

Commencing at the SW corner of said SE Quarter of the NW Quarter of Section 11, as shown on record of survey filed in Book 2 of Surveys at page 130, records of Skagit County,



4D-1.3 Mineral Resource Designation Considerations

All lands meeting the criteria in Policy 4D-1.1 shall be further reviewed considering the following additional criteria. Certain limited pre-existing designated MRO lands that may not meet the criteria below may retain their MRO Status to address unique economic circumstances or access-to-market.

a) General land use patterns in the area:

i) “The four parcels being considered for MRO Expansion are in RRc-NRL zoning.”

ii) “Three of the four parcels being considered for MRO Expansion have portions of the parcel with MRO designation.”

iii) Does not apply.

iv) “The parcels north of the MRO Expansion are zoned RRc-NRL, in which the existing Lake Erie Pit parcels are located. The west portion of the MRO Expansion is Rosario Road. Properties to the west side of Rosario Road are zoned Rural Intermediate. “The southern parcels consist of Wooding’s parcel P19168, which recently changed zoning from RRc-NRL to RR. The southern boundary also has three parcels zoned Rural Resource. The eastern boundary has two parcels zoned Rural Intermediate, and are built out homes. If successful with the MRO Expansion, through the permit process, we are obligated to establish a 50 foot setback from the property lines and create a 2:1 reclamation slope. This will ensure the privacy of the adjoining neighbors.”

b) Surrounding parcel sizes and surrounding land uses. “Designate MRO lands in areas with surrounding land uses that have a maximum designated density of 1 residence per 10 acres. Appropriate surrounding land use zoning for MRO lands include: Forest, Secondary Forest, Rural Resources, Rural Reserve, Natural Resource Industrial and other industrial uses;

“This section was answered in the previous iv answer.” The proposed MRO Expansion has the appropriate adjacent property zoning allowing for the MRO Expansion.”

c) Availability of public roads and other public services. Although mining within one to two miles of public roads is preferred, designation of mineral resources beyond this range may be necessary to preserve resources for future use;

“The proposed MRO Expansion is congruent with the existing Lake Erie Pit and will utilize the entrance and exit road to the north which, connects with Rosario Road. The Internal road will not be more than .2 of a mile long.”

d) Division of zoning for urban or small lot. Designate MRO areas ¼ mile away from Rural Villages, Rural Intermediate, and Urban Growth Areas, except in limited cases where pre-existing MRO areas may be retained to address unique economic circumstances or proximity to market. Conservation and Reserve Developments are acceptable on and within ¼ mile of MROs, provided that the allowed density (with or without a density bonus) does exceed 1 dwelling unit per 10 acres.

“The proposed MRO Expansion parcels are not in the proximity of Rural Villages, Rural Intermediate, and Urban Growth Areas. Three of the parcels proposed for the MRO Expansion have portions of the parcel with MRO designation.”

e) Accessibility and/or distance from point of use;

“The current market area for the Lake Erie Pit is approximately 15-20 miles from the mine site. This site will be able to service the Anacortes area and surrounding communities”

f) Physical and topographic characteristics of the site or area do not preclude mining;

“To the contrary, the proposed MRO Expansion parcels contain over 2 million cubic yards of sand and gravel with an approximate wholesale value of \$24 million.”

g) Depth of the resource or its overburden does not preclude mining;

“McLucas had conducted an onsite review of the site and the overburden is approximately 2’ to 3’. Not much subsoil is there.”

h) Physical properties (such as strength or durability) and quality of resource (such as the percentage of fines in the resource) is sufficient to be marketable;

“The sand and gravel reserve has been tested for the Lake Erie Pit, of which, the MRO Expansion parcels have the same sand and gravel deposit. McLucas feels that the deposit will test the same within the new parcels. The previous testing shows the material passes the LA Abrasion test, degradation, sieve

analysis. The deposit has a 200- mesh of 4%. The sand and gravel reserve qualifies for WSDOT specifications for construction aggregates, and gravel borrow.”

k) Life of the resource is sufficient in the marketable;

“McLucas estimates that the MRO Expansion parcels have a market life of approximately 50 years.”

l) Resource availability in the region;

“Part of the resource was designated with the initial MRO designation was met and the Lake Erie Pit was permitted and is currently being mined. With the initial MRO designation, it was not continued enough west and south of the existing Lake Erie Pit. The MRO Expansion proposal includes the “heart” of the deposit, possessing 2 million cubic yards of sand and gravel material. Our request is to extend the MRO designation to the three parcel boundaries, which have some MRO designation now to include the complete parcel areas.”

m) Policies and regulations are in place to mitigate the potential effects of sediments and pollutants on public drinking water.

“The current Lake Erie Pit has a Washington State Department of Ecology Sand & Gravel General Permit. These permit/policies protect the ground water and storm water runoff. Mines cannot mine to within 10 feet of the groundwater table. A Nation Pollutant Discharge System (NPDES) permit is required as part of the SEPA process. The Lake Erie Pit has these permits in place, and the addition of the MRO Expansion parcels will require a new SUP permit, DOE permit, NPDES permit, and WSDNR reclamation permit.”

4D-1.4 Mineral Resource Overlay Density Polices

Residential gross densities on or within ¼ mile of a Mineral Resource Overlay shall be no greater than 1 residential dwelling unit per 10 acres. New subdivisions with densities greater than 1 unit per 10 acres may be permitted only if the additional development rights can be transferred to and clustered on that portion of the same property lying outside of ¼ mile from the MRO. Consistent with the Conservation and Reserve Development (CaRD) land division regulations.

“The General geographic area is currently RRC-NRL and contains the current mining operation of the Lake Erie Pit with exception of three parcels to the East

and south, which have RI zoning and these parcels are under 2.5 in acreage and two have homes on them. The two other parcels to the south, one is owned by Skagit County for highway or street right away, and the other is owned by Bill Wooding and is zoned RR. The property to the north is RRC-NRL and the current Lake Erie Pit, and to the west is Rosario Road. RI allows for more zoning, but the three parcels to the west and south are less than 3 acres and two have homes on them. The mining plan will have a 50 foot setback from the property lines, setback will be left with natural trees and brush, and a two to one reclamation slope will be required as per WSDNR reclamation permit. In reference to the CaRD subdivision approach, the land zoned RI does not contain the acreage for higher density zoning. Four of the parcels located to the east and south are less than 2.5 acres in size, and two have homes built on the parcels.”

General Policy Goals: Mineral Resource Overlay

Maintain and enhance conservation of long-term commercially significant mineral resource lands so that use of, and access to these lands is not precluded by conflicting land uses through the designation of a Mineral Resource Overlay. These principles shall guide Skagit County’s actions to:

***Maintain and enhance conservation of long-term commercially significant mineral resource land.**

“The MRO Expansion parcels will add an additional 2 million cubic yards of sand and gravel reserve which will be utilized by Skagit County for years to come.”

***Maximize compatibility between mineral extraction operations and other land uses.**

“The MRO Expansion will have little effect with the surrounding land uses, which are already developed, and have had no adverse effect from the past mining of the Lake Erie Pit.”

***Reduce conflicts between mining operations and adjacent land uses so that access to mineral lands is not precluded by conflicting land uses; and**

“The MRO Expansion parcels are congruent with the existing Lake Erie Pit parcels and will utilize the same exit/entrance road to the north that connects with Rosario Road.”

***Promote the economic and regulatory stability of the mine industry.**

“That is exactly what the MRO Expansion will do. Approval of the MRO Expansion parcels will add the additional sand and gravel assets (2 million cubic yards) that will be used for the next 50 years to support the building and infrastructure of the Anacortes area.”

Policies

4D-2.1 Designate Mineral Resource Overlay

“The MRO Expansion parcels have a portion of each parcel with an MRO designation, with the exception of an interior parcel (.3 acres) which does not have any MRO designation. We are proposing to expand the MRO designation to the boundaries of these three parcels.”

4D-2.2 Allowable Mineral Extraction Activities

“Upon approval of the proposed MRO Expansion parcels, McLucas will apply for a new SUP permit with Skagit County to expand the current/permitted Lake Erie Pit to include the MRO Expansion Parcels. The process will also require a new SEPA Checklist, and an expanded WSDNR reclamation permit. The current operation processing includes crushing and screening of aggregates. We will propose the same processing for the MRO Expansion parcels.”

4D-2.3 Natural Resource Lands Information Clearing house

“As part of the mining process, the Lake Erie Pit relies upon the published “Best Management Practices” authored by Washington State Department of Natural Resources. This publication is available to all miners and covers every aspect of mining.”

Goal D-3, Reduce Land Use Conflicts

Discourage incompatibility and reduce conflicts between mineral extraction operations and other land uses.

“Mining has existed in the current mining area and the proposed expansion area since the 1960’s. Lake Erie Pit was permitted in the early 1990”s and has mitigated the “mining aspect” of the area, by following the restrictions and guidelines placed by the SUP, DOE, and DNR permits. These guidelines restrict the mining depth for water protection; truck traffic restrictions to restrict the

traffic flow, and road maintenance; a quarterly check of the noise sound of the crusher, to mitigate most of the noise, and air quality, having equipment that runs well. Mining Safety Health Administration (MSHA) membership is required by all mines, whereby the site is checked regularly for processing safety, handling of pollutants (oil and gas), and having a certified MSHA card holder within the work staff.”

Policies

4D-3.1 Exclusive Mineral Resource Overlay

“The existing Lake Erie Pit parcels were part of a per-existing land use with mining. That is why the current MRO designation is on portions of the MRO Expansion parcels. Parcel P19158 has had mining conducted on the parcel since the 1960”s. The MRO Expansion parcel proposal is justified, in that, these parcels should have had the MRO designation applied in the beginning, because the majority of the sand and gravel reserve lie in these parcels.”

4D-3.2 Right to Manage Mineral Resource Lands

We concur with the Policy section.

4D-3.3 Deed Restrictions

We concur with this policy, and all neighbors within ¼ mile will be notified by the hearing examiner, and with the Skagit SUP submittal, they will be notified aging of the permit expansion.

4D-3.4 Development Regulations

We concur with this Policy.

4D-3.5 Siting Adjacent Residential Development

“All the adjacent parcels that are residential are built out, on parcels less than 2.5 acres with one residential house per the three adjacent parcels.”

4D-3.6 Mining Site Buffer Standards

“As required by the Skagit County SUP and the WSDNR reclamation permits, a 50’ buffer will be in place between property lines, and will be left in a vegetation state. Some times these buffers are used to store top soil and sub soils for reclamation. If so, the miner is obligated to re-vegetate the setbacks in final reclamation.”

4D3.7 Mining Activities Buffer Standards

“The setback buffers are regulated by Skagit SUP and WSDNR reclamation permits, and will be complied with for this MRO Expansion.”

Goal D-4, Effective Regulatory Environment

Coordinate and implement administrative procedures that encourage consistency among permitting jurisdictions and simplify permitting procedures for the applicant and Skagit County.

Policies

4D-4.1 Coordinate State and Local Regulations

“Bill Wooding, owner of the Lake Erie Pit, and owner of the MRO Expansion has worked well with Skagit County Planning, and WSDNR reclamation staff. McLucas, is a licensed Geologic firm in the States of Washington and Oregon, operating as such for 40 years. McLucas has permitted over a 20 mines in Washington State, several in Skagit County, and has worked well with Skagit County Staff and WSDNR staff during this time.”

4D-4.2 Improve Local Permit Process

“McLucas review of the permitting process in Skagit County is straight forward and the Planning Staff is very helpful.”

Goal D-5, Safe Operations

Ensure safety and minimize off site disturbances associated with operating equipment, noise, dust, glare, and truck traffic.

4D-5.1 Noise Impact

“A requirement of the SUP will be to have a noise monitoring program, which will check the noise on a quarterly basis as per WAC Section 173-60-040.”

4D-5.2 Traffic Impacts

“The current Lake Erie Pit had a Traffic Study done as part of the original SUP. A requirement of the addition of the MRO Expansion, a new Traffic Analysis will be required for the expanded SUP.”

4D-5.3 Roads and Bridges

“The process of repairing the Rosario Road to the North, where the entrance/exit road is located has been a joint venture with the Lake Erie Pit by restricting the number of truck traffic entering and leaving the site.”

4D-5.4 Operations Hours

“The current SUP for the Lake Erie Pit sets the operational hours for operating the pit. The new SUP for the MRO Expansion will also set the operational hours for the pit. These are followed as directed.”

4D-5.5 Blasting Timing

“This does not apply to the Lake Erie Pit and the expansion. There is not blasting at this site.”

4D-5.6 Noise and Blasting Mitigation

“There will be no blasting at the site. The operation will crush and screen aggregates. The crusher does make some noise. This will be monitored on a quarterly basis by conducting a sound check. Note: The site runs heavy from 2-minus to sand. Very little crushing will take place on the site.”

4D-5.7 Pre-Existing Mining Operation

“Our contention is that the Lake Erie Pit and the Expansion Parcels are pre-existing non-conforming use. A SUP was obtained in the 1990’s and a new SUP will be obtained for the MRO Expansion Parcels.”

4D-5.8 Chemical Leach Mining

“This section does not apply to our submittal; no chemical leaching is being done.”

Goal D-6 Water Quality

Ensure that water quality protection standards associated with mining operations comply with best management practices.

4D-6.1 Reclamation Plan

“The current Lake Erie Pit follows the “Best Management Practices” published by WSDNR. The new MRO Expansion Parcels will be managed and handled by referring to this manual. The Lake Erie Pit has not had any infractions concerning the handling and monitoring of the ground water and storm run-off. All top soil and subsoil will

be placed in a safe, but accessible area, reseeded to protect from erosion, and placed on the mine floor and walls for final reclamation.”

4D-6.2 Storage Ponds

“The current site and the addition of the MRO Expansion sets in a bowl, whereby water cannot escape the site. The sand and gravel deposit is very permissible, and water drains away readily.”

4D-6.3 Erosion Prevention

“With the 50’ setbacks from property lines and a 2:1 slope towards the mining floor, no water can escape the site. As mentioned before, the storm water drains away quickly. There is no washing of aggregates on site, so there is no discharge into the water table. If the weather changes and there is constant rain, we will create a pond in the center of the mine floor to hold the storm water and to allow it to drain naturally into the water table below. We are required to stay a minimum of 10 feet above the water table in the excavation of aggregates.”

4D-6.4 Aquifer Barriers

“As per the WSDOE and WSDNR, we are required to keep mining a minimum of 10’ above the highest aquifer. Lake Erie Pit is in compliance with this.”

4D-6.5 Aquifer Reclamation

“The mining plan is to stay a minimum of 10’ above the aquifer”

4D-6.6 Aquifer Protection

“As stated above, the mining will not breach the aquifer.”

4D-6.7 Grading Adjacent to Water Bodies

“This does not apply to our mining plan, no aquifer will be breached.”

4D-6.8 Groundwater Study

“As per the new Skagit County SUP, which will be applied for, they are requesting an Hydrogeologic Study be conducted. We will comply.”

4D-6.9 Aquifer Monitoring

“This does not apply to our mining plan, no aquifer will be beached. We will stay a minimum of 10’ above the highest aquifer.”

Goal D-7, Public Lands

Recognize and identify scientific resources sites as educational and recreational opportunities.

Policies

4D-7.1 Preserve Scientific Resources Sites

“We concur. There has been no discovery of rare fossils or historic artifacts found on the site.”

4D-7.2 Recreational Interests

“We concur. At this point there does not appear to be any recreational opportunities with the site, but we are open for future recreational development.”

10. Provide a detailed statement of how the proposal meets the standards in SCC 14.16 applicable to the proposed zone.

“This Chapter 14.16 of the SCC is known as the Zoning Codes of Skagit County, Washington. This Chapter regulates the development of land for agriculture, forest, mineral resource extraction, residential, commercial, industrial and public land uses for the unincorporated area of Skagit County. When interpreting this Code, the minimum requirement necessary to achieve the intent shall prevail. The MRO Expansion proposal, meets this requirement, in that it is zoned RRc-NRL and each parcel has current MRO zoning on portions of the three parcels. The Administrative Official will see that this proposed MRO Expansion use shall substantially meet the intent of and be consistent with the goals, objectives and policies of the Comprehensive Plan. This proposal meets the stated purpose and general intent of the zone in which the use is proposed to be located. This MRO Expansion use does not adversely impact the public health, safety and general welfare of the residents of the County, and the MRO Expansion proposal use shall share characteristics common with and not be of greater intensity, density or generate more environmental impact than those uses listed in the land use zone in which it is to be located.”

“The RRc-NRL zoning covers the current Lake Erie Pit Parcels, and the MRO Expansion proposal. Zoning to the east has minor RI zoning, of which the two parcels under 3 acres are currently built out homes. Land to the south is zoned Rural Reserve Open Space. To the north and west lies Rosario Road which separates RI zoning in that area. There appears to be very little impact to the proposed MRO Expansion to the surrounding neighbors and zoning.”

