

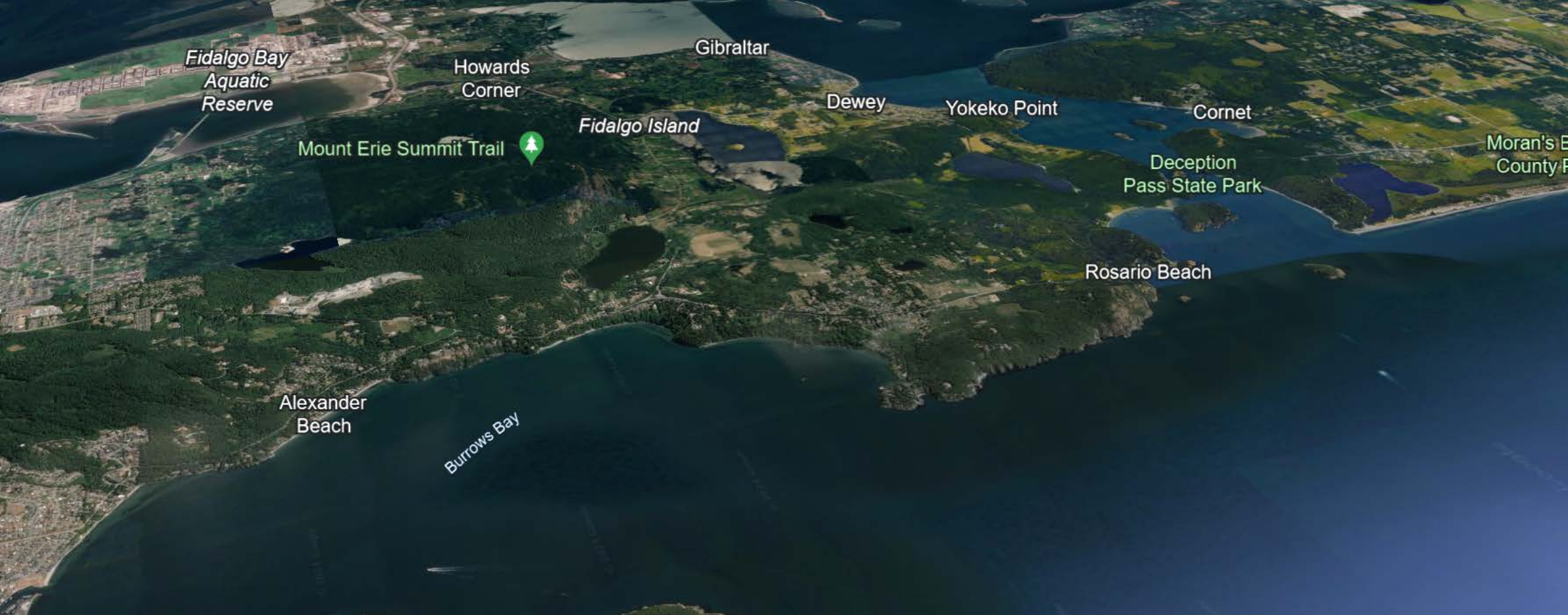


HEARING EXAMINER; HEARING ON REMAND

May 8, 2024, @ 9:00 AM

By: Kevin Cricchio, AICP, ISA, Senior Planner

Planning & Development Services Department



Fidalgo Bay
Aquatic
Reserve

Howards
Corner

Gibraltar

Dewey

Yokeko Point

Cornet

Moran's E
County F

Mount Erie Summit Trail



Fidalgo Island

Deception
Pass State Park

Rosario Beach

Alexander
Beach

Burrows Bay

PL16-0556:

SUBJECT PROPOSAL:

The applicant filed an application for a mining special use permit (PL16-0556) to expand an existing gravel mining operation from 17.78 acres to 53.5 acres. The gravel mining operation will remove approximately 60,000 tons of gravel per year for approximately 60 years, for a total of approximately 3,600,000 tons (2,250,000 cubic yards) and extend to a depth of approximately 50 feet below existing grade. Gravel will be removed from the site by truck and trailer, generating an average of 13 loads per day or 26 truck trips per day. The mining operation will process material onsite with a screen and rock crusher. The site is accessed from Rosario Road on an existing private gravel driveway. No offices or structures are proposed to be built onsite. The subject site is located within the Rural Resource-Natural Resource Land (RRc-NRL) and mineral resource overlay (MRO) zoning/comprehensive plan designated area.