14.16.430 Rural Resource-Natural Resource Lands (RRc-NRL).

(1) Purpose. The purpose of the Rural Resource-Natural Resource Lands district is to recognize and encourage the conservation of those lands which have the characteristics of both long-term commercially significant agriculture and conservation of those lands which have the characteristics of both long-term commercially significant agriculture and co forestry eight on-site or adjacent sites. These are lands generally not managed as industrial resource lands because of less productive soils, parcel size and/or geographic location, but are managed on a smaller scale and provide support for these industrial natural resource land base. It is the intent of this district to restrict incompatible non resource-related uses and to retain a long-term, commercially significant natural resource land base.

“Skagit County in setting up the zoning for the area of the subject MRO Expansion realized the significance of the sand and gravel asset deposit. The Lake Erie Pit parcels and the MRO Expansion parcels were zoned RRc-NRL to preserve the sand and gravel deposits of this area. The MRO Expansion Parcel proposal continues the preservation by the expansion of the MRO, which will add an additional 2 million cubic yards of sand and gravel reserve.”

(2) Permitted Uses.

(k) Extraction of gravel and rock on 3 acres or less for the purpose of forest road construction and/or maintenance, and the operation of rock crushers, provided the material and equipment is used with the Rural Resource-natural Resource Lands Zone.

“The Lake Erie Pit was permitted for mining due to the early designation of a pre-existing non-conforming use permit. The large parcel in the expansion, P19168 had been used since the 1960’s to provide a gravel source for the surrounding area. The MRO Expansion proposal will further extend this asset to fulfill the County need for sand and gravel in the future.”

(4) Hearing Examiner Special Uses.

(d) Extraction of gravel and rock on more than 3 acres for the purpose of forest road construction and/or maintenance, and the operation of rock crushers, provided the mineral and equipment is used within the Rural resource-Natural Resource Lands Zone, or on same forest owners property.

“The MRO Expansion Parcel proposal is located in RRc-NRL zoned land. The Expansion will require a Skagit County Special Use Permit (SUP). The current Lake Erie Pit, which is congruent with the MRO Expansion Parcels, has an operating Skagit County SUP. The MRO Expansion will combine the Lake Erie Pit with the MRO Expansion Parcels in a new Skagit County SUP and a revised WSDNR reclamation permit.”

(5) Dimensional Standards.

(c) Setbacks from NRL lands shall be provide per SCC 14.16.810(7)

Parcels of land outside of and immediately adjacent to (Natural resource Lands (RRc-NRL) and Mining Resource Overlay Zones) shall observe a minimum boundary setback of 200 feet from natural Resource Lands. This setback may be waived if the applicant for the building permit on the adjacent non-resource land acknowledges in writing the possible occurrence of agriculture, forestry or mining activity in the adjacent property waives in writhing, for all current and future owners.

“Bill Wooding has worked with his neighbors in keeping the processing area 200’ from the adjacent property owners boundaries. By the same token, adjacent property owners have not built homes within 200’ of the RRc-NRL zoning owned by Mr. Wooding. The Proposed MRO Expansion within the RRc-NRL zoning should not incur infractions of the setback policies. Mr. Wooding will work with his neighbors to mitigate any impacts to their property, but will expect the same in protecting the natural resource of sand and gravel extraction.”

(6) Additional requirements related to this zone are found in SCC 14.16.600 - 14.16.900

SCC 14.16.600 – “Unclassified Use Permit will not be necessary with the enclosed application.”

SCC 14.16.700 – Zoning Use Matrix – “ This section is not applicable to the enclosed proposal.”

SCC 14.16.800 Parking – “There are no parking issues with the enclosed proposal, since it will only include a few employee’s vehicles.”

SCC 14.16.900 – Special Use Permit Requirements

(1) Special Uses.

(a) Purpose. To provide a means to recognize and approve land uses not specifically identified as allowed uses. A special use permit must demonstrate that the proposed activity will not adversely affect or prevent those uses normally allowed within the respective district.

“The Lake Erie Pit has a Skagit County Special Use Permit (SUP) in place and current. The proposed MRO Expansion parcels will require a new SUP, and approval from the Hearing Examiner.”

(b) Process/Authority for Special Use Permit

(ii) Hearing Examiner special uses shall be reviewed as a Level 11 permit, pursuant to Chapter 14.06 SCC. “A Hearing Examiner will be reviewing this application and will render approval or disapproval.”

(iv) The approving authority’s (Hearing Examiner) may be to grant or to deny an application. “This proposal understands this status.”

(v) The burden of proof shall be on the applicant to provide evidence in support of the application. The criteria for approval or denial shall include the following:

(A) “The enclosed proposal is in compatibility with existing and planned land use and complies with the Comprehensive Plan.”

(B) “The proposed use complies with Skagit County Code.”

(C) “The proposed use will be monitored for noise in the process of aggregates. The water and pollutants mitigation will require the operation to have a WSDOE Mining General Permit, NAICS Permit, Traffic Analysis, WSDNR reclamation permit, MSHA Safety Certificate, which will be part of the Skagit County SUP process.”

(D) “A 50’, vegetated setback will be in place at property boundaries to ensure the privacy of adjacent land owners.”

(E) “This proposal safeguards any adverse effects to the general public by the implementation and use of WSDNR “Best Management Practices”.”

(F) “The impacts of mining the Natural Resource Lands proposed in this application, requires the mining party to post a reclamation bond with WSDNR to ensure that reclamation is complete with the finalization of mining.”

(G) “As per item (E), health and safety of the community is a prime concern.”

(H) “The proposed mining expansion, does not bring any new impacts to the public services.”

(I) As required by WSDNR Reclamation Permit, the site will be returned to its pre-mining natural state, less the processed sand and gravel. A Reclamation Bond is in place with WSDNR to ensure the reclamation at the end of mining.”

14.15.440 Mineral Resource Overlay (MRO)

(1) Purpose. The purpose of the Mineral Resource overlay (MRO) is to maintain and enhance natural resource-based industries by conserving mineral resource lands, allowing continued operation of existing legally established uses, and by assuring that use of adjacent lands does not interfere with the extraction and quarrying of minerals. A MRO overlay Natural Resource Lands (NRL) zoning districts and imposes regulations in addition to those normally required in the underlying NRL zoning district. Mineral Extraction and processing activities are allowed as a Hearing Examiner special use, and must comply with the Surface Mining Act, Chapter 78.44 RCW. The MRO recognizes those areas that are designated to protect long-term, commercially viable mineral Natural Resources lands and recognizes that mineral resources must be in close and economic proximity to the market to be served.

“The Lake Erie Pit is a commercially, viable sand and gravel operation, and is located contiguous to the Proposed MRO Expansion Parcels. The Lake Erie Pit has obtained a Skagit County SUP, and a WSDNR reclamation Permit. The MRO Expansion Parcels, would add an additional 2 million cubic yards of sand and gravel reserve for future use in Anacortes area. As part of the permitting process, a new Skagit County SUP will be required, as well as an expanded WSDNR reclamation permit. The existing Lake Erie

Pit has complied with the Surface Mining Act, as will the MRO Expansion parcels. The MRO Expansion Parcel proposal is located in an already established market.”

(2) Designation Procedure.

“This application, as per this section, (new Mineral Resource Overlay areas may be designated by complying with Chapter 36.70A RCW, the Comprehensive Plan amendment procedures of Skagit County Comprehensive Plan, and Chapter 14.08 SCC.)”

(3) Pre-Existing Designated and Undesignated Mining Operations.

(a) “As per SCC codes, an MRO Expansion can be applied for by submitting an Amendment to the Skagit County Comprehensive Plan. This application utilizes this vehicle for the MRO Expansion Proposal.”

(b) “The MRO Expansion Proposal if adopted by Skagit County will require a new SUP and an Expanded WSDNR reclamation permit.”

(c) “Same as Item (b).”

(4) Removal of Designated Status.

“This MRO Expansion application is not to remove a designated status, but to expand a designated status.”

(5) Permitted Uses.

“The MRO Expansion Parcels are in RRC-NRL zoning, which allows for mining of sand and gravel.”

(6) Accessory Uses.

“Does not apply to this application.”

(7) Special Uses.

(a) “A SUP will be required for the permitting of the MRO Expansion.”

(b) “The permitting of the MRO Expansion will require a SUP, WSDNR reclamation permit, DOE Sand and Gravel General Permit, and an NPDES storm water and waste water permit. These are allowed as per this section”

(8) Application For Mining Special Use Permit.

(a) "The SUP/WSDNR permit application will have 11"x17" mining/reclamation map set."

(b) A report by a qualified geologist, hydrogeologist or licensed engineer characterizing the area's ground water including, but not limited to the following information:

"Skagit County is requiring a Hydrogeologic Report, which will characterize the MRO Expansion ground water. This will be part of the SUP application, if our proposal is approved."

(9) Hearing Examiner Review.

"The Comprehensive Plan Amendment will be subject to a Hearing Examiner Review. If this application is approved, the SUP submittal to Skagit County will also be subject to a Hearing Examiner Approval."

(10) Operating Standards or Requirements.

(a) Site Area and Width.

"The MRO Expansion Parcels have approximately 36 acres with a minimum width of 500 feet."

(b) Buffers (c) Noise Levels (d) Blasting (e) Vertical Limitations/Aquifer

"Crushing and screening operation of sand and gravel will be a minimum of 200' from adjacent properties. Once the mining of aggregates is complete, a 50', vegetated, setback will be in place for the adjacent properties, as per WSDNR regulations. The site will maintain Maximum permissible noise levels as per Chapter 173-60 WAC. There will be no blasting on site. The vertical Limits of the mining will be 10' above the existing aquifer as per WSDNR requirements. The site is a bowl, which contains all rain water, and infiltrates to the aquifer naturally. WSDNR Best Management Practices are in place to ensure the storm water is not contaminated in the mining process. No aquifer will be breached. All elements of the Critical areas Ordinance will be complied with."

(f) Surface Water Protection.

"The current Lake Erie Pit is in compliance with Chapter 14.32 SCC, as well as the requirements from WSDOE Sand and Gravel General Permit. The current operation is in compliance with WSDNR reclamation requirements, and the

NPDES storm water guidelines. The MRO Expansion Parcels will be added to this existing permit via a new SUP, and the expanded WSDNR reclamation permit, which will be required before mining can commence in the new parcels. There will be no storage ponds on site. The washing of aggregates is not permitted for this site, and will not be part of the new SUP.”

(g) Bench/Terrace.

“Final Reclamation will have 2:1 to 3:1 reclamation slopes with benches created at less than 40’ intervals.”

(h) Reclamation.

“The MRO Expansion Parcels will require an Expanded WSDNR reclamation permit and application of WSDNR “Best Management Practices”. The final reclamation will have a varied reclamation floor with natural enhancement with planted trees, and bushes indigenous to the local area. Reclamation slopes will not exceed 2:1 slopes. Final reclamation will include the importation of “Clean Fill” for reclamation. The fill will be compacted to 85% compaction. All topsoil will be kept on site and stored for final reclamation, and slope stability.

(i) Hours of Operation.

The hours of operation will be dictated by Skagit County in the SUP process. Additions or subtraction of the hours can be amended by the Hearing Examiner.”

(J) Chemical Leach Mining

“There will be no chemical leaching at this site.”

(k) Responsibility

“The landowner and operator are the same, Bill Wooding (Pit 1, LLC). Mr. Wooding has a reclamation bond in place with WSDNR to ensure that the site will be reclaimed as per regulations.”

11. For Urban Growth area Boundary changes, demonstrate how your proposal will be supported by and dependent on population forecasts and allocated urban population distributions, existing urban densities and infill opportunities, phasing and availability of

adequate service, proximity to designated natural resource lands and the presence of critical areas, consistent with the requirements of SCC 14.08.020(5). (Note: Only affected jurisdictions may apply for urban growth area boundary changes. Applications from individuals are not accepted.)

“No Change is proposed to the Urban Growth Boundary.”

12. Any proposed natural resource land map designation changes shall recognize that natural resource lands designations were intended to be long-term and shall further be dependent on 1 or more of the following:

- (a) A change in circumstances pertaining to the Comprehensive Plan or public policy.
- (b) A change in circumstances beyond the control of the landowner pertaining to the subject property.
- (c) An error in initial designation.

“We do not intend to say there was an error in the initial designation of the MRO in respect to the Lake Erie Pit parcels, and the proposed MRO Expansion parcels, but we feel that they did not extend the MRO designation in the three major parcels to cover the entire parcel in each case. If further investigation of the Wooding (Pit 1, LLC) RRC-NRL parcels had been done, or if Mr. Wooding had been contacted, they would have found that the topography of these parcels increase in height as you move south and west. In practicality, the initial MRO designation stopped short or including the heart of the sand and gravel deposit. The MRO Expansion parcels include an additional 40’ to 50’ in depth. The estimated sand and gravel reserve contained within these parcels is approximately 2 million cubic yards. This deposit past this high mound of sand and gravel quickly drops 50 plus feet as it daylights to the north, south, east, and west boundaries. As mentioned before the three main parcels, we are requesting to have the MRO Expansion, each have a certain percentage of MRO designation up to 40 to 50 percent. Only P19158 has a 1% MRO designation, but this parcel contains the majority of the estimated unmined reserve. The fourth parcel is .3 acres and is in the north central area of P19158, and has been included in the MRO Expansion , because setbacks and 2:1 sloping applied to this parcel would consume a large portion of the Expansion sand and gravel reserves.”

(d) New information on natural resource land or critical area status.

“None that we know of”

Applicants for commercial or Industrial Designation must include the following:

“Our application does not contain any industrial use and does to apply to this section.”

13. Please attach a proposed schedule of development, or a development phasing plan, as appropriate (see SCC 14.08.020(7)©(iii)).

“Does not apply to this application.”

EXHIBIT 4

Washington thence North 8 degrees 06' 48" East along the West line of said SE Quarter of the NW Quarter a distance of 216.46 feet to the true point of beginning; thence continue North 8 degrees 06' 48" East a distance of 607.24 feet to the South line of the North 330 feet of said SE Quarter of the NW Quarter of Section 11; thence South 88 degrees 31' 35" East along the South line of said North 330 feet a distance of 722.30 feet; thence South 8 degrees 06' 48" West a distance of 607.24 feet; thence North 88 degrees 31' 35" West a distance of 722.30 feet to the true point of beginning; SUBJECT TO record of survey affecting subject property, recorded December 20, 1978, in Volume 2, Page 138, under Auditor's No. 893392.

P19155

That portion of the NE Quarter of the SW Quarter of the NW Quarter of Section 11, Township 34 North, Range 1 East of the Willamette Meridian lying Easterly of Rosario Road as conveyed to Skagit County by deeds recorded under Auditor's File No. 251936 and 602458

P19158

That portion of the SE Quarter of the SW Quarter of the NW Quarter of Section 11, Township 34 North, Range 1 East of the Willamette Meridian, lying Easterly of Rosario Road, as conveyed to Skagit County by deeds recorded under Auditor's File Nos. 251936, 602458, and 767533; EXCEPT that portion conveyed to General Telephone Company of the Northwest, Inc., a Washington Corporation, by deed recorded May 16, 1984, under Auditor's File No. 8405160040, described as follows:

Commencing at the intersection of the centerline of Edith Point Road (the centerline of said road bears North 87 degrees 59' 21" West, Plat bearing is North 87 degrees 07" West) with the Westerly boundary of Lateral Highway Number 4 as shown on the Plat of Rancho San Juan Del Mar, Subdivision Number 4, as per Plat recorded in Volume 6 of Plats, pages 18, 19, 20, 21 and 22, records of Skagit County, Washington; thence South 31 degrees 37' 39" West along the West boundary of Lateral Highway Number 4 as it was located on said Plat of Subdivision Number 4 a distance of 231.20 feet; thence South 57 degrees 56' 57" East a distance of 60.66 feet to the Easterly right of way boundary of the present County Highway, and the true point of beginning; thence continue South 57 degrees 56' 57" East along said County right of way line, a distance of 35.00 feet to a point on a curve from which the radius of said curve bears South 57 degrees 56' 57" East, a distance of 1,839.86 feet; thence Northeasterly along said County right of way line on a curve to the right having a radius of 1,839.86 feet, through a central angle of 0 degree 51' 44", an arc distance of 27.69 feet; thence South 82 degrees 26' 28" East a distance of 78.81 feet; thence South 32 degrees 03' 03" West a distance of 100.00 feet; thence North 82 degrees 26' 28" West a distance of 117.50 feet to the Easterly right of way line of the County Highway; thence North 32 degrees 03' 03" East along the East boundary of said Highway a distance of 88.35 feet to the true point of beginning; EXCEPT that portion lying within a tract conveyed to Del Mar Community Services, Inc., a Washington Corporation, as Parcel 5 in that certain Deed recorded January 9, 1963, under Auditor's File No. 630692, more particularly described as follows:

Commencing at the intersection of the centerline of Edith Point Road with the West line of lateral Highway No. 4; thence South 32 degrees 30' West 125 feet along the West boundary of said Lateral Highway No. 4; thence South 88 degrees 08' East 325 feet to the true point of beginning; thence South 88 degrees 08' East 125 feet; thence East 88 degrees 08' South 130 feet; thence North 88 degrees 08' West 125 feet; thence 88 degrees 08' North 130 feet, more or less, to the point of beginning; ALSO EXCEPT that portion lying within a tract conveyed to Del Mar Community Services, Inc., by Deed recorded August 21, 1990, under Auditor's File No. 9008210068, described as follows:

Commencing at the intersection of the centerline of Edith Point Road with the West line of Lateral Highway No 4; thence South 31 degrees 37' 39" West along the Westerly line of Lateral Highway No. 4, also known as Rosario Road, a distance of 125.00 feet; thence South 89 degrees 00' 21" East, a distance of 320.04 feet to the true point of beginning; thence North 2 degrees 44' 30" West, a distance of 1.00 foot; thence South 89 degrees 00' 07" East, a distance of 125.00 feet; thence South 2 degrees 44' 30" East, a distance of 130.00 feet; thence



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Skagit County Auditor

EXHIBIT 4

North 89 degrees 00' 07" West, a distance of 125.00 feet; thence North 2 degrees 44' 30" West, a distance of 129.00 feet to the true point of beginning.

P19168

The NW Quarter of the SW Quarter of Section 11, Township 34 North, Range 1 East of the Willamette Meridian; EXCEPT that portion conveyed to Skagit County for road purposes by deeds recorded under Auditor's File Nos. 251936 and 767533, records of Skagit County, Washington; ALSO EXCEPT that portion thereof lying within the Plat of Rancho San Juan Del Mar, Subdivision No. 8, according to the Plat thereof recorded in Volume 8 of Plats, pages 34 and 35, records of Skagit County, Washington; ALSO EXCEPT all that portion described as follows:

Beginning at the SW corner of said NW Quarter of the SW Quarter; thence South 89 degrees 11' 16" East, along the South line of said Northwest Quarter of the SW Quarter a distance of 280.00 feet; thence North 0 degree 13' 00" West a distance of 601.12 feet; thence North 89 degrees 11' 16" West a distance of 144.51 feet to the intersection of the East line of Rosario Road; thence South 31 degrees 52' 40" West, along the East line of said Rosario Road, a distance of 254.98 feet to the intersection with the West line of said NW Quarter of the SW Quarter; thence South 0 degree 13' 00" East a distance of 382.68 feet to the point of beginning.; ALSO EXCEPT that portion of the NW Quarter of the SW Quarter of Section 11, Township 34 North, Range 1 East of the Willamette Meridian, being more particularly described as follows:

Commencing at the SW corner of said NW Quarter of the SW Quarter; thence South 89 degrees 11' 16" East, along the South line of said subdivision a distance of 1,430.21 feet to the SE corner of said subdivision and the true point of beginning; thence North 2 degrees 00' 38" East, along the East line of said subdivision, 110.02 feet; thence North 89 degrees 11' 16" West, parallel with and 110.00 feet North of the South line of said subdivision, 132.30 feet; thence at a right angle, South 0 degree 48' 44" West a distance of 110.00 feet, to the South line of said subdivision; thence South 89 degrees 11' 16" East along said South line 130.00 feet to the true point of beginning.

P90028

A tract of land in the NE corner of the SW Quarter of the NW Quarter of Section 11, Township 34 N, Range 1 East, Willamette Meridian, described as follows:

Commencing at the Intersection of the center line of Edith Point Road with the West line of lateral Highway No. 4; thence South 31 degrees 37' 39" West along the Westerly line of Lateral Highway No 4, also known as Rosario Road, a distance of 125.00 feet; thence South 89 degrees 00' 21" East, a distance of 320.04 feet to the True Point of Beginning; thence North 2 degrees 44' 30" East, a distance of 1.00 foot; thence South 89 degrees 00' 07" East, a distance of 125 feet; thence South 2 degrees 44' 30" East, a distance of 130.00 feet; thence North 89 degrees 00' 07" West, a distance of 125.00 feet; thence North 2 degrees 44' 30" West, a distance of 129.00 feet to the True Point of Beginning.

LEGAL DESCRIPTION OF EASEMENT:

Commencing at the intersection of the centerline of Edith Point Road with the Westerly boundary of lateral Highway No. 4; thence South 32 degrees 30' West along the Westerly boundary of said lateral Highway No. 4, 125'; thence South 88 degrees 08' East 325' to the true point of beginning; thence East 88 degrees 08' South 125'; thence South 88 degrees 08' East 60'; thence East 88 degrees 08' South 105'; thence North 88 degrees 08' West to the point of intersection with the East line of lateral highway No. 4; thence Northerly along the East line of said lateral Highway No. 4 to a point lying North 88 degrees 08' West to the true point of beginning; thence South 88 degrees 08' East to the POINT OF BEGINNING, all in the SW Quarter of the NW Quarter of Section 11, Township 34 N, Range 1 East, Willamette Meridian. Situate in Skagit County, Washington.



EXHIBIT 5

LEGAL DESCRIPTIONS
MRO EXPANSION

P19158

8.97 acres

Land use: (110) HOUSEHOLD SFR OUTSIDE CITY

SE¼ SW1/4 NW1/4 LESS PTN TAX 10 LES SPTN TO CO RD CONV AF#767533 LESS RT 2-003-02 LESS THAT PTN DAF COM AT INT OF CTR LI OF EDITH POINT RD WITH W LI OF ROSARIO RD TH S 31 37 39W ALG W LI ROSARIO RD 125.00FT TH S 89 00 21E 320.04 FT TPS TH N OF 02 44 30W 1.00FT TH S 89 00 07E 125.00FT TH S 02 33 30E 130.00FT TH N 89 00 07W 125.00FT TH N 02 44 30W 129.00FT TPB

P19164

16.86 acres

Land Use: (850) MINING ACTIVITES & RELATED SERVICES

THE SE1/4 NW1/4 OF SEC 11, TWP 34, RNG 1; EXCEPT THE NORTH 330 FEET THEREOF; ALSO EXCEPT ALL THAT PORTION THEREOF DESCRIBED AS FOLLOWS; COMMENCING AT THE SOUTHWEST CORNER OF SID SE1/4 NW1/4 NW1/4 OF SEC 11; THENCE NORTH 8-06-48 EAST ALONG THE WEST LINE OF SAID SE1/4 NW1/4 A DISTANCE OF 216.46 FEET TO THE TRUE POINT OF BEGINNING THENCE CONTINUE NORTH 8-06-48 EAST ALONG THE WEST LINE OF THE SE1/4 NW1/4 A DISTANCE OF 607.24 FEET TO THE SOUTH LINE OF THE NORTH 330 FEET A DISTANCE OF 722.30 FEET OF SAID SE ¼ NW1/4 OF SECTION 11; THENCE SOUTH 88-31-36 EAST ALONG THE SOUTH LINE OF SAID NORTH 330 FEET A DISTANCE OF 722.30 FEET; THENCE SOUTH 8-06-48 WEST PARALLEL WITH THE WEST LINE OF THE SE1/4 NW1/4 A DISTANCE OF 607.24 FEET; THENCE NORTH 88-31-35 WEST A DDISTANCE OF 722.30 FEET TO THE TRUE POINT OF BEGINNING

P19165

10.00 acres

Land Use; (850) MINING ACTIVITES & RELATED SERVICES

PTN SE1/4 NW1/4 N 937.25FT OF W 722.30FT LESS N 330FT

P90028

0.37 acres

Land Use: (110) HOUSEHOLD SFR OUTSIDE CITY

ACREAGE ACCOUNT. ACRES 0.37. A TRACT OF LAND IN THE NORTHEAST CORNER OF THE SOUTHWEST QUAARTER OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 34 NORTH, RANGE 1 EAST, W.M. DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE CENTER LINE OF EDITYH POINT ROAD WITH THE WEST LINE OF LATERAL HIGHWAY NO. 4

EXHIBIT 5

THENCE SOUTH 31 DEGREES 37'39" WEST ALONG THE WESTERLY LINE OF LATERAL HIGHWAY NO. 4, ALSO KNOWN AS ROSARIO ROAD, A DISTANCE OF 125.00 FEET. THENCE SOUTH 89 DEGREES 00'21" EAST, A DISTANCE OF 320.04 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 2 DEGREES 44'30", A DISTANCE OF 1.00 FOOT, THENCE SOUTH 89 DEGREES 00'07' EAST, A DISTANCE OF 125 FEET; THENCE SOUTH 2 DEGREES 44'30" EAST, A DISTANCE OF 130.00 FEET; THENCE NORTH 89 DEGREES 00'07" WEST, A DISTANCE OF 125.00 FEET; THENCE NORTH 2 DEGREES 44'30" WEST, A DISTANCE OF 129.00 FEET TO THE TRUE POINT OF BEGINNING. A TRACT OF LAND IN THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 34 NORTH, RANGE 1 EAST, W.M. DESCRIBED AS FOLLOWS; COMMENCING AT THE INTERSECTION OF THE CENTER LINE OF EDITH POINT ROAD WITH THE WEST LINE OF LATERAL HIGHWAY NO. 4, ALSO KNOWN AS ROSARIO ROAD, A DISTANCE OF 125.00 FEET; THENCE SOUTH 89 DEGREES 00'21" EAST, A DISTANCE OF 320.04 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 2 DEGREES 44'30" EAST, A DISTANCE OF 1.00 FOOT; THENCE NORTH 89 DEGREES 00'07" WEST, A DISTANCE OF 125 FEET; THENCE NORTH 2 DEGREES 44'30" WEST, A DISTANCE OF 129.00 FEET TO THE TRUE POINT OF BEGINNING.

EXHIBIT 6

Details for Parcel: P19158



Jurisdiction: SKAGIT COUNTY
Mineral Resource
Skagit County - [Rural Resource-Natural Resource Lands](#)

Zoning Designation:

Overlay:

Parcel Number

P19158

XrefID

340111-2-003-0009

Quarter Section Township Range

02 11 34 01

Owner Information

PIT I LLC

C/O LAKE ERIE TRUCKING

13540 ROSARIO RD

ANACORTES, WA 98221

Site Address(es) _

Location Map

[Locate this Parcel on iMap.](#)

Assessor's Parcel Map: [PDF](#) | [DWF](#)

2014 Values for 2015 Taxes*

Building Market Value	\$0.00
Land Market Value	+\$178,900.00
Total Market Value	\$178,900.00
Assessed Value	\$178,900.00
Taxable Value	\$178,900.00

Sale Information

Deed Type	QUIT CLAIM DEED
Sale Date	2006-12-01
Sale Price	\$0.00
Sale requires NRL disclosure	(more info)

2015 Property Tax Summary

2015 Taxes will be available after 2/15/2015

Use the Taxes link above for 2014 taxes

* Effective date of value is January 1 of the assessment year (2014)

Legal Description [Definitions](#)

SE1/4 SW1/4 NW1/4 LESS PTN TAX 10 & LES SPTN TO CO RD CONV AF#767533 LESS RT 2-003-02 LESS THAT PTN DAF COM AT INT OF CTR LI OF EDITH POINT RD WITH W LI OF ROSARIO RD TH S 31 37 39W ALG W LI ROSARIO RD 125.00FT TH S 89 00 21E 320.04 FT TPB TH N 02 44 30W 1.00FT TH S 89 00 07E 125.00FT TH S 02 33 30E 130.00FT TH N 89 00 07W 125.00FT TH N 02 44 30W 129.00FT TPB

Land Use (110) HOUSEHOLD SFR OUTSIDE CITY

Neighborhood (20FIDALGO) FIDALGO RESIDENTIAL

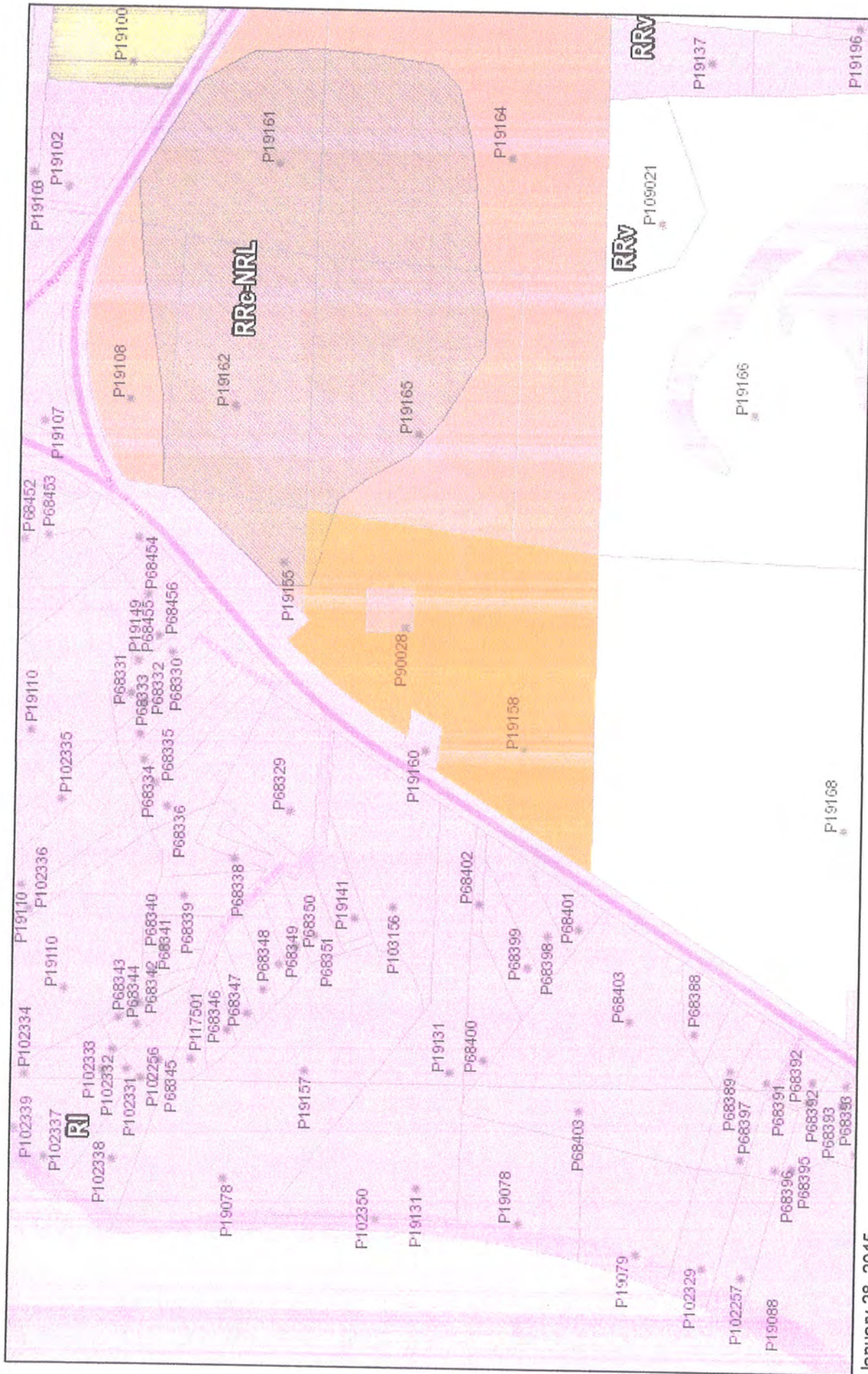
[WAC 455-03-030](#)

Utilities

Levy Code 1460
City District Skagit County
School District SD103
Fire District
Year Built
Acres 8.97
Living Area
Bedrooms
Appliances
Exemptions

Foundation
Construction Style
Exterior Walls
Roof Style
Roof Covering
Floor Construction
Plumbing
Heat-AirCond
Fireplace

EXHIBIT 6



January 28, 2015

Legend

- County Boundary
- Incorporated Areas
- Airport Environs Overlay [AEO]
- UGA Areas
- Water
- Dirt Accounts
- Senior Citizen Accounts
- Mobile Home Only Accounts
- Building Only Accounts
- Mineral Resource Overlay [MRO]
- Tax Parcels
- Pre Tax Account Property

Data Accuracy Warning: All GIS data was created from available public records and existing map sources. Map features have been adjusted to achieve a best-fit registration. While great care was taken in this process, maps from different sources rarely agree as to the precise location of geographic features. Map discrepancies can be as great as 300 feet.