Devils Elbow



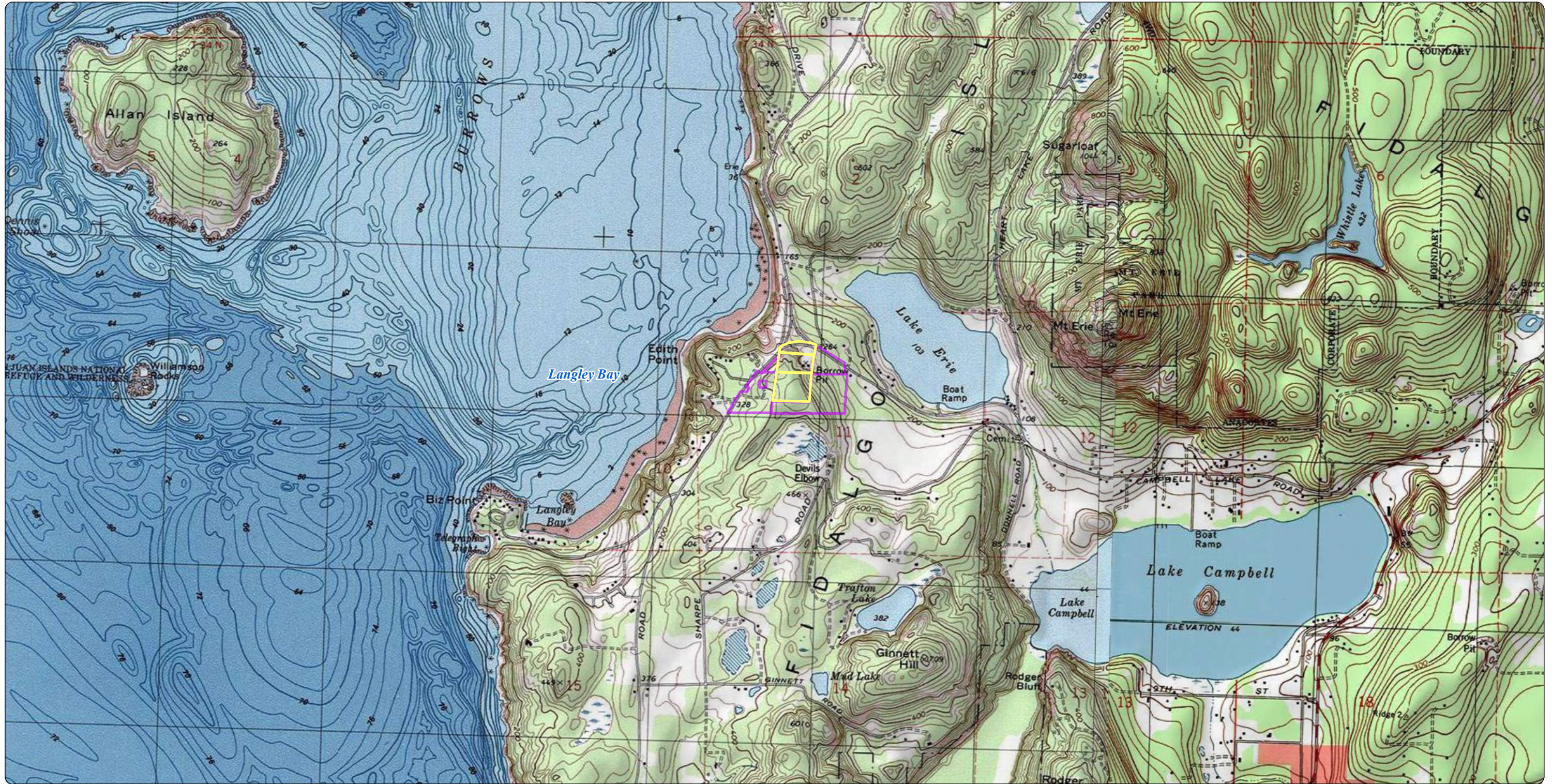
PL16-0556:

PROJECT LOCATION:

Intersection of Rosario Road and Marine Drive, Fidalgo Island; Located in a portion of Section 11, Township 34 North, Range 01 East, Willamette Meridian

SUBJECT PARCELS:

Subject Parcels: Existing Mine: P19108, P19162, & P19165; Expansion To Mine: P19158, P90028, P19164, P19155, P19161; Contiguous Parcels (Same Ownership): P19168, & P19163