EXHIBIT 6

Details for Parcel: P19164



Jurisdiction: SKAGIT COUNTY
Mineral Resource
Skagit County - [Rural Resource-Natural Resource Lands](#)

Zoning Designation:

Overlay:

Parcel Number

P19164

XrefID

340111-2-005-0007

Quarter Section Township Range

02 11 34 01

Owner Information

PIT I LLC
C/O LAKE ERIE TRUCKING
13540 ROSARIO RD
ANACORTES, WA 98221

Site Address(es) _

Location Map

[Locate this Parcel on IMap](#)

Assessor's Parcel Map: [PDF](#) | [DWF](#)

2014 Values for 2015 Taxes*

Building Market Value \$.00
Land Market Value +\$278,200.00
Total Market Value \$278,200.00
Assessed Value \$278,200.00
Taxable Value \$278,200.00

Sale Information

Deed Type QUIT CLAIM DEED
Sale Date 2006-12-01
Sale Price \$.00
Sale requires NRL disclosure ([more info](#))

2015 Property Tax Summary

2015 Taxes will be available after 2/15/2015

Use the Taxes link above for 2014 taxes

* Effective date of value is January 1 of the assessment year (2014)

Legal Description [Definitions](#)

THE SE1/4 NW1/4 OF SEC 11, TWP 34, RNG 1; EXCEPT THE NORTH 330 FEET THEREOF; ALSO EXCEPT ALL THAT PORTION THEREOF DESCRIBED AS FOLLOWS; COMMENCING AT THE SOUTHWEST CORNER OF SAID SE1/4 NW1/4 OF SEC 11; THENCE NORTH 8-06-48 EAST ALONG THE WEST LINE OF SAID SE1/4 NW1/4 A DISTANCE OF 216.46 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUE NORTH 8-06-48 EAST ALONG THE WEST LINE OF THE SE1/4 NW1/4 A DISTANCE OF 607.24 FEET TO THE SOUTH LINE OF SAID NORTH 330 FEET OF SAID SE1/4 NW1/4 OF SECTION 11; THENCE SOUTH 88-31-35 EAST ALONG THE SOUTH LINE OF SAID NORTH 330 FEET A DISTANCE OF 722.30 FEET; THENCE SOUTH 8-06-48 WEST PARALLEL WITH THE WEST LINE OF THE SE1/4 NW1/4 A DISTANCE OF 607.24 FEET; THENCE NORTH 88-31-35 WEST A DISTANCE OF 722.30 FEET TO THE TRUE POINT OF BEGINNING

Land Use (850) MINING ACTIVITIES & RELATED SERVICES

Neighborhood (7L2ANA) ANACORTES INDUSTRIAL LAND

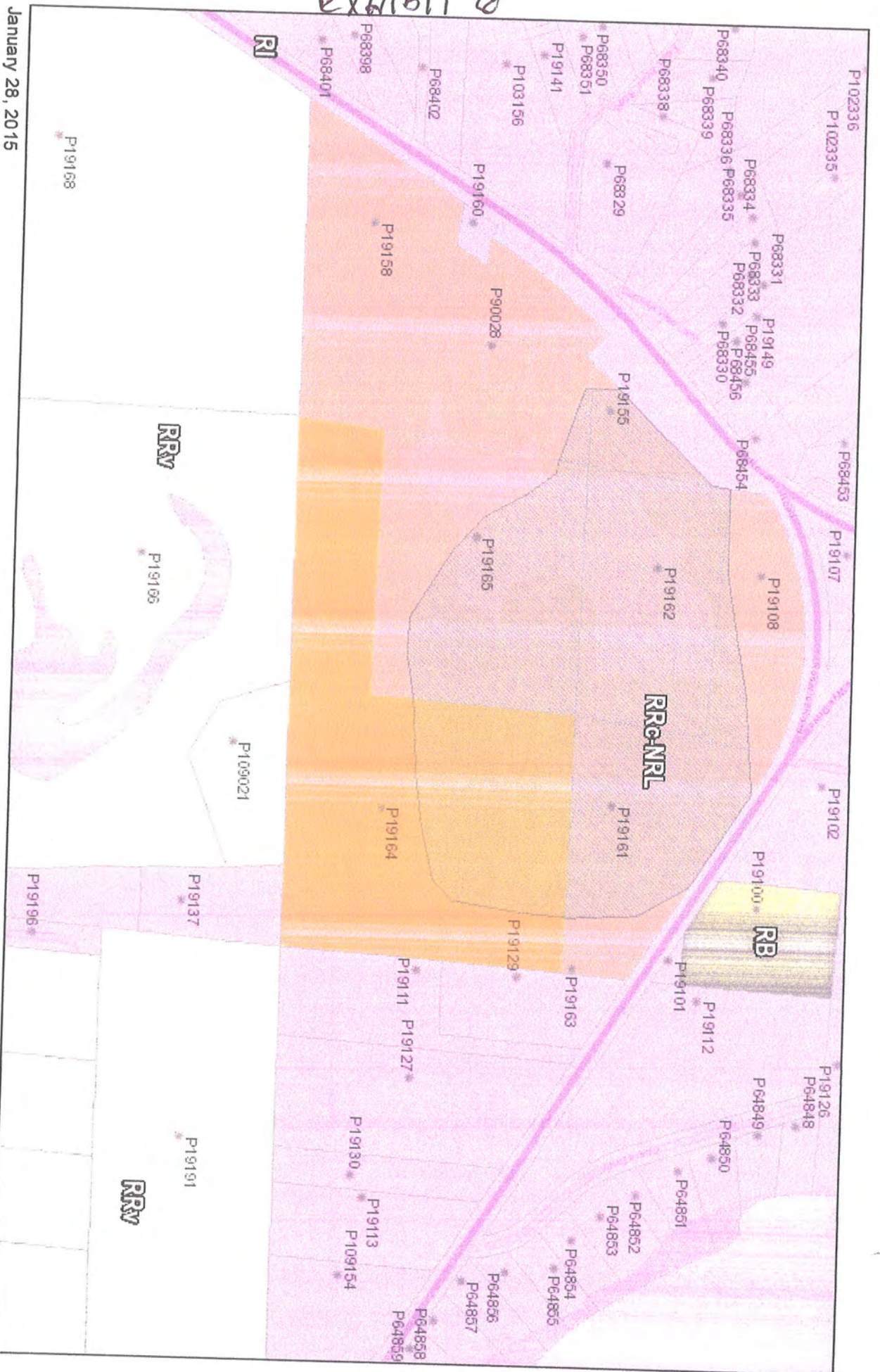
[WAG 458-61-030](#)

Utilities

Levy Code 1460
City District Skagit County
School District SD103
Fire District
Year Built
Acres 16.86
Living Area
Bedrooms
Appliances
Exemptions

Foundation
Construction Style
Exterior Walls
Roof Style
Roof Covering
Floor Construction
Plumbing
Heat-AirCond
Fireplace

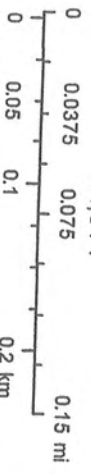
EXHIBIT 6



January 28, 2015

Legend

- County Boundary
- Incorporated Areas
- Airport Environs Overlay [AEO]
- UGAA
- Water
- Dirt Accounts
- Senior Citizen Accounts
- Mobile Home Only Accounts
- Building Only Accounts
- Mineral Resource Overlay [MRO]
- Tax Pa
- Pre Tax Account Property



1:4,514

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EXHIBIT G



Details for Parcel: P19165

Jurisdiction: SKAGIT COUNTY
Mineral Resource
Skagit County - [Rural Resource-Natural Resource Lands](#)

Zoning Designation:

Overlay:

Parcel Number

P19165

XrefID

340111-2-005-0106

Quarter Section Township Range
02 11 34 01

Owner Information

PIT I LLC
C/O LAKE ERIE TRUCKING
13540 ROSARIO RD
ANACORTES, WA 98221

Site Address(es) _

Location Map

[Locate this Parcel on iMap](#)

Assessor's Parcel Map: [PDF](#) | [DWF](#)

2014 Values for 2015 Taxes*

Building Market Value \$.00
Land Market Value +\$165,000.00
Total Market Value \$165,000.00
Assessed Value \$165,000.00
Taxable Value \$165,000.00

Sale Information

Deed Type QUIT CLAIM DEED
Sale Date 2006-12-01
Sale Price \$.00
Sale requires NRL disclosure ([more info](#))

2015 Property Tax Summary

2015 Taxes will be available after 2/15/2015

Use the Taxes link above for 2014 taxes

* Effective date of value is January 1 of the assessment year (2014)

Legal Description [Definitions](#)

(10.0000 ac) PTN SE1/4 NW1/4 N 937.25FT OF W 722.30FT LESS N 330FT

Land Use (850) MINING ACTIVITIES & RELATED SERVICES

Neighborhood (7L2ANA) ANACORTES INDUSTRIAL LAND

[WAC 34.56-090001](#)

Utilities

Levy Code 1460
City District Skagit County

School District SD103

Fire District

Year Built

Acres 10.00

Living Area

Bedrooms

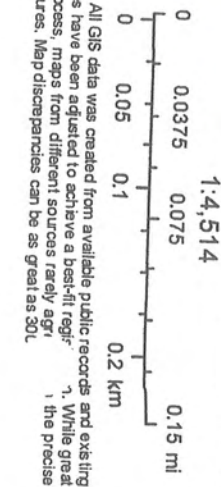
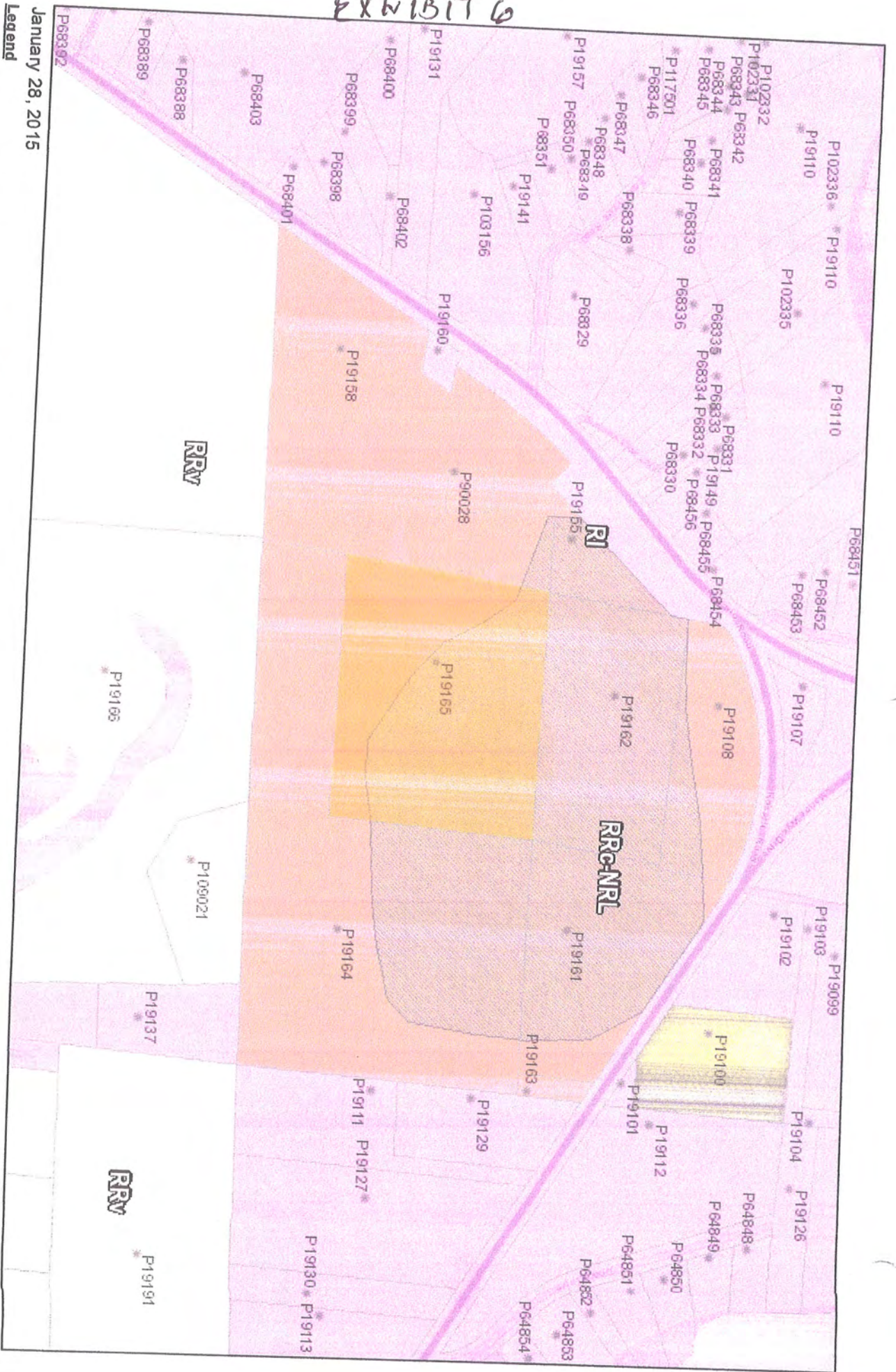
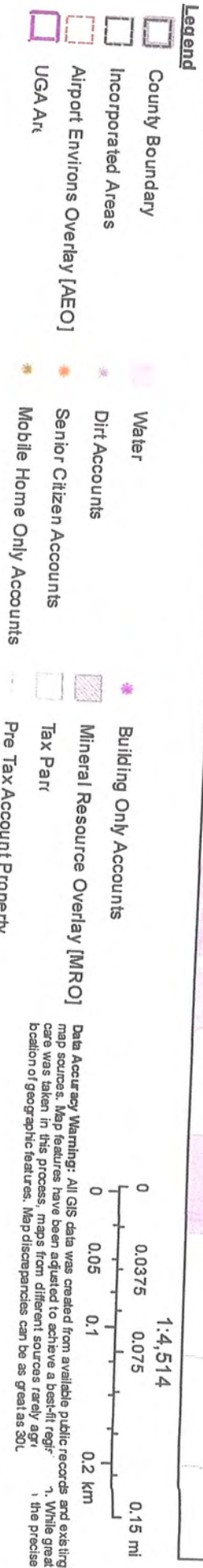
Appliances

Exemptions

Foundation
Construction Style
Exterior Walls
Roof Style
Roof Covering
Floor Construction
Plumbing
Heat-AirCond
Fireplace

EXHIBIT 6

January 28, 2015



Data Accuracy Warning: All GIS data was created from available public records and existing map sources. Map features have been adjusted to achieve a best-fit registration. While great care was taken in this process, maps from different sources rarely agree in the precise location of geographic features. Map discrepancies can be as great as 30L

EXHIBIT 6

Details for Parcel: P90028



Jurisdiction: SKAGIT COUNTY
 Skagit County - [Rural Resource-Natural Resource Lands](#)

Zoning Designation:

[Recorded Documents](#)

Documents scanned and recorded by the Auditor's office

Parcel Number

P90028

XrefID

340111-2-003-0306

Quarter Section Township Range

02 11 34 01

Owner Information

PIT I LLC
 C/O LAKE ERIE TRUCKING
 13540 ROSARIO RD
 ANACORTES, WA 98221

Site Address(es) _

Location Map

[Locate this Parcel on iMap](#)

Assessor's Parcel Map: [PDF](#) | [DWG](#)

2014 Values for 2015 Taxes*

Building Market Value	\$.00
Land Market Value	+\$4,100.00
Total Market Value	\$4,100.00
Assessed Value	\$4,100.00
Taxable Value	\$4,100.00

Sale Information

Deed Type	QUIT CLAIM DEED
Sale Date	2008-12-01
Sale Price	\$.00
Sale requires NRL disclosure	(tax) info

2015 Property Tax Summary

2015 Taxes will be available after 2/15/2015

[Use the Taxes link above for 2014 taxes](#)

* Effective date of value is January 1 of the assessment year (2014)

Legal Description [Definitions](#)

ACREAGE ACCOUNT, ACRES 0.37, A TRACT OF LAND IN THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 34 NORTH, RANGE 1 EAST, W.M., DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE CENTER LINE OF EDITH POINT ROAD WITH THE WEST LINE OF LATERAL HIGHWAY NO. 4; THENCE SOUTH 31 DEGREES 37'39" WEST ALONG THE WESTERLY LINE OF LATERAL HIGHWAY NO. 4, ALSO KNOWN AS ROSARIO ROAD, A DISTANCE OF 125.00 FEET; THENCE SOUTH 89 DEGREES 00'21" EAST, A DISTANCE OF 320.04 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 2 DEGREES 44'30" EAST, A DISTANCE OF 1.00 FOOT; THENCE SOUTH 89 DEGREES 00'07" EAST, A DISTANCE OF 125 FEET; THENCE SOUTH 2 DEGREES 44'30" EAST, A DISTANCE OF 130.00 FEET; THENCE NORTH 89 DEGREES 00'07" WEST, A DISTANCE OF 125.00 FEET; THENCE NORTH 2 DEGREES 44'30" WEST, A DISTANCE OF 129.00 FEET TO THE TRUE POINT OF BEGINNING. A TRACT OF LAND IN THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 34 NORTH, RANGE 1 EAST, W.M., DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE CENTER LINE OF EDITH POINT ROAD WITH THE WEST LINE OF LATERAL HIGHWAY NO. 4; THENCE SOUTH 31 DEGREES 37'39" WEST ALONG THE WESTERLY LINE OF LATERAL HIGHWAY NO. 4, ALSO KNOWN AS ROSARIO ROAD, A DISTANCE OF 125.00 FEET; THENCE SOUTH 89 DEGREES 00'21" EAST, A DISTANCE OF 320.04 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 2 DEGREES 44'30" EAST, A DISTANCE OF 1.00 FOOT; THENCE SOUTH 89 DEGREES 00'07" EAST, A DISTANCE OF 125 FEET; THENCE SOUTH 2 DEGREES 44'30" EAST, A DISTANCE OF 130.00 FEET; THENCE NORTH 89 DEGREES 00'07" WEST, A DISTANCE OF 125.00 FEET; THENCE NORTH 2 DEGREES 44'30" WEST, A DISTANCE OF 129.00 FEET TO THE TRUE POINT OF BEGINNING.