Source: USGS Quadrangle maps obtained from Esri ArcGIS Online

- Current Permitted Parcels
- Expansion Parcels

Figure 1
Site Vicinity
 Lake Erie Pit Mine
 Anacortes, Washington





Mt. Erie

Mt. Erie

1265 ft

800 ft

600 ft

400 ft

Lake Erie

Campbell Lake Rd

Campbell Lake

Heat Lake Rd

Donnell Rd

Lunz Rd

S Campbell Lake Rd

Crafter Lake Rd

Crafter Rd

Ginnett Rd

Sharpe Rd

Rosario Rd

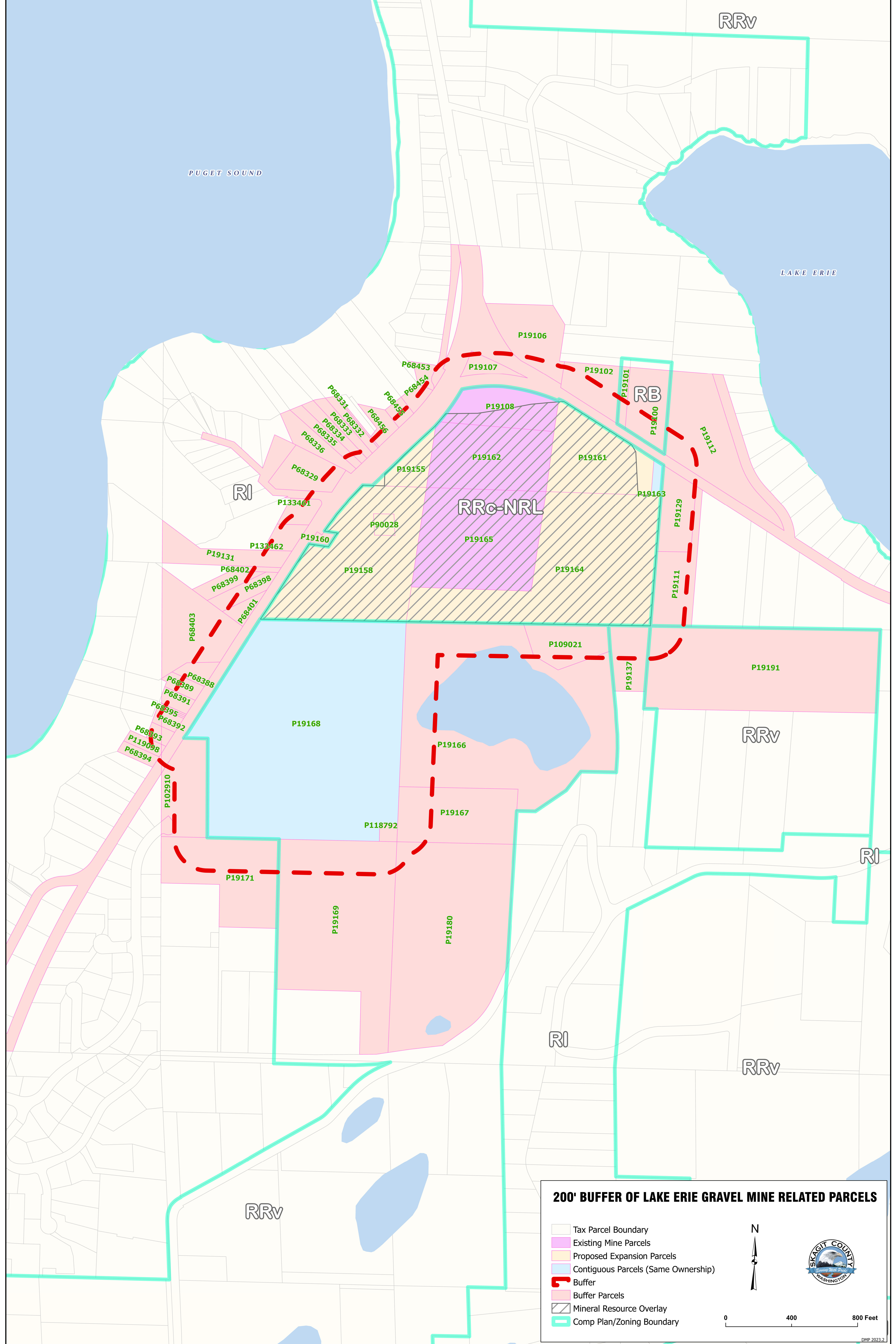
Biz Point Rd

Montgomery-Headlands

Bay

200 ft

400 ft



200' BUFFER OF LAKE ERIE GRAVEL MINE RELATED PARCELS

- Tax Parcel Boundary
- Existing Mine Parcels
- Proposed Expansion Parcels
- Contiguous Parcels (Same Ownership)
- Buffer
- Buffer Parcels
- Mineral Resource Overlay
- Comp Plan/Zoning Boundary

N

DMP 2023.2

Burrows Bay

PUGET SOUND

LAKE ERIE

Sunset Lane

South Windwood Lane

Marine Drive

Marine Wye Drive

Desaners Drive

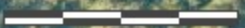
Edith Point Road

Rosario Road

Orca Lane

Zelwood Drive

Day Break Lane



PL16-0556:

APPLICANT:

Lake Erie Pit 1 LLC
Attn: Bill Wooding
13540 Rosario Road
Anacortes, WA 98221

LANDOWNER:












Pit I LLC
C/O Lake Erie Trucking
13540 Rosario Rd
Anacortes, WA 98221

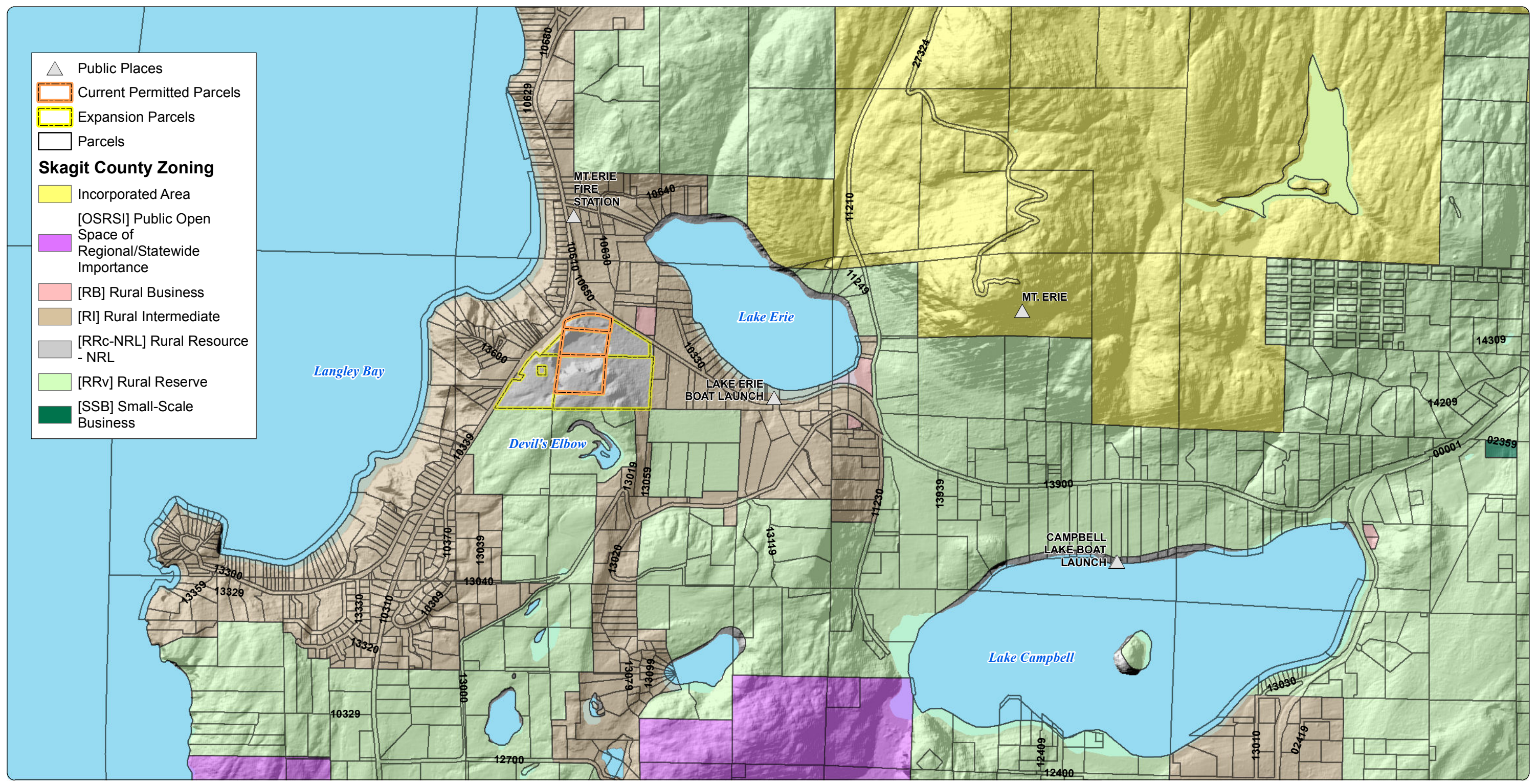
PL16-0556:

ZONING DISTRICT:

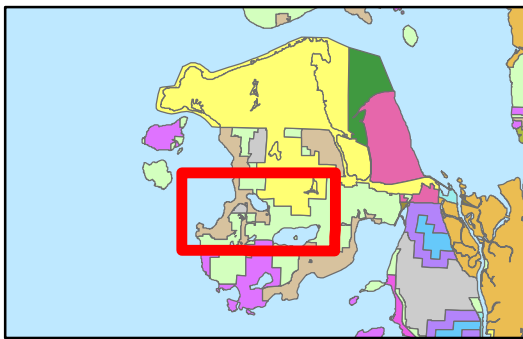
The subject site is located within the Rural Resource-Natural Resource Lands (RRc-NRL) Zoning/Comprehensive Plan Designated Area and designated within the Mineral Resource Overlay.

Path: X:\1268.02_McLucas_and_Associates\Project\Hydrogeologic\Site_Map_Zoning.mxd
 Print Date: 9/23/2016
 Produced By: estrandhagen Approved By:
 Project:

	Public Places
	Current Permitted Parcels
	Expansion Parcels
	Parcels
Skagit County Zoning	
	Incorporated Area
	[OSRSI] Public Open Space of Regional/Statewide Importance
	[RB] Rural Business
	[RI] Rural Intermediate
	[RRc-NRL] Rural Resource - NRL
	[RRv] Rural Reserve
	[SSB] Small-Scale Business



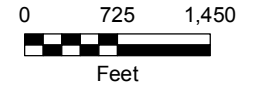
Source: Skagit County Zoning.

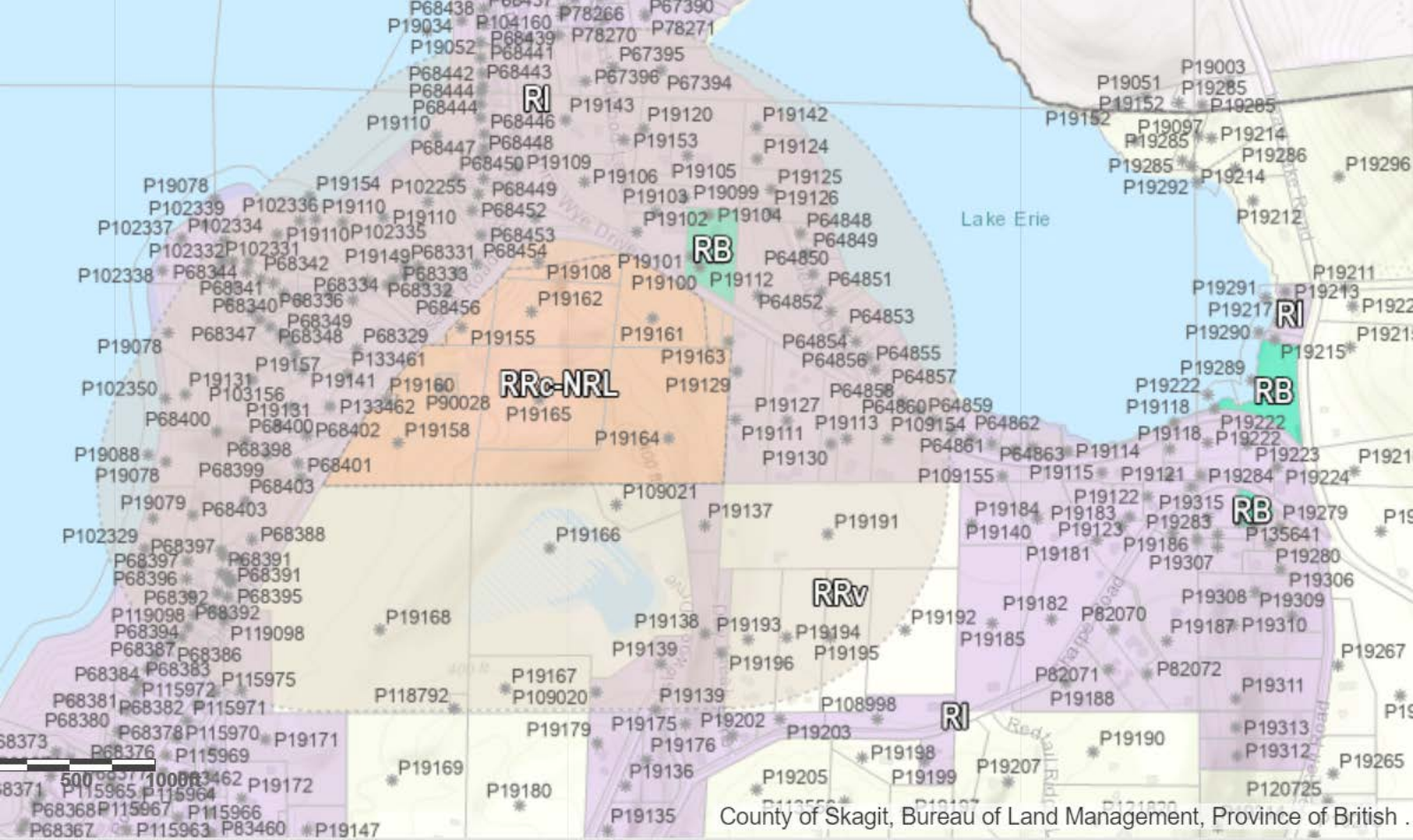


 MAUL FOSTER ALONGI
 p. 971 544 2139 | www.maulfoster.com

This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

Figure 2
Skagit County Zoning
 Lake Erie Pit Mine
 Anacortes, Washington





RRc-NRL

RB

RI

RB

RB

RRV

RI

PL16-0556:

PROJECT CHRONOLOGY:

- **APPLICATION SUBMITTAL**: On December 2, 2016, the applicant Bill Wooding/Lake Erie Pit LLC submitted to Skagit County's Planning and Development Services Department.
- **COMPLETENESS DETERMINATION**: Skagit County Planning & Development Services (PDS) deemed the application complete on January 5, 2017.
- **NOTICE OF APPLICATION**: A Notice of Application (NOA) was published on February 2, 2017, mailed to neighboring landowners located within 300-feet of the subject parcel(s), and posted onsite.
- **PUBLIC COMMENT PERIOD**: Following, the end of the public comment period, Skagit County PDS requested additional information.

PL16-0556:

PROJECT CHRONOLOGY (CONTINUED):

- **SEPA ENVIRONMENTAL REVIEW:** After this material was submitted to PDS satisfying this requirement, a SEPA Mitigated Determination of Non-Significance (MDNS) was issued on December 3, 2018. The SEPA comment period ended on December 21, 2018, and the appeal period ended on January 4, 2019. No appeals were received.
- **OPEN-RECORD PUBLIC HEARING:** The Hearing Examiner conducted an open-record public hearing on August 26, 2020, and October 14, 2020. The **Hearing Examiner approved** the subject Special Use Permit subject to conditions on November 30, 2020.

PL16-0556:

PROJECT CHRONOLOGY (CONTINUED):

- **BOCC APPEAL**: On appeal (See Exhibit #25), the Board of County Commissioners remanded (See Exhibit #26) the matter (Resolution: R20210038) to the Hearing Examiner to determine if a Geologically Hazardous Site Assessment is needed.
- **HEARING EXAMINER REMAND**: On March 9, 2021, the Hearing Examiner ordered Planning and Development Services (PDS) (See Exhibit #27) to direct Wooding (the applicant) to provide such an assessment. The Examiner determined that the appropriate course was to refer the matter to Planning and Development Services (PDS) with instructions to direct the applicant to prepare a Geologically Hazardous Area Site Assessment consistent with Skagit County Code 14.24.200 – 14.24.420. On receipt of such assessment, PDS shall review it and provide an amended staff report to the Hearing Examiner containing the department's analysis and recommendations in light of the report. Thereafter, the Examiner shall schedule and hold a supplementary public hearing in this matter, limited to comment on the Geologically Hazardous Site Assessment.

PL16-0556:

PROJECT CHRONOLOGY (CONTINUED):

- **SC PDS REQUEST:** On March 23, 2021, a letter written by Skagit County Planning and Development Services Department (See Exhibit #28) requesting the applicant prepare a Geologically Hazardous Area Site Assessment and Geologically Hazardous Mitigation Area Plan consistent with Skagit County Code 14.24.420 and 14.24.430 respectively.
- On May 27, 2021, another letter (See Exhibit #28) was written by Skagit County Planning and Development Services Department reiterating additional information was requested of the applicant on March 23, 2021, and that the deadline to provide this information was 4:30 PM on July 21, 2021. Failure to provide this information would result in the Special Use Permit being denied by Skagit County Planning and Development Services Department.

PL16-0556:

PROJECT CHRONOLOGY (CONTINUED):

- **SC PDS REQUEST (CONTINUED)**: The 120-days provided by Skagit County Code 14.06.105 for submittal of the information expired on July 21, 2021. On July 20, 2021, the day before the expiration date, Wooding's agent sent an email stating that a contract with a consultant had been entered and requesting a further extension of time for submitting the required information.
- **DENIAL**: On July 21, 2021, Skagit County Planning and Development Services Department denied the extension request and denied the applicant's Special Use Permit application (See Exhibit #28) for failure to timely supply the requested information.

PL16-0556:

PROJECT CHRONOLOGY (CONTINUED):

- **APPEAL OF DENIAL**: The applicant appealed (See Exhibit #29) this decision by Skagit County PDS. On October 15, 2021, the Hearing Examiner granted the applicant's appeal of the county's decision thereby reversing it (See Exhibit #30). According to the Examiner's decision, the application shall remain in good standing through September 2022. During this time the applicant shall have a Geologically Hazardous Site Assessment prepared and shall submit the same prior to the end of September 2022.

PL16-0556:

PROJECT CHRONOLOGY (CONTINUED):

- **GEOLOGIC HAZARD SITE ASSESSMENT SUBMITTAL:** On August 12, 2022, the applicant submitted a Geologic Hazard Site Assessment (See Exhibit #31) to Skagit County Planning and Development Services Department that was prepared by Wood Environmental and Infrastructure Solutions, Incorporated.

PL16-0556:

PROJECT CHRONOLOGY (CONTINUED):

- **THIRD PARTY REVIEW:** This Geologic Hazard Site Assessment (and subsequent letter from Evergreen Islands) [See Exhibit #32] dated November 18, 2022, was forwarded to the county's Third-Party Review consultant - the Watershed Company for review.
- **RECEIPT OF THIRD-PARTY REVIEW FINDINGS/REPORT:** On January 19, 2023, the Watershed Company provided Skagit County PDS with their Third-Party Review findings and response to Evergreen Island's November 18, 2022, letter (See Exhibit #33).
- On March 3, 2023, Skagit County Planning and Development Services Department received both an email and letter from Evergreen Islands along with a response letter from the Stratum Group (See Exhibit #34).