Land Use (110) HOUSEHOLD SFR OUTSIDE CITY

Neighborhood (20FIDALGO) FIDALGO RESIDENTIAL

Utilities WTR-WELLS

Levy Code 1460

City District Skagit County

School District SD103

Fire District

Year Built

Acres 0.37

Living Area

Bedrooms

Appliances

Exemptions

Foundation

Construction Style

Exterior Walls

Roof Style

Roof Covering

Floor Construction

Plumbing

Heat-AirCond

Fireplace

[WAC 268-52-030](#)



PLANNING & DEVELOPMENT SERVICES

DALE PERNULA, AICP, DIRECTOR

JACK MOORE, CBO, CFM
Building Official & Floodplain Manager

Pre-development/Pre-application Meeting notes

Date: February 19, 2015
File: Pre-Development
Applicant: Lake Erie Gravel Pit
Contact: Stephan Taylor

EXHIBIT 8

Although some portions of the site have had some critical areas review, critical areas has not been completed for the specified portions of the subject site or for this specific proposal. The proposal will require critical areas review and approval prior to application for mining special use permit. An independent critical areas review application is attached to these meeting notes for your use. Although the critical areas review will determine the presence of critical areas on the subject site, we have completed a limited critical areas map review to evaluate the presence of critical areas on and in the vicinity of the subject site.

With the exception of Lake Erie to the north and wetlands to the south, preliminary critical areas map review indicates that no critical areas are present on or within 200 feet of the proposed expansion area.

Parcels P19108, P19162 & P19165 have been previously permitted and have been identified by PDS as pre-existing as of 1998. In order to continue mining those parcels it may be necessary to demonstrate the site has not been abandoned according to SCC14.16.880 (5). Alternatively may apply for a gravel mining special use permit.

Assuming P19108, P19162 & P19165 have not been abandoned, a mining special use permit will be required to expand mining operations to parcels P19161 & P19164. Mining will be limited to those areas designated as Mineral Resource Overlay (MRO). Activities within the remainder of the parcels, outside of the MRO designated areas, must conform to the uses allowed within areas zoned as Rural Resource, SCC 14.16.430. As portions of parcels P19108, P19161, P19164 & P19165 are not included in the MRO and are not currently available for inclusion in a mining special use permit application, the owner may apply for a Comprehensive Plan Amendment to expand the MRO to the limits of parcels P19161, P19164 & P19165.

Application materials for mining special use permits are specified in SCC14.16.440 (8) and should be consistent with the criteria specified in SCC 14.16.440 (10). A mining special use application is included with these notes.

EXHIBIT 8

Parcel P19168 has recently been rezoned to Rural Reserve at the request of Mr. Wooding. Mining is not allowed within Rural Reserve zoned areas.

Although Parcels P19158 & P90028 are zoned as Rural Resource-NRL, they are not included in the MRO and are not currently available for inclusion in a mining special use permit application. The owner may apply for a Comprehensive Plan Amendment to expand the MRO to parcels P19158 & P90028.

County Staff: John Cooper

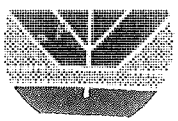


EXHIBIT 9

NAME OF COMPANY OR INDIVIDUAL APPLICANT(S) <small>Same as name of reclamation permit holder. (Type or print in ink.)</small> William Wooding / Lake Erie Trucking		TOTAL ACREAGE OF PERMIT AREA <small>(Include all acreage to be disturbed by mining, setbacks and buffers, and associated activities during the life of the mine.)</small> 83.30 acres																																
MAILING ADDRESS 251 Rosario Rd. Anacortes, WA 98221		COUNTY <u>Skagit</u> No attachments will be accepted. Legal description of permit area:																																
Telephone (360) 293-7332		<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:10%;">1/4</th> <th style="width:10%;">1/4</th> <th style="width:15%;">Section</th> <th style="width:20%;">Township</th> <th style="width:15%;">Range</th> </tr> </thead> <tbody> <tr> <td></td> <td>N.W.</td> <td>11</td> <td>34 N</td> <td>1 E</td> </tr> <tr> <td></td> <td>S.W.</td> <td>11</td> <td>34 N</td> <td>1 E</td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>			1/4	1/4	Section	Township	Range		N.W.	11	34 N	1 E		S.W.	11	34 N	1 E															
1/4	1/4	Section	Township	Range																														
	N.W.	11	34 N	1 E																														
	S.W.	11	34 N	1 E																														
Proposed subsequent use of site upon completion of reclamation Rural Acreage, Natural Vegetation																																		
Signature of company representative or individual applicant(s) 		Name and title of company representative (please print) William Wooding / Owner		Date signed 6/19/98																														
TO BE COMPLETED BY THE APPROPRIATE COUNTY OR MUNICIPALITY:																																		
Please answer the following questions 'yes' or 'no'.																																		
1. Has the proposed surface mine been approved under local zoning and land-use regulations? - Pre-existing				<table border="1" style="width:50px; height:20px;"> <tr><td style="font-size: x-small;">Yes</td><td style="font-size: x-small;">No</td></tr> <tr><td style="text-align: center;">X</td><td></td></tr> </table>	Yes	No	X																											
Yes	No																																	
X																																		
2. Is the proposed subsequent use of the land after reclamation consistent with the local land-use plan/designation?				<table border="1" style="width:50px; height:20px;"> <tr><td style="font-size: x-small;">Yes</td><td style="font-size: x-small;">No</td></tr> <tr><td style="text-align: center;">X</td><td></td></tr> </table>	Yes	No	X																											
Yes	No																																	
X																																		
When complete, return this form to the appropriate Department of Natural Resources regional office.																																		
Name of planning director or administrative official (please print) Grace Roeder Associate Planner		Address																																
Signature 																																		
Title (please print) Associate Planner																																		
Telephone (360) 336-9410	Date 7/1/98																																	
		FOR DEPARTMENT USE ONLY:		DNR Reclamation Permit No.																														

RECEIVED JUL 01 1998



WASHINGTON STATE DEPARTMENT OF
Natural Resources

EXHIBIT 10

SKAGIT COUNTY
PERMIT CNTR.

NOV 25 1998

RECEIVED
JENNIFER M. BELCHER
Commissioner of Public Lands

November 24, 1998

Ms. Kendra Smith, Assistant Director
Skagit County Planning & Permit Center
200 West Washington Street
Mt. Vernon, WA 98273

RE: Reclamation Permit Application Number 70-012635

Dear Ms. Smith:

The Surface Mining Reclamation Act (RCW 78.44), as amended in 1993, provides that the Department shall solicit comment from local government prior to approving a reclamation plan. The permit holder for the referenced permit, William W. Wooding, has submitted a reclamation permit application to expand his existing surface mining site near Lake Erie on Fidalgo Island located in Section 11, Township 34N, Range 1E, W.M., Skagit County from 19.9 acres to 83.3 acres.

Please review the enclosed reclamation plan documents and provide any comments you might have to our office by December 11, 1998.

If you have any questions, please call me at our Sedro Woolley office.

Sincerely,

Garth Anderson
Region Geologist

GSA:cj
Enclosure

cc: William W. Wooding



EXHIBIT 10

PLANNING AND PERMIT CENTER

Tom Karsh, Director

*Gary R. Christensen, AICP
Assistant Director
Community Planning*

*Kendra Smith, ASLA
Assistant Director
Community Development*

*Cory Schmidt, CBO
Assistant Director
Permit Center/Building Official*

December 8, 1998

Garth Anderson, Region Geologist
W.S. Department of Natural Resources
919 N. Township St.
Sedro-Woolley, WA 98284

RE: Reclamation Permit Application Number 70-12635

Dear Mr. Anderson,

The Department has reviewed the information provided regarding the request of William Wooding to expand his existing surfacing mining operation near the intersection of Rosario Road and Campbell Lake Road together with the record of the operation located in this office.

In 1989, the Planning Department reviewed documentation provided by Mr. Wooding and determined that the operation was a pre-existing non-conforming use. At that time the operation was located on 19 acre parcel. The ownership map attached to the SEPA checklist dated 5/9/89, indicates that Mr. Wooding did not own any adjacent property at that time.

Based on the information on file in this office and the information provided with your recent letter, the Department has determined that expansion of the operation beyond the original 19 acres will require a special use permit per SCC 14.04.126 and .150.

If you have any questions relating to the County's determination, please feel free to contact me at the Department's office.

Sincerely,

David Hough, project manager

EXHIBIT 11

June 21, 2011

**Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273**

**Reference: Substantiation of Historical Gravel Pit Operations on Parcel 19158
(McCorkle Pit)**

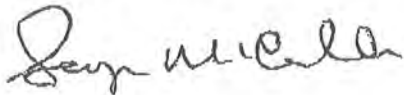
To Skagit County staff:

Until May 1993, the San Juan Holding Company owned Parcel 19158 which is located on the easterly side of Rosario Road, just south from the intersection with Marine Drive. This property had been in my family's ownership for many years. In May 1993 when I was the managing partner of San Juan Holding Company, this property was sold to Bill Wooding, owner of Lake Erie Trucking.

During my family's 40+ years of ownership, this property provided an excellent source of sandy gravel which was used in various levels of roadway and utility development. Undoubtedly during all the years of our ownership, at least one truck load of gravel was hauled from this pit each year. My family and I have lived and worked in the Anacortes area for many years, and I recall this particular gravel pit being frequently used as far back as approximately 1964.

I understand Mr. Wooding wants to combine this old gravel pit with his larger gravel pit operation to the east. Please accept this letter as a testament of historical gravel mining operations upon Parcel 19158.

Sincerely yours,



George McCorkle

EXHIBIT 12



WASHINGTON STATE DEPARTMENT OF
Natural Resources

SKAGIT COUNTY
PERMIT CNTR.

NOV 25 1998

RECEIVED
JENNIFER M. BELCHER
Commissioner of Public Lands

November 24, 1998

Ms. Kendra Smith, Assistant Director
Skagit County Planning & Permit Center
200 West Washington Street
Mt. Vernon, WA 98273

RE: Reclamation Permit Application Number 70-012635

Dear Ms. Smith:

The Surface Mining Reclamation Act (RCW 78.44), as amended in 1993, provides that the Department shall solicit comment from local government prior to approving a reclamation plan. The permit holder for the referenced permit, William W. Wooding, has submitted a reclamation permit application to expand his existing surface mining site near Lake Erie on Fidalgo Island located in Section 11, Township 34N, Range 1E, W.M., Skagit County from 19.9 acres to 83.3 acres.

Please review the enclosed reclamation plan documents and provide any comments you might have to our office by December 11, 1998.

If you have any questions, please call me at our Sedro Woolley office.

Sincerely,

Garth Anderson
Region Geologist

GSA:cl
Enclosure

cc: William W. Wooding



WASHINGTON STATE DEPARTMENT OF
Natural Resources

JENNIFER M. BELCHER
Commissioner of Public Lands

December 11, 1998

EXHIBIT 13

Mr. William W. Wooding
Lake Erie Trucking
251 Rosario Rd.
Anacortes, WA 98221

RE: Proposed Expansion of Reclamation Permit No. 70-012635

Dear Mr. Wooding:

Our office has been notified by Skagit County that your proposal to expand the referenced permit for your pit on Rosario Road will require a special use permit from Skagit County (see attached correspondence). Department regulations (Chapter 332-18-01003 WAC) require that local land use approval be obtained prior to Department issuance of a reclamation permit. Accordingly, our office will defer approval of the proposed expansion until county land use approval has been obtained.

The county's determination that a special use permit will be required also means that Skagit County will act as SEPA lead agency for your proposal. Please keep our office informed of developments as the county land use approval process proceeds, especially regarding the details of your reclamation plan for the proposed mine expansion.

If you have any questions, please contact me at our Sedro Woolley office.

Sincerely,

A handwritten signature in cursive script, appearing to read "Garth Anderson".

Garth Anderson
Region Geologist

GSA:cl
Enclosure

cc: David Hough, Skagit County



WASHINGTON STATE DEPARTMENT OF
Natural Resources

Skagit County
Planning Commission
Planning Commission

JENNIFER M. BELCHER
Commissioner of Public Lands

December 11, 1998

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Sincerely,

Garth Anderson
Region Geologist

GSA:cl
Enclosure

cc: David Hough, Skagit County

EXHIBIT 12



PLANNING AND PERMIT CENTER

*Tom Karsh, Director**Gary R. Christensen, AICP
Assistant Director
Community Planning**Kendra Smith, ASLA
Assistant Director
Community Development**Cory Schmidt, CBO
Assistant Director
Permit Center/ Building Official*

December 8, 1998

Garth Anderson, Region Geologist
W.S. Department of Natural Resources
919 N. Township St.
Sedro-Woolley, WA 98284

RE: Reclamation Permit Application Number 70-12635

Dear Mr. Anderson,

The Department has reviewed the information provided regarding the request of William Wooding to expand his existing surfacing mining operation near the intersection of Rosario Road and Campbell Lake Road together with the record of the operation located in this office.

In 1989, the Planning Department reviewed documentation provided by Mr. Wooding and determined that the operation was a pre-existing non-conforming use. At that time the operation was located on 19 acre parcel. The ownership map attached to the SEPA checklist dated 5/9/89, indicates that Mr. Wooding did not own any adjacent property at that time.

Based on the information on file in this office and the information provided with your recent letter, the Department has determined that expansion of the operation beyond the original 19 acres will require a special use permit per SCC 14.04.126 and .150.

If you have any questions relating to the County's determination, please feel free to contact me at the Department's office.

Sincerely,

David Hough, project manager

EXHIBIT 13

Rosario Pit

Expansion of existing gravel pit:

How to determine pre-existing, non conforming gravel permit for P19158

- 1933 Pit started by County? 1960 McCorkle-Old sand mine on 19158??
- Have "County Approval for Surface Mining Form SM-6 signed by Grace Radar on July 1st, 1998 which identifies 83.3 acres.
- On website when search Assessor's Office info for land segment Lot 19165 it identifies "Gravel Pit Valued with P#19158.
- Letter from County dated December 8, 1998 from David Hough states the expansion will require a Special Use Permit to expand gravel pit use to include 19158 as denoted on an attached exhibit. This letter also states county determined this pit to be pre-existing non-conforming use.
- 1998 was when MRO was established, prior to the December 8th letter.
- 1991 Aerial photograph clearly show mining activity encroachment onto P19158, this would have been prior to the Mineral Resource Overlay (MRO) which was created in approx. 1996. In addition the MRO extends onto 19158. According to 14.16.440(3)(b) and (c) if the mining operations are legally existing can be expanded with a Special Use Permit.

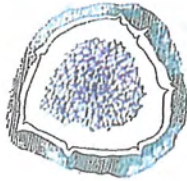
Client would like to resubmit application to expand gravel pit onto P19158 as originally proposed in 1998. Is a Special Use Permit still the appropriate permit to do this as previously expressed by the County?

In general a "Mining" Special Use Permit will require:

- A vicinity map
- A pre-mining map drawn to scale
- A reclamation sequence map drawn to scale
- A final reclamation map drawn to scale
Will need boundary set
- A report by a qualified geologist, hydrologist or licensed engineer characterizing the area's ground water
- The estimated quantities of all materials to be extracted
- An operations proposal detailing estimated frequency of blasting, estimated truckloads per day, what provisions for screening and fencing are proposed, and estimated hours of operation.
- Identification and description of those critical areas designated and regulated by Chapter 14.24 SCC, together with any critical areas studies that may be required by Chapter 14.24 SCC.
- A completed environmental checklist (SEPA)

Revise and resubmit your gravel pit reclamation plan as required by DNR.

McLUCAS AND ASSOCIATES, INC.



**CONSULTING GEOLOGISTS, INDUSTRIAL
MINERALS, AGGREGATE, AND
MINERAL VALUATION SPECIALISTS**



Glenda McLucas-Taylor

**Cradle to Grave Industrial Minerals Mining
25 YEARS OF EXPERIENCE**

**ASSOCIATES: U.S.G.S. Trained Field Mappers, Mineral
Economist, Hydrogeologist, Geophysicist, Air Quality,
Noise, Traffic Specialists, and Real Estate Appraisers**

P.O. Box 5352 Lacey, WA 98509 * (360) 456-8248 * FAX (360) 438-1881

E-mail mclucastaylor@qwestoffice.net

Mineral Resource & Mine Development



LOOKING SOUTH AT PROCESSING PLANT AND DOT PARCEL

Geologic field evaluation of all Burlington Northern Railroad subsidiary company lands in the northwest States of Idaho, Oregon, and Washington for the purpose of determining the occurrence, quantity and quality of sand & gravel and bedrock aggregate sources on BNR land. The project spanned 18 month from June, 1987 through December, 1988, and involved 2,040 hours of geologic services. June and July of 2003, geologic reconnaissance of Plum Creek Timber Company ownership in Kalispell and Missoula region of Montana to evaluate the bedrock formations in terms of their value in the decorative rock and dimension stone industry.

1) Geologic and geophysical exploration; 2) reserve calculation through AutoCAD analysis; 3) laboratory aggregate-quality determination; 4) phased mine and reclamation plan development, involving computerized design; 5) coordination of all subcontract work necessary for preparation of complex environmental impact statements; 6) environmental controls, including: equipment petroleum product containment and disposal; storm water control; reclamation stockpile stabilization; visual, dust and noise impact control; and wash-water fines settling and disposal; 7) gravel washing production, well development, and associated hydro geologic investigation; 8) aggregate product market investigations.