PL16-0556:

PROJECT CHRONOLOGY (CONTINUED):

- **NOTICE OF HEARING:** After receiving third party peer review from the Watershed Company, a new Notice of Hearing was issued, published in the Skagit Valley Herald, posted onsite, mailed to neighbors, and mailed/emailed to parties of record.
- **JUNE 28, 2023, HEARING ON REMAND:** The Hearing on Remand before the Hearing Examiner occurred on June 28, 2023. Skagit County PDS recommended five (5) additional conditions of approval as part of Exhibit #38 (Addendum to Staff Report) in addition to the conditions of approval of the original staff report/findings of fact as is listed in Exhibit #1.

PL16-0556:

PROJECT CHRONOLOGY (CONTINUED):

- **JUNE 28, 2023, HEARING ON REMAND:** The Hearing on Remand before the Hearing Examiner occurred on June 28, 2023. Skagit County PDS recommended five (5) additional conditions of approval as part of Exhibit #38 (Addendum to Staff Report) in addition to the conditions of approval of the original staff report/findings of fact as is listed in Exhibit #1.
- **HEARING ON REMAND DECISION:** On July 13, 2023, Skagit County PDS received a decision from the Hearing Examiner (See Exhibit #43), approving the subject application for a Special Use Permit application with an additional five (5) conditions of approval as was suggested by staff. This decision was posted on the county's website and mailed/emailed to all parties of records.

PL16-0556:

PROJECT CHRONOLOGY (CONTINUED):

- **NOTICE OF DECISION**: A Notice of Decision (See Exhibit #44) was issued and published in the Skagit Valley Herald on July 20, 2023, posted onsite, and emailed/mailed to parties of record. The appeal period ended on July 27, 2023.
- **APPEALS RECEIVED**: During the appeal period, Skagit County's Planning and Development Services Department received two (2) timely appeals (See Exhibit #45) of the Hearing Examiner's approval/decision. The first appeal received was from Evergreen Islands (PL23-0363) while the second appeal received was from Sunset Lane Association (PL23-0380).

PL16-0556:

APPEALS RECEIVED:

APPELLANT #1:

Evergreen Islands (PL23-0363)
PO Box 223
Anacortes, WA 98221

APPELLANT #2:

Sunset Lane Association (PL23-0380)
13136 Sunset Lane
Anacortes, WA 98221

ATTORNEY:

Kyle Loring
Loring Advising PLLC
PO Box 3356
Friday Harbor, WA 98250

PL16-0556:

- **BOCC HEARING & REMAND**: On September 29, 2023, the Board of County Commissioners (BOCC) conducted a Closed-Record Public Hearing regarding the two (2) appeals received. Following public testimony and deliberation on the matter, on October 6, 2023, the Board of County Commissioners issued a remand order (Resolution # R20230197) to the Hearing Examiner (See Exhibit #46). The BOCC remand to the Skagit County Hearing Examiner was for the preparation of a GHSA consistent with the requirements of SCC 14.24.400 - .420, including but not limited to SCC 14. 24.420(e) and (f), with the Hearing Examiner considering any necessary evidence and imposing any additional conditions warranted by the foregoing analysis.

PL16-0556:

- **BOCC HEARING & REMAND (CONTINUED)**: In issuing this remand order, it is the Board' s intention that additional physical investigation and analysis will be performed to assess the north/northwest groundwater flow and potential impacts under different mine development scenarios, rather than mere validation of the inferences and methodologies used in the original Maul Foster report.
- All other issues raised by the Appellant on this appeal are hereby DENIED, and the Hearing Examiner in all other respects is AFFIRMED.

PL16-0556:

- **HEARING EXAMINER REMAND**: On October 6, 2023, the Hearing Examiner after considering of the above directions, determined that the appropriate course now is to refer this matter to Planning and Development Services (PDS), with instructions to direct the applicant to have another Geologically Hazardous Site Assessment be prepared and submitted to PDS, in accordance with the Board of County Commissioners' October 6 instructions (See Exhibit #47).
- **SKAGIT COUNTY PDS REQUIREMENT**: On October 10, 2023, Planning and Development Services Department wrote, emailed, and mailed a letter via USPS to the applicant requiring a Geologically Hazardous Site Assessment be prepared and submitted to PDS, in accordance with the Hearing Examiner/Board of County Commissioners' October 6 instructions (See Exhibit #48). The applicant had 120-days to provide this information to Skagit County PDS per SCC 14.16.105(1).

PL16-0556:

- **REQUEST FOR ADDITIONAL TIME**: On January 4, 2024, the applicant submitted to Skagit County PDS a request for additional time to submit the requested items to Skagit County. A ninety (90) day extension (See Exhibit #49) to this 120-day deadline was granted on January 4, 2024. The requested additional items requested by the Hearing Examiner/Board of County Commissioners were now due by 4:30 PM on May 10, 2024, instead of February 10, 2024.

PL16-0556:

- **GEOHAZARD SITE ASSESSMENT (GHSA) SUBMITTAL**: On February 29, 2024, the applicant submitted the requested Geohazard Site Assessment (GHSA) prepared by Northwest Groundwater Consultants (See Exhibit #50) to Skagit County's Planning and Development Services as had been requested.

The new GHSA included a physical investigation and analysis performed assessing the north/northwest groundwater flow and potential impacts under different mine development scenarios as was requested by the Hearing Examiner and Board of County Commissioners.

PL16-0556:

- **THIRD PARTY REVIEW OF GEOHAZARD SITE ASSESSMENT:**

Following a review by staff of the submitted GHSA, Skagit County Planning and Development Services Department forwarded this report to the department's third-party review consultant- Facet (DCG/Watershed Company) for peer review. The DCG/Watershed Company recently merged with Facet.

On April 1, 2024, Skagit County Planning and Development Services received a peer review/third-party review by Facet (See Exhibit #51) of the Lake Erie Pit Groundwater Evaluation that was done by Northwest Groundwater Consultants, LLC. According to the peer review report performed by Facet, Facet did not have any suggested revisions or modifications to the Northwest Groundwater Consultant's Geohazard Site Assessment (GHSA) report that assessed/evaluated the north/northwest groundwater flow and potential impacts under different mine development scenarios. Furthermore, Facet believes that the Northwest Groundwater Consultant's report meets the requirement for assessment of potential impacts on bluff retreat rates and slope stability required under SCC 14.24.420 and the Board of County Commissioners and Hearing Examiner remands.

PL16-0556:

- **NOTICE OF HEARING:**

Following this most recent third-party review, another Notice of Public Hearing (See Exhibit #52) was published in the Skagit Valley Herald on April 18, 2024, posted onsite, and mailed to neighboring landowners located within 300-feet of the subject parcels as is required by Skagit County Code. Additionally, the notice of record was both emailed/mailed to all parties of record.

PL16-0556:

- **ADDITIONAL STAFF SUGGESTED CONDITIONS OF APPROVAL:**

In addition to the suggested conditions of approval that can be found in the Staff Report/Findings of Fact dated August 26, 2020 (See Exhibit #1), and in the 1st Addendum to the staff report (Exhibit #38), staff suggests the following condition(s) of approval after a review of the Geohazard Site Assessment (GHSA) prepared by Northwest Groundwater Consultant and Third-Party Review performed by Facet (DCG/Watershed Company) as follows:

- The current 50-foot buffer width shall be increased to 100-feet along the western boundary of parcels P19108, P19162, P19155, and P19158. No development, grading, cut, and/or fill shall be allowed within this 100-foot buffer as is measured from the western property lines. The applicant shall revise their most current site plan to depict this 100-buffer width/area.

PL16-0556:

- **HEARING ON REMAND**: The most current Geologic Hazard Site Assessment (GHSA) prepared by Northwest Groundwater Consultant's is now complete, which addresses the BOCC and Hearing Examiner's order/direction that include an additional physical investigation and analysis be performed to assess the north/northwest groundwater flow and potential impacts under different mine development scenarios,
- Additionally, peer review/Third-Party review of Northwest Groundwater Consultant's GHSA has occurred with no revisions and/or modifications suggested. This matter will now go back to the Hearing Examiner for review, public testimony, deliberation, and consideration.

PL16-0556:

- **PURPOSE OF HEARING**: The purpose of the hearing is only to review the remanded item(s) required by the Hearing Examiner per his October 6, 2023, remand order to Skagit County's Planning and Development Services Department for Special Use Permit Application, PL16-0556.

PL16-0556:

- **STAFF RECOMMENDATION:** Based on a review of the application material submitted, special use permit criteria of approval, SEPA environmental checklist, environmental studies, two (2) Third-Party reviews, an issued SEPA Mitigated Determination of Non-Significance (MDNS), and the Findings of Fact/Staff Report (and Addendums thereto), staff recommends to the Hearing Examiner that the subject Special Use Permit application be approved subject to conformance with staff's suggested conditions of approval (as is listed in the Exhibit #1, Exhibit #38 and Exhibit #53).

SITE PHOTOS (TAKEN IN JUNE 2023 WHEN POSTING NOH, PL16-0556):



Mine Entrance



Rosario Road, Looking West/Northwest



Rosario Road, Looking east/southeast



Rosario Road & Marine Wye Drive Intersection



Gated Entrance to Mine

EXHIBITS:

OLD EXHIBITS (FROM ORIGINAL STAFF REPORT, DATED AUGUST 26, 2020):	
Exhibit #1	Staff Report/Findings of Fact (Dated: August 26, 2020)
Exhibit #2	Special Use Permit Application and Narrative received December 2, 2016
Exhibit #3	Skagit County Zoning and Assessor's map
Exhibit #4	Site Plans and aerial photographs
Exhibit #5	Notice of Development Application, published February 2, 2017
Exhibit #6	SEPA Environmental Checklist, dated June 8, 2017
Exhibit #7	SEPA Mitigated Determination of NonSignificance (MDNS), dated December 3, 2018, and associated SEPA staff report
Exhibit #8	Critical Areas Reconnaissance by Skagit Wetlands and Critical Areas, dated February 24, 2017
Exhibit #9	Hydrogeologic Site Assessment Report by Maul Foster Alongi, dated September 28, 2016
Exhibit #10	Observation Well Installation letter report by Maul Foster Alongi, dated September 28, 2017
Exhibit #11	Letter from McLucas and Associates, responding to the Del Mar comment letter, dated December 19, 2018
Exhibit #12	Letter from Northwest Groundwater Consultants, responding to the Del Mar Comment letter, dated January 3, 2019
Exhibit #13	Lake Erie Pit Well Reconnaissance by Northwest Groundwater Consultants LLC, dated March 11, 2019
Exhibit #14	Lake Erie Gravel Pit Traffic Impact Analysis by Gibson Traffic Consultants, Inc., dated September 2016
Exhibit #15	Addendum to the Lake Erie Gravel Pit Traffic Impact Analysis by Gibson Traffic Consultants, Inc., dated May 12, 2017
Exhibit #16	Traffic Memorandum by Skagit County Public Works, Dated March 1, 2018.
Exhibit #17	Supplemental (traffic) Memorandum by Skagit County Public Works, dated May 2, 2018
Exhibit #18	Lake Erie Pit air quality best management practices by Maul Foster Alongi, dated September 15, 2016
Exhibit #19	Lake Erie Pit Expansion Noise Study by Acoustics Group, Inc., dated September 16, 2016
Exhibit #20	List of neighboring property owners and parties of record notified of the Public Hearing.
Exhibit #21	A total of eighteen (18) comment letters were received during the comment periods. Fourteen (14) comment letters were received during the notice of development application (NODA) comment period, an additional three (3) comment letters were received during the Notice of Public Hearing (NoPH), and one (1) comment during the SEPA comment period. Comment letters and