Detailed information on all projects available on request

Clients:

Ashgrove Cement
Pope Resources
Cadman Gravel Co.
Comico American
Concrete Nor'West
J.R. Hayes & Sons
Kiewit Pacific Corp.
Lafarge Concrete
Lakeside Sand & Gravel
Longview Fibre Co.
Holnam Corp.
Menasha Corp.
Plum Creek Timber Co.

US Oil & Refining
Trillium Corp.
Scarsella Brothers
Mine Management
Industrial Mineral Prod.
Mine Permit Procurement.
Manke Lumber Company
City Transfer of Kent
CSR/Associated/Rinker
Port Blakely Timber Co.
Central Reddi-Mix
Stoneway Concrete
Shamrock Lands

Kennedy Creek Quarry
Mineral Waste Disposal Utilizst.
Phoenix Resources Recovery
Coal Mine Hazard Studies
Great Northern Resources
Cascade Security Bank
Palmer Coking Coal Co.
Mineral Inventories
Meridian Aggregates
Plum Creek Timber Co.
Weyerhaeuser Company

McLucas has permitted 9 mines that are currently in operation

Mineral Valuation Clientele

Government Agencies

U.S. Bankruptcy Court

U.S. Department of Justice

U.S. Fish & Wildlife Department

Washington State Attorney General

WA State Dept. of Parks & Recreation

Clallam County Public Works Dept.

Snohomish County Public Works Dept.

Skagit County Public Works Dept.

City of Everett, Public Works Dept.

City of Lacey, Public Works Dept.

Port of Shelton, WA

Port of Bremerton, WA

Seattle City Light

Nature Conservancy

Aggregate Production Companies

General Electric

Ashgrove Cement, Seattle, WA

City Transfer of Kent, Dieringer, WA

Cominco American, Spokane, WA

Friend and Rikalo, Aberdeen, WA

Kennedy Creek Quarry, Shelton, WA

Lafarge Concrete, Vancouver, B.C.

Lake Industries, Marysville, WA

Mahaffey Enterprises, Kennewick, WA

Mark Haugebak, Boise, ID

Mark Litchman, Honolulu, HI

Menasha Corporation, Centralia, WA

Pope Resources, Poulsbo, WA

Romineo, L.L.C., Lake Stevens WA

Tilbury Cement Products, Delta B.C.

Toledo Sand and Gravel, Toledo, WA

W.H. Gregory, Dallesport mine, Gresham, OR

Wilder Construction Co., Everett, WA (11 mines)

US Oil & Refining

Real Estate Appraisers & Lending Institutions

Seafirst Bank (Butler Mine, estate valuation)

Security Pacific Bank, Bellevue, WA

U.S. Bank of Washington, Seattle, WA

Strickland, Heischman, Hoss, Inc., Tacoma, WA

W.R. Coffin & Assoc., Appraiser, Redmond, WA

Ith, Boydston & Associates



Mineral Resources Assessment and Valuation

In association with several government agencies, private, and lending institution Real Estate Appraisers (MAI's), McLucas has completed many mineral land valuations (including estate valuations) of industrial mineral deposits (including sand & gravel and quarry rock) for government agencies, lending institutions, the U.S. Bankruptcy Court, and private mining companies and resource land owners. In the process, the full range of geologic, geophysical, and hydrogeologic exploration, market and royalty surveys, aerial photography, and computer-aided drafting services have been used. As a result, McLucas has become a unique specialist in this work in the northwest states. The most comprehensive project to date was commissioned in 1999 by Wilder Construction Company, which retained McLucas and W.R. Coffin, MAI, to determine the mineral value and reversionary land value for all 11 of the company's surface mines in Alaska and Washington. Granite Corporation, the largest road construction company in the U.S., invested in Wilder, partially on the basis of these valuations.

In the arena of highway condemnation cases, McLucas was fully involved as an expert witness for two sand & gravel mines in the Boise, Idaho area. This work resulted in awards to the miners of \$2,700,000 and \$1,000,000, respectively.

McLucas and Associates Qualifications

Clientele listed represent only a portion of the total project output of McLucas and Associates over the past 25 years. Most work was devoted to geologic, geophysical, and hydrogeologic exploration for determination of mineral reserves and quality; mine management; environmental assessment and remediation; mine and reclamation design; mine permit procurement; geologic reconnaissance of rock formations, containing decorative rock and dimension stone; and mineral economic valuations for clay, silica sand, quartz, limestone, sand and gravel, quarry rock, and other industrial mineral deposits in the states of Washington, Oregon, Idaho, Montana, Arizona, California, New Jersey, and Canada.

Clients for which McLucas has served as expert witness

Washington State Attorney General:

Department of Natural Resources

Washington Department of Transportation

Clallam County Public Works Department, highway condemnation, Port Angeles WA

Mark Haugebak, Prime Earth Mine highway condemnation case, Boise, Idaho

Idaho Sand and Gravel highway condemnation case, Boise, Idaho

City Transfer of Kent, Dieringer, Washington

Glennnda McLucas-Taylor's professional experience

McLucas and Associates

4/81 to 6/86: Industrial Mineral Products, Ravensdale, WA

9/77 to 4/80: Washington State Geologic Survey

Education

B.S. Geology, 1971, Missouri School of Mines, Rolla & K.C., MO

M.S. Geology, 1977, University of Washington, Seattle, WA

Past Professional Society Affiliations

American Concrete Institute, Seattle Chapter

Washington Aggregate and Concrete Association

American Institute of Mining and Metallurgical Engineers

Professional Registration

Washington State Geologist License No. 678

Oregon Board of Geologist Registration No. G-834

Washington State Women's Business Enterprise, Registration No. W2S4817046

Record of Ownership

Subject Property

<i>Date</i>		<i>Auditor's File #</i>		<i>Seller</i>		<i>Buyer</i>		<i>Document Type</i>

(Use reverse side & continue in order if needed)

Adjoining Property

<i>Date</i>		<i>Auditor's File #</i>		<i>Seller</i>		<i>Buyer</i>		<i>Document Type</i>

Purpose of Checklist:

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for Applicants:

This environmental checklist asks you to describe some basic information about our proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS.

Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply". Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of checklist for nonproject proposals:

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply."

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

A. BACKGROUND

1. Name of proposed project, if applicable:

Lake Erie Trucking Gravel Pit Reclamation

2. Name of applicant:

William W. Wooding

3. Address and phone number of applicant and contact person:

Contact: William W. Wooding
251 Rosario Rd.
Anacortes, WA 98221
(360) 293-7332

4. Date checklist prepared:

May 19, 1998

5. Agency requesting checklist:

State of Washington, Department of Natural Resources

6. Proposed timing or schedule (including phasing, if applicable):

On going operation.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

No.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

Existing DNR Reclamation Permit, #70-012635.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

Application to be submitted to Department of Natural Resources for future surface mining.

10. List any government approvals or permits that will be needed for your proposal, if known.

A permit is in place on the present acreage that is a gravel pit.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.

The acreage is to be used to extend a gravel pit which is at present being used. The land will be reclaimed upon completion. The existing pit area comprises approximately 16 acres. Adding the future gravel pit area, (+/- 48 ac) results in a total project area of approximately 83 acres.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

Project site is located at the intersection of Rosario Road and Marine Drive, approximately 5 miles southwest of Anacortes, subdivisionally, the project is located in the northwest and southwest quarters of Section 11, Township 34 N, Range 1 E. See accompanying maps.

TO BE COMPLETED BY APPLICANT:

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other.

Refer to topographical map submitted.

b. What is the steepest slope on the site (approximate percent slope)?

Wall slopes of gravel pit are approximately 2:1, depending on degree of excavation and status of current operation. Reclaimed areas will not be any steeper than 2:1.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, mulch)? If you know the classification of agricultural soils, specify them and note any prime farmland.

Gravelly, sandy loam, not prime farm land.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

None to the best of our knowledge.

e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

See application for surface mining pit.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

No significant erosion, high permeability of gravel precludes surface runoff. All runoff will continue to be directed toward the center of pit area.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

None are anticipated but is dependant on zoning status at the time of completion of reclamation.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

None, as the site material is very permeable, thereby allowing storm runoff to filter itself by means of percolation.

2. AIR

a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

Dust and exhaust from excavation equipment and trucks from daily operation, quantities not know, but are considered minor.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

No.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

None, other than typical equipment maintenance.

3. WATER

a. Surface

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

None.

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

Not Applicable.

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

Not Applicable.

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No.

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

No.

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No.

b. Ground

1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.

No ground water will be withdrawn, however, surface runoff will be allowed to percolate through the native gravel materials, into the ground water system.

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

Not Applicable.

c. Water Runoff (including storm water):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Very little runoff because of high permeability of gravel, all runoff confined to site.

2) Could waste materials enter ground or surface waters? If so, generally describe.

No, because there will not be operations that could generate any waste materials.

d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

Normal care to avoid fuel spills, maintenance of equipment at offsite garage facilities.

4. PLANTS

a. Check or circle types of vegetation found on the site:

deciduous tree: alder, maple, aspen, other

evergreen tree: fir, cedar, pine, other

shrubs: salmon berry, salal, elder berry.

grass

pasture

crop or grain

wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other

water plants: water lily, eelgrass, milfoil, other

other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

During the course of mining operation, all vegetation will be removed only from mining area. A 50-foot-wide vegetated buffer will be maintained around the property perimeter. Reclamation phases will consist of seeding all slopes to reduce erosion.

c. List threatened or endangered species known to be on or near the site.

None.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

See reclamation plan submitted to DNR.

5. ANIMALS

a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other:

fish: bass, salmon, trout, herring, shellfish, other:

b. List any threatened or endangered species known to be on or near the site.

None to the best of our knowledge.

c. Is the site part of a migration route? If so, explain.

Many portions of the Pacific Northwest are subjected to migration routes. No apparent nesting or breeding activities are at this site.

d. Proposed measures to preserve or enhance wildlife, if any:

Maintenance of perimeter landscaping and reclaiming portions of the mined area, as they are completed.

6. ENERGY AND NATURAL RESOURCES

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Petroleum fuels for equipment operation.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No.

c. What kinds of energy conservation features are included in the plans of this proposal?

None.

d. List other proposed measures to reduce or control energy impacts, if any:

7. ENVIRONMENTAL HEALTH

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

None.

b. Describe special emergency services that might be required.

None.

c. Proposed measures to reduce or control environmental health hazards, if any:

Not Applicable.

8. LAND AND SHORELINE USE

a. What is the current use of the site and adjacent properties?

Gravel pit.

b. Has the site been used for agriculture? If so, describe.

No.

c. Describe any structures on the site.

None.

d. Will any structures be demolished? If so, what?

Not applicable.

e. What is the current zoning classification of the site?

Rural Resource.

f. What is the current comprehensive plan designation of the site?

Rural Resource.

g. If applicable, what is the current shoreline master program designation of the site?

Not applicable.

h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

No.

i. Approximately how many people would reside or work in the completed project?

3 - 10

j. Approximately how many people would the completed project displace?

None.

k. Proposed measures to avoid or reduce displacement impacts, if any:

Not applicable.

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

Use in reclamation conforms to the Department of Natural Resources.

9. HOUSING

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

Not Applicable.

**b. Approximately how many units, if any, would be eliminated?
Indicate whether high, middle, or low-income housing.**

Not Applicable.

c. Proposed measures to reduce or control housing impacts, if any:

Not Applicable.

10. NOISE

a. What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

None.

**b. What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)?
Indicate what hours noise would come from the site?**

Pit is in service with no increase in operating hours.

c. What are the proposed measures to reduce or control noise impacts, if any:

No increase in noise, the pit is in operation now. Slower traffic equipment and muffled equipment.

11. AESTHETICS

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

Not Applicable.

b. What views in the immediate vicinity would be altered or obstructed?

Not Applicable.

c. Proposed measures to reduce or control aesthetic impacts, if any:

Not Applicable.

12. LIGHT AND GLARE

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Not Applicable.

b. Could light or glare from the finished project be a safety hazard or interfere with views?

Not Applicable.

c. What existing off-site sources of light or glare may affect your proposal?

Not Applicable.

d. Proposed measures to reduce or control light and glare impacts, if any:

Not Applicable.

13. RECREATION

a. What designated and informal recreational opportunities are in the immediate vicinity?

None.

b. Would the proposed displace any existing recreational uses? If so, describe.

No.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

Not Applicable.

14. HISTORIC AND CULTURAL PRESERVATION

a. Are there any places or objects listed on, or proposed for, nation, state, or local preservation registers known to be on or next to the site? If so, generally describe.

None known.

b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

None.

c. Proposed measures to reduce or control impacts, if any:

Not Applicable.

15. TRANSPORTATION

a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

Rosario Road, Marine Drive, Havekost Road (County Highways). Access shown on map submitted with application for Surface Mining Permit.

b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

No.

c. How many parking spaces would the completed project have? How many would the project eliminate?

Not Applicable.

d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

No.

e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No.

f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

None.

g. Proposed measures to reduce or control transportation impacts, if any:

None, no significant impact.

16. PUBLIC SERVICES

a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

No.

b. Proposed measures to reduce or control direct impacts on public services, if any.

Not Applicable.

17. UTILITIES

a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

None.

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature:

A handwritten signature in cursive script, appearing to read "William J. Libalini".

Date Submitted:

7/1/98

INSTRUCTIONS

Please complete Sections 1 through 4 of this application packet. Attach other required forms or information as necessary. For information on general requirements, application review process, and frequently asked questions turn to Sections 5 & 6 of this packet.

APPLICATION TYPE [Please check the appropriate box below]

- Policy Amendment [A change to one or more comprehensive plan policies]
- Map Amendment [A change to a comprehensive plan/zoning designation]
 - Check this box if you are proposing a site-specific map amendment proposal, as defined under SCC 14.08.020(6).
 - Check this box if you are proposing to change your property to a commercial or industrial designation/zoning district. If the phasing option is chosen under SCC 14.08.020(7)(c)(iii), a phasing plan must be submitted as part of this application.
- Rezone [A change from one zoning designation to another within the same Comprehensive Plan Designation – rezones are only available within a UGA]

PERSONAL INFORMATION [Please Print]

Applicant/Contact Pit 1, LLC, C/O Lake Erie Trucking (Bill Wooding) Contact: McLucas & Associates (Stephen Taylor)

Mailing Address 13540 Rosario RD.

City Anacortes State WS Zip 98221 Email Address mclucastaylor@qwestoffice.net

Phone 360-456-8248 ST Alt Phone 360-708-8559 BW Fax 360-299-2602 BW

Are you the owner of the subject property? Yes No [if yes, complete Section 4, Ownership Certification]

If no, please indicate your interest in the subject property [e.g. neighbor, community resident, interested citizen, etc.]

Property Owner Pit 1, LLC, C/O Lake Erie Trucking, Bill Wooding

Mailing Address 13540 Rosario Road

City Anacortes State WA Zip 98221 e-mail _____

Phone 360-708-8559 BW Alt Phone 350-456-8248 ST Fax _____

PROPERTY INFORMATION [Site-specific map amendment proposals only]

Site Address or General Property Description – [Attach separate sheet if necessary]:

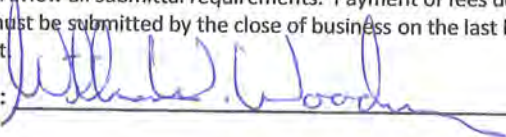
13835 Rosario Road

Assessor Parcel number(s) _____

Section 11 Township 34 Range 01 Acreage/Lot Dimensions 35.83 acres

Existing Zoning Designation RRcNRL Requested Zoning Designation MRO Expansion [see Section 3]

By signing this form, the applicant agrees to pay all application fees in accordance with the approved Planning and Development Services fee schedule. If the application is approved for further consideration by the Board of County Commissioners, the applicant may be required to submit a State Environmental Policy Act (SEPA) checklist and related fees. Applicants are encouraged to consult with Department staff in advance of application submittal to review all submittal requirements. Payment of fees does not guarantee final approval. The applicant acknowledges that a completed application must be submitted by the close of business on the last business day of July of each year. Incomplete applications will be returned to the applicant.

APPLICANT SIGNATURE:  DATE: 06.29.15

Section 4 Ownership Certification

Required for site-specific map amendment proposals only.

I, Bill Wooding, hereby certify that I am the major property owner or officer of the corporation owning property described in the attached application, and I have familiarized myself with the rules and regulations of Skagit County with respect to filing this application, and that the statements, answers and information submitted present the argument on behalf of this application and are in all respects true and correct to the best of my knowledge and belief.

Address 13540 Rosario Road
City and State Anacortes, WA Phone 360-708-8559
Signature [Handwritten Signature] for Pit 1, LLC - P19158, P19164, P19165, P90028
(give corporation or company name)

ACKNOWLEDGMENT

State of Washington)
) ss.)
County of Skagit)

On this day personally appeared before me, WILLIAM W. WOODING
known to be the individual described in and who executed the within and foregoing instrument and acknowledged to me that HE signed the same as HIS free and voluntary act and deed for the uses and purposes therein mentioned.

Kimberly A Connors
Kimberly A Connors
Notary Public in and for the State of Washington
Residing at 1107A TEACOCK LN, BURLINGTON, WA
Date: 06.29.2015



Other property owners in this application must be listed below:

Name _____
Address _____ City/State _____ Zip _____



Comprehensive Plan Policy/Zoning Map

Amendment Application Checklist

Planning & Development Services · 1800 Continental Place · Mount Vernon WA 98273
voice 360-336-9410 · fax 360-336-9416 · www.skagitcounty.net/planning

Applications must be received by the last business day of July for docketing in the same year. Applications received after July will not be considered until the following year's docket.

Applications to change a municipal urban growth area boundary must be submitted by the applicable municipality. Individual applications to change urban growth area boundaries are not accepted.

All Applicants Must Submit the Following:

Fact Sheet

The fact sheet must be fully completed, signed, dated and submitted prior to the last business day of July.

Completed Questionnaire (See pages 3 and 4)

SEPA Checklist

Note: The SEPA checklist and fee, if required, are due upon request from the Department if the Board of County Commissioners grants approval of this application for further consideration during docketing.

Bill Later

Applicants for Map Amendments Must Also Submit the Following:

Assessor's Map

A copy of the Skagit County Assessor section map including the subject parcel(s), full scale (18" x 24") or letter size (8.5" x 11). Full scale maps can be purchased from the Assessor's Office. **Please identify the subject parcel(s).**

Land Use Map

A map showing the subject property or properties with property lines identified and the Comprehensive Plan/Zoning designations of all properties within 500 feet of the site.

Requirements for site-specific map amendments only:

A site-specific map amendment is one that "applies to a specific number of parcels which are in readily identifiable ownership or is in conjunction with an identifiable development proposal." (SCC 14.08.020(6))

Fees \$5,040. SEPA \$

Note: For review that requires more than 80 hours of staff time, the applicant will be billed at the hourly rate as shown on the fee schedule. This application may be considered complete without payment of the SEPA fee. The SEPA fee is due upon request from the Department if the Board of County Commissioners grants approval of this application for further consideration during docketing.

Ownership Certificate

A signed and notarized ownership certificate is required.

Lot of Record Certification

Note: Certification is not required for policy or area-wide map amendment.

PL15-0362

Applicants for a Change to Commercial or Industrial Designations Must Also Submit the Following:

Commercial / Industrial Phasing Plan (Optional - See SCC 14.08.020(7)(c)(iii))

Site Plan

A site plan drawn to scale of not less than 1" = 40' clearly showing dimensions of all property lines; location and dimensions of existing structures, proposed buildings and additions; access points; off street parking/ existing and proposed landscaping; location of sewer lines and connections, or septic tank and drain field including the distances from all structures (existing and proposed) from property lines and each other.

Submittals on 8.5" x 11" paper preferred, 11" x 17" maximum.

Date Received:

RECEIVED

COMA

JUL 22 2015

SKAGIT COUNTY
PDS

Accepted by

[Signature]

PL15-0363

Permit Number

PRC, NRL

Zoning / Setbacks

0225 C Zone C

Flood Plain / Floodway

No

Shoreline

Notes:

*Comp. Plan
Amendment to
expand MRO on
P 19158
90028
P 19165
P 19164*

Details for Parcel: P19164



View all pictures

Jurisdiction: SKAGIT COUNTY
Mineral Resource
Skagit County - [Rural Resource-Natural Resource Lands](#)

Zoning Designation:

Overlay:

Parcel Number	XrefID	Quarter	Section	Township	Range
P19164	340111-2-005-0007	02	11	34	01

Owner Information
PIT I LLC
C/O LAKE ERIE TRUCKING
13540 ROSARIO RD
ANACORTES, WA 98221

Site Address(es) _

Map Links
[Open in iMap](#)
Assessor's Parcel Map:
[PDF](#) | [DWF](#)

2014 Values for 2015 Taxes*

Building Market Value	\$.00
Land Market Value	+\$278,200.00
Total Market Value	\$278,200.00
Assessed Value	\$278,200.00
Taxable Value	\$278,200.00

Sale Information

Deed Type	QUIT CLAIM DEED
Sale Date	2006-12-01
Sale Price	\$.00
Sale requires NRL disclosure (more info)	

2015 Property Tax Summary

2015 Taxable Value	\$278,200.00
General Taxes	\$2,642.27
Special Assessments/Fees	+\$10.00
Total Taxes	\$2,652.27

* Effective date of value is January 1 of the assessment year (2014)

Legal Description [Definitions](#)

THE SE1/4 NW1/4 OF SEC 11, TWP 34, RNG 1; EXCEPT THE NORTH 330 FEET THEREOF; ALSO EXCEPT ALL THAT PORTION THEREOF DESCRIBED AS FOLLOWS; COMMENCING AT THE SOUTHWEST CORNER OF SAID SE1/4 NW1/4 OF SEC 11; THENCE NORTH 8-06-48 EAST ALONG THE WEST LINE OF SAID SE1/4 NW1/4 A DISTANCE OF 216.46 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUE NORTH 8-06-48 EAST ALONG THE WEST LINE OF THE SE1/4 NW1/4 A DISTANCE OF 607.24 FEET TO THE SOUTH LINE OF THE NORTH 330 FEET OF SAID SE1/4 NW1/4 OF SECTION 11; THENCE SOUTH 88-31-35 EAST ALONG THE SOUTH LINE OF SAID NORTH 330 FEET A DISTANCE OF 722.30 FEET; THENCE SOUTH 8-06-48 WEST PARALLEL WITH THE WEST LINE OF THE SE1/4 NW1/4 A DISTANCE OF 607.24 FEET; THENCE NORTH 88-31-35 WEST A DISTANCE OF 722.30 FEET TO THE TRUE POINT OF BEGINNING

Land Use (850) MINING ACTIVITIES & RELATED SERVICES
Neighborhood (7L2ANA) ANACORTES INDUSTRIAL LAND

[WAC 458-53-030](#)

Utilities

Levy Code	1460
City District	Skagit County
School District	SD103
Fire District	
Year Built	
Acres	16.86
Living Area	
Bedrooms	
Appliances	
Exemptions	

Foundation
Construction Style
Exterior Walls
Roof Style
Roof Covering
Floor Construction
Plumbing
Heat-AirCond
Fireplace



Details for Parcel: P19165



[View all pictures](#)

Jurisdiction: SKAGIT COUNTY
Mineral Resource
Skagit County - [Rural Resource-Natural Resource Lands](#)

Overlay:
Zoning Designation:

Parcel Number P19165 **XrefID** 340111-2-005-0106 **Quarter** 02 **Section** 11 **Township** 34 **Range** 01

Owner Information
PIT I LLC
C/O LAKE ERIE TRUCKING
13540 ROSARIO RD
ANACORTES, WA 98221

Map Links
[Open in iMap](#)
Assessor's Parcel Map:
[PDF](#) | [DWE](#)

2014 Values for 2015 Taxes*
Building Market Value \$.00
Land Market Value +\$165,000.00
Total Market Value \$165,000.00
Assessed Value \$165,000.00
Taxable Value \$165,000.00

Sale Information
Deed Type QUIT CLAIM DEED
Sale Date 2006-12-01
Sale Price \$.00
Sale requires NRL disclosure ([more info](#))

2015 Property Tax Summary
2015 Taxable Value \$165,000.00
General Taxes \$1,567.14
Special Assessments/Fees +\$10.00
Total Taxes \$1,577.14

* Effective date of value is January 1 of the assessment year (2014)

Legal Description [Definitions](#)
(10.0000 ac) PTN SE1/4 NW1/4 N 937.25FT OF W 722.30FT LESS N 330FT

Land Use (850) MINING ACTIVITIES & RELATED SERVICES [WAC 458-53-030](#)

Neighborhood (7L2ANA) ANACORTES INDUSTRIAL LAND

Utilities

Levy Code 1460
City District Skagit County
School District SD103
Fire District
Year Built
Acres 10.00
Living Area
Bedrooms
Appliances
Exemptions

Foundation
Construction Style
Exterior Walls
Roof Style
Roof Covering
Floor Construction
Plumbing
Heat-AirCond
Fireplace

Details for Parcel: P90028



View all pictures

Jurisdiction: SKAGIT COUNTY
Skagit County - [Rural Resource-Natural Resource Lands](#)

Zoning Designation:

[Recorded Documents](#)

Documents scanned and recorded by the Auditor's office

Parcel Number	XrefID	Quarter	Section	Township	Range
P90028	340111-2-003-0306	02	11	34	01

Owner Information	Site Address(es) _
PIT I LLC C/O LAKE ERIE TRUCKING 13540 ROSARIO RD ANACORTES, WA 98221	

Map Links
[Open in iMap](#)
 Assessor's Parcel Map:
[PDF](#) | [DWG](#)

2014 Values for 2015 Taxes*

Building Market Value	\$.00
Land Market Value	+\$4,100.00
Total Market Value	\$4,100.00
Assessed Value	\$4,100.00
Taxable Value	\$4,100.00

Sale Information

Deed Type	QUIT CLAIM DEED
Sale Date	2006-12-01
Sale Price	\$.00
Sale requires NRL disclosure (more info)	

2015 Property Tax Summary

2015 Taxable Value	\$4,100.00
General Taxes	\$38.95
Special Assessments/Fees	
Total Taxes	\$38.95

* Effective date of value is January 1 of the assessment year (2014)

Legal Description [Definitions](#)

ACREAGE ACCOUNT, ACRES 0.37, A TRACT OF LAND IN THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 34 NORTH, RANGE 1 EAST, W.M., DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE CENTER LINE OF EDITH POINT ROAD WITH THE WEST LINE OF LATERAL HIGHWAY NO. 4; THENCE SOUTH 31 DEGREES 37'39" WEST ALONG THE WESTERLY LINE OF LATERAL HIGHWAY NO. 4, ALSO KNOWN AS ROSARIO ROAD, A DISTANCE OF 125.00 FEET; THENCE SOUTH 89 DEGREES 00'21" EAST, A DISTANCE OF 320.04 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 2 DEGREES 44'30" EAST, A DISTANCE OF 1.00 FOOT; THENCE SOUTH 89 DEGREES 00'07" EAST, A DISTANCE OF 125 FEET; THENCE SOUTH 2 DEGREES 44'30" EAST, A DISTANCE OF 130.00 FEET; THENCE NORTH 89 DEGREES 00'07" WEST, A DISTANCE OF 125.00 FEET; THENCE NORTH 2 DEGREES 44'30" WEST, A DISTANCE OF 129.00 FEET TO THE TRUE POINT OF BEGINNING. A TRACT OF LAND IN THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 34 NORTH, RANGE 1 EAST, W.M., DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE CENTER LINE OF EDITH POINT ROAD WITH THE WEST LINE OF LATERAL HIGHWAY NO. 4; THENCE SOUTH 31 DEGREES 37'39" WEST ALONG THE WESTERLY LINE OF LATERAL HIGHWAY NO. 4, ALSO KNOWN AS ROSARIO ROAD, A DISTANCE OF 125.00 FEET; THENCE SOUTH 89 DEGREES 00'21" EAST, A DISTANCE OF 320.04 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 2 DEGREES 44'30" EAST, A DISTANCE OF 1.00 FOOT; THENCE SOUTH 89 DEGREES 00'07" EAST, A DISTANCE OF 125 FEET; THENCE SOUTH 2 DEGREES 44'30" EAST, A DISTANCE OF 130.00 FEET; THENCE NORTH 89 DEGREES 00'07" WEST, A DISTANCE OF 125.00 FEET; THENCE NORTH 2 DEGREES 44'30" WEST, A DISTANCE OF 129.00 FEET TO THE TRUE POINT OF BEGINNING.

Land Use (110) HOUSEHOLD SFR OUTSIDE CITY

[WAC 458-53-030](#)

Neighborhood (20FIDALGO) FIDALGO RESIDENTIAL

Utilities WTR-WELLS

Levy Code 1460

City District Skagit County

School District SD103

Fire District

Year Built

Acres 0.37

Living Area

Bedrooms

Appliances

Exemptions

Foundation

Construction Style

Exterior Walls

Roof Style

Roof Covering

Floor Construction

Plumbing

Heat-AirCond

Fireplace

Details for Parcel: P19158



View all pictures

Jurisdiction: SKAGIT COUNTY
Mineral Resource
Skagit County - [Rural Resource-Natural Resource Lands](#)

Zoning Designation:

Overlay:

Parcel Number	XrefID	Quarter	Section	Township	Range
P19158	340111-2-003-0009	02	11	34	01

Owner Information
PIT I LLC
C/O LAKE ERIE TRUCKING
13540 ROSARIO RD
ANACORTES, WA 98221

Site Address(es) _

Map Links
[Open in iMap](#)
Assessor's Parcel Map:
[PDF](#) | [DWF](#)

2014 Values for 2015 Taxes*

Building Market Value	\$.00
Land Market Value	+\$178,900.00
Total Market Value	\$178,900.00
Assessed Value	\$178,900.00
Taxable Value	\$178,900.00

Sale Information

Deed Type	QUIT CLAIM DEED
Sale Date	2006-12-01
Sale Price	\$.00
Sale requires NRL disclosure (more info)	

2015 Property Tax Summary

2015 Taxable Value	\$178,900.00
General Taxes	\$1,699.16
Special Assessments/Fees	+\$10.00
Total Taxes	\$1,709.16

* Effective date of value is January 1 of the assessment year (2014)

Legal Description [Definitions](#)

SE1/4 SW1/4 NW1/4 LESS PTN TAX 10 & LES SPTN TO CO RD CONV AF#767533 LESS RT 2-003-02 LESS THAT PTN DAF COM AT INT OF CTR LI OF EDITH POINT RD WITH W LI OF ROSARIO RD TH S 31 37 39W ALG W LI ROSARIO RD 125.00FT TH S 89 00 21E 320.04 FT TPB TH N 02 44 30W 1.00FT TH S 89 00 07E 125.00FT TH S 02 33 30E 130.00FT TH N 89 00 07W 125.00FT TH N 02 44 30W 129.00FT TPB

Land Use (110) HOUSEHOLD SFR OUTSIDE CITY

[WAC 458-53-030](#)

Neighborhood (20FIDALGO) FIDALGO RESIDENTIAL

Utilities

Levy Code	1460
City District	Skagit County
School District	SD103
Fire District	
Year Built	
Acres	8.97
Living Area	
Bedrooms	
Appliances	
Exemptions	

Foundation
Construction Style
Exterior Walls
Roof Style
Roof Covering
Floor Construction
Plumbing
Heat-AirCond
Fireplace

Section 3 Questionnaire

Prior to submittal, please answer all of the questions below that are applicable to your proposal. Provide your answers on separate attached sheets and reference the question numbers in your answer. Include maps, graphics and other information as necessary. Please be thorough. Incomplete or misleading information may cause unwarranted delays in processing and/ or denial of the application. Answering these questions will require an understanding of the applicable provisions of the Skagit County Comprehensive Plan and Skagit County Code Title 14. Both are available at Skagit County Planning & Development Services online at www.skagitcounty.net. All Applicants must answer the following:

1. Please Provide a detailed statement of what is proposed to be changed and why. Include suggested amendatory language to the Comprehensive Plan, if applicable. For proposed map amendments to a commercial or industrial designation, include additional information relating to the proposed commercial or industrial use.

“The comprehensive plan amendment is proposed to expand the Mineral Reserve Overlay (MRO) to the parcel boundaries of P19164, 19165, 19158, and P90028 owned by Pit 1, LLC C/O Lake Erie Trucking (Bill Wooding). P19164 is zoned RRc-NRL and has an MRO designation on approximately 40% of the parcel. P19165 is zoned RRC-NRL with a MRO designation on approximately 60% of the parcel, and is part of the Lake Erie Pit; which has a current Skagit County Special Use Permit (SUP), and a Washington State Department of Natural Resources (WSDNR) reclamation permit. P19158 is zoned Rural Resource NRL. The MRO designation extends to 1% of the parcel in the Northeast corner of the parcel. P90028 is located within the boundaries of P19158 in the North center area. P90028 is zoned Rural Resource-NRL zoning wit. This parcel has been included, since it is located in the path of mining activities. The expansion of the MRO designation to the four parcels is estimated to be 23.37 acres. If Pit 1, LLC (Pit 1) is successful with the expansion of the MRO designation, Pit 1 will initiate the expansion of the Lake Erie Pit to include these parcels in the mining operation by obtaining an expanded Skagit County SUP and a WSDNR reclamation permit. The 4 parcels contain valuable sand and gravel assets. The current permitted Lake Erie Pit (parcels 19108, 19162, and 19165) are contiguous parcel ownership adjacent to the MRO parcel expansion. The sand and gravel reserve rises in elevation to the south and west, and contains the majority of available aggregates for mining. These four parcels are the MRO expansion are important sand and gravel assets. Therefore these parcels (P19164, P19165, P19158, and P90028) present a long term asset to the long term economic viability of the countywide, which is what the RRc-NRL designated

lands are intended to be within the 2007 Skagit County Comprehensive Plan. See attached Skagit County Pre-development/Pre-application Meeting notes dated February 19, 2015.”