**OLD EXHIBITS (FROM ORIGINAL STAFF REPORT, DATED
AUGUST 26, 2020):**

	<p>emails from the NODA, NoPH & SEPA comment periods are attached as Exhibit 21 and are in chronological order of receipt. Comments letters generally expressed concern about aesthetics, a decrease in water quality of the area, a decrease in slope stability adjacent to Rosario Road, impacts to wetlands found offsite, impacts to fish and wildlife habitat conservation areas, impacts to potential perched/shallow groundwater conditions, increases in traffic, increases in noise and dust generation. Two of comment letters were in support of the proposal. The SEPA comment letter is discussed under Department Findings #6 and the response to the comments is include as Exhibit 9 & 10.</p>
Exhibit #22	<p>The fourteen (14) comment letters received during the NODA comment period were provided to McLucas and Associates, Inc., representing Lake Erie Pit LLC. McLucas and Associates responded to each of the comment letters. The applicants responses are included as Exhibit 22.</p>
Exhibit #23	<p>An additional five (5) comment letters were received outside of the comment periods. All 5 comment letter were from Mr. Andy Dunn, a hydrogeologist with RH2 Engineering. Mr. Dunn represents Bill & Pam Doddridge residing on parcel P19166 to the south of the proposed mine expansion area. The comments are specific to a concern that the gravel mining activities may breach a perched aquifer onsite resulting in subsurface draining Devils Elbow Lake, located on the Doddridge property. The comment letters are included as Exhibit 23. Investigation of their concern included advancing a boring and installation of an observation well near the southern property line, between the lake and the gravel mine. The boring was logged by the hydrogeologist of record and by Mr. Andy Dunn, LHg of RH.2 Engineering. A perched aquifer was not encountered during advancement of the boring to a depth of 277-feet below site grade, an elevation of 168.6 above MSL (see Exhibit 8).</p>

The following exhibits were admitted into the record during the June 28, 2023, open-record public hearing on remand:

NEW EXHIBITS (EXHIBITS ADMITTED INTO THE RECORD AT 6/28/2023 HEARING ON REMAND):	
Exhibit #24	Hearing Examiner's Approval of Special Use Permit, PL16-0556
Exhibit #25	Appellant's Appeal of Hearing Examiner Decision
Exhibit #26	Board of County Commissioners Remand/Resolution to the Hearing Examiner
Exhibit #27	Hearing Examiner Referral to Skagit County Planning & Development Services
Exhibit #28	-March 23, 2021, Letter from PDS to the Applicant Requesting Additional Info; -May 27, 2021, Letter from PDS to Applicant with deadline for Additional Info; -July 21, 2021, Letter from PDS Denying Special Use Permit Application
Exhibit #29	Applicant's Appeal of Planning & Development Services Denial of Special Use Permit
Exhibit #30	Hearing Examiner's Order Granting Appeal & Reversing County's Denial
Exhibit #31	Geologic Hazard Site Assessment (Received August 12, 2022)
Exhibit #32	Evergreen Island's Letter Dated: 11/18/2022 + Stratum Group Review of Geologic Hazard Site Assessment (Dated November 15, 2022)
Exhibit #33	Third-Party Review of Geologic Hazard Site Assessment & Response to Evergreen Island's Letter dated 11/18/2022 (Received January 19, 2023)
Exhibit #34	Evergreen Island Email & Letter Regarding Watershed Company Response to Evergreen Island's Communication of 11/18/2022 + Stratum Group Letter
Exhibit #35	Revised Third-Party Review of Geologic Hazard Site Assessment & Response to Evergreen Island's Letter dated 11/18/2022 (Received March 31, 2023)
Exhibit #36	Notice of Public Hearing (Published on 6/8/2023), Neighbor Labels, & Parties of Record
Exhibit #37	Skagit County GIS Map of Subject Parcels & 300-Foot Buffer
Exhibit #38	Addendum to Staff Report, dated June 28, 2023
Exhibit #39	Memorandum to Hearing Examiner, dated June 28, 2023
Exhibit #40	Third Round of Public Comments, various dates
Exhibit #41	Staff Hearing Presentation, presented June 28, 2023
Exhibit #42	Presentation of Tom Glade, presented June 28, 2023

**NEW EXHIBITS SUGGESTED BY PDS STAFF AT THE 5/8/24
HEARING ON REMAND:**

Exhibit #43	Hearing Examiner's Approval of Special Use Permit, PL16-0556 on Remand, dated: July 13, 2023
Exhibit #44	Notice of Decision
Exhibit #45	2 Appeals Received: Evergreen Island, PL23-0363 & Sunset Lane Association, PL23-0380
Exhibit #46	BOCC Remand Order, Resolution #R20230197, Dated October 6, 2023
Exhibit #47	Hearing Examiner Remand Order to PDS, Dated: October 6, 2023
Exhibit #48	Skagit County PDS Letter to Applicant, Dated: October 10, 2023
Exhibit #49	90-Day Extension of Time to Submit Additional Information Requested, Dated: January 4, 2024
Exhibit #50	Northwest Groundwater Consultants, Geohazard Site Assessment, Dated: February 29, 2024
Exhibit #51	Facet Peer Review/Third-Party Review, Dated: April 1, 2024
Exhibit #52	Notice of Public Hearing
Exhibit #53	2 nd Addendum to Staff Report, Dated: May 8, 2024
Exhibit #54	Evergreen Island Response to HGC & Facet, Dated: April 19, 2024
Exhibit #55	Loring Advising/Evergreen Island's, Remand Requests Unaddressed Letter, Dated: June 23, 2023