2. Has there been a change in circumstances pertaining to the Comprehensive Plan or public policy that would justify the proposal? Or, in the case of site-specific Comprehensive Plan/Zoning map amendments, has there been a change in circumstances pertaining to the subject property that is beyond the control of the landowner?

“It is a documented fact that for many years, surface mining activities have been ongoing within these parcels. It has been Mr. Wooding opinion that parcel P19158 had an operating mine (Rosario Pit) is the 1930’s operated by Skagit County. In the 1960’s George McCorkle operated the same sand & gravel pit located in the northeast corner of P19158. Wooding contends that the site should have been considered a pre-existing non-conforming use at that time. Attached is a summary of the Rosario Pit information that was available. It appears with establishment of the 1998 MRO designation, they did not expand the MRO designation to the entire parcel P19158, but only 1% of the parcel. Simultaneously, P19164 and 19165 were not completely designated with an MRO designation. The majority and depth of the gravel reserves contained within the expansion parcels and the permitted parcels run south and west. The establishment of the MRO did not take this into account. Attached is a summary page of the Rosario Pit, with letters from Skagit County, WSDNR, and George McCorkle, previous owner of the Rosario Pit. The expansion of the MRO to include the subject parcels will preserve the “heart” of the sand and gravel deposit for future se and will meet the criteria required by Skagit County’s Comprehensive Plan for RRc-NRL designation.”

3. For policy and map amendments, what do you anticipate will be the impact resulting from the proposed change in a policy or map amendment? What geographic areas may be affected? What other issues do you anticipate as a result of the proposal? (Note: If this application is approved for further consideration by the Board of County Commissioners, you may also be required to submit a State Environmental Policy Act (SEPA) checklist, which would require a more detailed analysis of the potential impacts, if any, of your proposal.)

“The general geographic area is currently residentially developed to the east of the current permitted mine, and the MRO Expansion parcels. As per WSDNR, the new mine expansion will have a 50’ setback from this property line with a 2-1 reclamation slope. Current vegetation will be left on the setback area to assist in noise mitigation.

The parcels located to the south of the MRO Expansion (Zoned RRv), which includes the Wooding parcel P19158 will have a 50' setback with a 2:1 slopes and vegetation will remain in place on the setback. The property to the west and north of the MRO expansion area borders Rosario Road. The setback of 50' will be applied to these areas, as well as the 2:1 slopes and vegetation will remain in place on the setback area. The criteria set by WSDNR and Skagit County in expanding the current Skagit County SUP, and the WSDNR reclamation permit, will mitigate all impacts to the surrounding area. The approval of the Expanded MRO will ensure that this asset (sand and gravel) will be preserved for future use."

4. For policy and/ or comprehensive plan/zoning map amendments, please state why existing Comprehensive Plan policies or map designations should not continue to be in effect or why they no longer apply.

"The current zoning for the Lake Erie Pit is RRc-NRL. Three parcels that make up the Lake Erie Pit have MRO zoning, except for the southern portion of P19165. The Lake Erie Pit parcels have a current Skagit County SUP, and a WSDNR reclamation permit. The MRO Expansion Parcel P19164, P19165, P19158, and the .3 acre P90028 within P19158 are zoned RRC-NRL, and have portions of each parcel with MRO designation. The continuation of the current zoning and the MRO Expansion will add an additional 2 million cubic yards of sand and gravel to the existing reserve. This Skagit County asset should be protected and developed for future use."

14.16.440 Mineral Resource Overlay (MRO)

(1) Purpose. The purpose of the Mineral Resource overlay (MR)) is to maintain and enhance natural resource-based industries by conserving mineral resource lands, allowing continued operation of existing legally established uses, and by assuring that use of adjacent land does not interfere with the extraction and quarrying of minerals. MRO overlays natural Resource Lands (NRL) zoning districts and imposes regulations in addition to those normally required in the underlying NRL zoning district. Mineral extraction and processing activities are allowed as a Hearing Examiner special use, and must comply with the Surface Mining Act, Chapter 76.44 RCW. The MRO recognizes those areas that are designated to protect long-term, commercially viable mineral Natural Resource Lands and recognizes that mineral resources must be in close and economic proximity to the market to be served.

"The MRO Expansion Parcels proposed are located in RRc-NRL zoning, and three of the parcels have portions of the parcel with MRO zoning. This proposal will expand the MRO to cover the entire parcel. The addition of these parcels to the Lake Erie Pit will

add an additional 2 million cubic yards of sand and gravel reserve. This will enable the Lake Erie Pit to produce and sell aggregates to the Anacortes area for the next 50 years. This is a very important asset to Skagit County.”

(2) Designation Procedure. The MRO represents those areas that are designated as Mineral Resource Overlay (MRO) on the Skagit County Comprehensive Plan map adopted by Ordinance 16550, or as thereafter amended. Unless otherwise restricted by ordinance, new Mineral Resource Overlay areas may be designated by complying with Chapter 36.70A RCW, the Comprehensive Plan amendment procedures of Skagit County Comprehensive Plan, Chapter 14.08 SCC.

“The MRO Expansion of P19158, P19164, P19165, P90028 which contain the appropriate zoning, and are contiguous to the existing permitted mine, Lake Erie Pit, comply with the above stated sections of the Skagit County Comprehensive Plan. This submittal is preserving this asset of sand and gravel to service the Anacortes community if future years. Upon approval of the MRO expansion, Pit 1 will prepare a new expanded Skagit County SUP and an expanded WSDNR reclamation plan.”

5. How would the proposal comply with the community vision statements, goals, objectives, and policies of the Comprehensive Plan? (The community vision statements are discussed in Chapter 1 of the Comprehensive Plan. Goals, objectives and policies are described in Chapter 2, and are found throughout the Comprehensive Plan.)

“Skagit County has a 40-year commitment to the value of planning. The first comprehensive Plan was adopted in 1965 and was the guiding document for the physical development of county until the growth management era. The 1965 Comprehensive Plan introduced the County’s first zoning and subdivision regulations. During the period 1970 – 1990 the County prepared district plans; updated the zoning code; adopted joint sphere of influence agreements with the cities and towns; worked with the tribes to prepare joint plans for the reservations; and began working with the cities and towns on growth management plans. The County wide Planning Policies support the thirteen state-mandated Growth Management Act (GMA) goals which included economic development, property rights, permits and natural resource industries, recognizing the need to preserve the natural resource of sand and gravel necessary for ongoing construction development. The County Vision was to create a comprehensive and balance approach in the visioning process to include major themes of the community vision. The vision included protecting and conserving agriculture, forest and mineral resource lands. Natural resource lands, such as farms and timber lands provide economic, social, cultural and environmental benefits. This

plan ensures that these areas, including mineral resource lands, continue to be viable today and into the future. The MRO Expansion for the Lake Erie Pit ensures that the heart of the sand and gravel deposit will ensure that this resource asset is viable for years to come.”

“The Skagit County Perspective concerning the mining industry has much importance to the County economy. In addition to natural resource-based industries, the economy has diversified to include strengths in the area of retail sales, contracting, fabrication, and services. “

Chapter 2 of the 2007 Skagit County Comprehensive Plan, Urban, Open Space & Land Use Element, outlines the GMA planning goals. The GMA Mandate includes the applications for both state and local government permits should be processed in a timely manner and protects the continued use of Natural Resources which form the basis of continued expansion under permit guidelines.

The Lake Erie Pit MRO expansion will be a basic supply of sand and gravel which will be required, and consumed within the County. “

The benchmark used by the County as a target for land use and population growth is to direct at least 80% of the County’s new population growth to occur within Urban Growth Areas. Progress towards this benchmark was reviewed by the County as described in the Growth Management Indicators (GMI) program dated 2002. Per the GMI, building permit data was obtained and converted to net population growth to measure and track the distribution of population by location of UGA vs non-UGA. The data obtained by the County indicates that at least 80% of the County’s new population growth Countywide occurred in designated urban growth areas from 1998-2001, and at the same time, the share of new growth in rural unincorporated areas outside of the UGAs in Skagit County was diminishing. It is noted that that the intent of resource lands is to protect their natural resource-related economic potential for agricultural, forestry, and mineral resources.

“The MRO Expansion of the Lake Erie Pit has an economic potential for increasing the natural resource base of sand and gravel to handle the economic growth based on the criteria noted in the Comprehensive Plan.”

6. How is this proposal supported by functional plans and Capital Facility Plans? In other words, would the proposed policy, designation and/or land use be consistent with the capital improvement plans of the various service purveyors (water, roads, fire Parks, schools, ect.) and not adversely affect their ability to provide these services.

Water: “The subject parcels are located in the Del mar water district, with the Del Mar water tanks located at the southeast corner of P19168, which is Bill Wooding's ownership, and lies southwest of the subject parcels. The MRO Expansion and the existing permitted parcels are not approved for washing aggregates, and will not need the water source for the mining operations.”

Roads: “Within the Transportation Elements Goal A-13, Land Use and Development policy 8A-13.8 Land Use Compatibility states – “The planning, design, location and construction of new transportation projects and facilities shall consider and be compatible with adjacent land uses, as indicated in the Comprehensive Plan and Development regulations, including natural resource activities and rural residential areas.”

A road’s level of service is established by the ration of actual volume to design capacity. When a facility is operating at a lesser standard than the determined level of service (LOS) deemed appropriate, the County must prepare improvement plans and funding strategies for addressing within a Six-Year Transportation Improvement Plan (TIP). Funding for the County’s transportation system comes from a wide range of sources such as local property and fuel taxes, local tax revenues from the fund, and various other sources.

“The subject MRO Expansion Parcels will not need any additional road for entrance to the Parcels. The MRO Expansion Parcels will utilize the entrance road located to the north of the permitted Lake Erie Pit, which connects to Rosario Road. The current County SUP and the WSDNR reclamation permit for the Lake Erie Pit required for a “Traffic Study” which was completed in the permit process in the “1990’s. A condition, in obtaining a new County SUP, will require a new “Traffic Study” to be completed for the MRO Expansion parcels, as well as the existing SUP. We do not anticipate that there will be any impact to road usage, since we are not increasing the production of the site, but increasing the property, which contains the majority of the sand and gravel reserves.”

Fire: “The MRO Parcels are located within the boundary of Skagit County Fire District #11, which has a fire station located approximately one mile to the north. Fire level of services is established by average response time. Therefore, the subject property being located so close to the local fire station means response times would be short, thereby capable of providing a high level of serves to the site. In addition, there are existing fire hydrants located along the west side of Rosario Road, which provide fire protection to the site. The current Lake Erie Pit parcels, and the addition of the MRO

Expansion parcels will not have any buildings on the site. At this time, there are no plans for a new building to be built.”

7. How would this proposal affect implementing land-use regulations found in Skagit County Code Title 14? What changes would be necessary to bring the implementing land-use regulations into compliance with the Comprehensive Plan as proposed to be amended? (for example, a proposed new policy relating to historic preservation may require corresponding zoning code amendments to regulate the use and reuse of historic structures.)

“The requested comprehensive plan amendment proposes to expand the subject parcels MRO designation to include the entire area of each parcel. This change will not negatively affect the implementation of any land-use regulations found in Skagit County Code Titles 14 or 15. The onsite mining development will comply with the Skagit County Special Use Permit (SUP), and the WSDNR reclamation permits requirements.”

8. What measures have you taken to solicit public review or inform the public of this proposal? Please provide a summary of any public review received.

None.

9. Describe how the proposed map change complies with applicable land-use designation criteria for the requested designation in the Urban, Open Space & Land Use Element, Chapter 2; the Rural Element, Chapter 3; or the Natural Resource Lands Element, Chapter 4, of the Comprehensive Plan.

Natural Resource Lands Element Chapter 4, Skagit County Comprehensive Plan:

Introduction:

Natural Resource Lands are the cornerstone of Skagit County’s economy, community, and history. As such, their protection and enhancement is of paramount importance to Skagit County and its citizens. The Natural Resource Lands Element establishes the purpose and intent of land use policies for agricultural, forest, and mineral natural resource lands. These policies guide long-range planning, programs and regulations to conserve natural resource lands. In cases where some residential use is allowed on natural resource lands, development will occur in a manner that minimizes both the amount of land converted to non-resource uses, and the associated impacts to long-term management of the natural resource.

“The Expansion of the MRO to the subject Parcels, of which three have partial MRO Designation, meet the requirement to save this important sand and gravel reserve contained within the subject parcels.”

Table 4.1:

Mining sites or portions of mining sites shall be reclaimed when they are abandoned, depleted, or when operations are discontinued for long periods. (CPP 8.4)

“The MRO Expansion Parcels will be added to the contiguous, existing Lake Erie Pit which will be required to obtain a new County SUP and a new WSDNR reclamation permit. The WSDNR permit will require a reclamation bond be placed with WSDNR to ensure that the site will be reclaimed. The current Lake Erie Pit permit has a bond in place at this time, and will increase or decrease as mining progress and/or reclaimed.”

Mineral Resource Overlay:

Skagit County supports environmentally responsible and safe mineral resource extraction and processing activities. Mineral lands of long-term commercial significance are to be designated to conserve the mineral resource. These designations apply to areas within other natural resource lands where mining and processing activities are economically and environmentally feasible and when conflicts with other land uses can be minimized. Because mineral resources cannot be replaced or relocated, Skagit County designates all commercially significant mineral resources to ensure that these lands are available for resource production far into the future

“The current Lake Erie Pit has a SEPA Checklist on file and the new Expanded MRO permitting will require a new SEPA Checklist to be in place. The addition of the Expanded MRO parcels will ensure that this limited resource will be protected for uses into the future.”

Rural Resource Lands:

Introduction: Rural Resource lands are, generally, areas that have the combined land and land-use characteristics of long-term agricultural, forest or mineral lands, and have the potential for multiple use or smaller scale resource management. Rural Resource and generally are not managed for industrial-scale farming or forestry, but nevertheless contribute to natural resource land base. Where the Mineral Resource Overlay designation is also applied, industrial scale mining can occur.

“The MRO Expansion parcels, the subject of this application, each have a certain section of the MRO Overlay covering three of the four parcels. The forth parcel is .37

acres in the north of P19158, and has been included, because it would be difficult to mine around.”

Goal C-3, Allowable Land Uses:

Allow uses in Rural Resource Lands that further the use of the lands for the production of agricultural, forest and mining products and uses.

“The MRO Expansion parcels have RRC-NRL zoning.”

Policies:

4C-3.1 Principal Uses:

Principal uses of Rural Resource lands include natural resource production and businesses that support or are compatible with agriculture, forestry and mining activities.

Mineral Resource overlay (MRO)

Introduction: Skagit County supports environmentally responsible and safe mineral resource extraction and processing activities. Mineral resource lands where mining and processing activities are economically and environmentally feasible and where conflicts with other land uses can be minimized are to be identified and designated as Mineral Resource Overlay (MRO) to conserve mineral resource lands of long-term commercial significance. Because mineral extraction sites can take 20 to 40 years or longer to excavate, identifying and protecting opportunities for mineral extraction operations require a long-term planning horizon.

“There currently is the Lake Erie Pit owned by Bill Wooding, who has been operating this permitted sand and gravel site since the 90’s. The contiguous, MRO Expansion parcels, which have been identified to contain the majority of the sand and gravel, have partial MRO Overlay’s. We are requesting this MRO expansion to ensure the sand and gravel asset is guaranteed for the future.”

Goal D-1, Mineral Resource Designation Criteria

Designate and map long-term commercially significant mineral resource lands as an overlay to the Comprehensive Plan map.

Policies:

4D-1.1 Mineral Resource Designation Criteria

Designate Mineral Resource Overlay based on geologic, environmental and economic factors, existing land uses, surrounding parcel sizes, and additional criteria specified in this element. Designating mineral resources of long-term commercial significance is not limited by a projection of need. Like agricultural and forest lands, mineral resources are protected for the long-term. The following first tier of criteria relies primarily on geologic information to identify commercially significant mineral resource lands and shall be considered when designating Mineral Resource Overlay areas.

a) **Marketability:** “Lake Erie Pit has established a market for the sand and gravel reserves that will be increased with the MRO Expansion Parcels.

b) **Minimum threshold volume:** “The MRO Expansion Parcels land is approximately 36.2 acres. The working face of the Lake Erie Pit is approximately 75 feet to 100 feet in height.”

i) **Construction materials:** “The estimated sand and gravel reserve contained within the MRO Expansion is estimated at approximately 2,000,000 cubic yards.”

c) **Minimum Threshold Value:** “The average price per ton in the Anacortes market is approximately \$8.00 per ton wholesale. This equates to a wholesale value of the MRO Expansion Parcels sand and gravel reserves of approximately \$24,000,000.”

i) Does not apply.

ii) Does not apply.

iii) Does not apply.

4D-1.2 Standards for Geologic Information

Adequate information for the purpose of designating areas within the Mineral Resource overlay shall consist of, but not be limited to, site-specific information prepared by a licensed geologist, U.A. geological survey maps, and/or information on file with Washington Department of Natural Resources.

“Glenda McLucas is a licensed Geologist (678) in the State of Washington, and the President of McLucas & Associates, Inc., the preparer of this MRO Expansion. McLucas will be utilizing and/or referring to the U.S. Geologic Survey, and will be preparing the County SUP and WSDNR reclamation permit upon approval of the MRO Expansion.”