

Exhibit A-39: C. Luerkens, Ecology
Comments on Grip Road Gravel
Mine; Project File # PL16-0097
(March 11, 2022)



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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March 11, 2022

Kevin Cricchio, Senior Planner
Skagit County Planning and Development Services Department
1800 Continental Place
Mt. Vernon, WA 98273

**RE: Ecology Comments on the Grip Road Gravel Mine
Project File # PL16-0097 and PL16-0098**

Dear Kevin Cricchio:

Thank you for the opportunity to provide comments on the State Environmental Policy Act (SEPA) mitigated determination of nonsignificance (MDNS) for the Concrete Nor'West gravel operation near Grip Road. On behalf of Ecology's Shorelands and Environmental Assistance (SEA) Program, I am submitting the following comments regarding this project for your consideration:

- Based on review Fish and Wildlife Assessment prepared by Graham-Bunting Associates, it is not clear if the wetland adjacent to the Samish River have been delineated as required in Skagit County Code (SCC) 14.24.200. Without an accurately delineated wetland edge it is unclear how the width of the wetland buffer will be identified.
- Based on the Graham-Bunting Associates Fish and Wildlife Assessment, it appears that the wetland along the Samish River was rated using the Ecology 2004 Wetland Rating Form. Section 14.24.210 of the County's Critical Areas Ordinance (CAO) requires that wetlands be rated according to Ecology's 2014 Wetland Rating System.
- The wetland along the Samish River has been rated as Category II wetland per the Graham-Bunting report. The proposed gravel mine would appear to be considered a high land use impact per SCC 14.24.230(1)(a), and therefore require a standard buffer of 300'. The Graham-Bunting report implies use of an optional buffer width, however, it is unclear how the proposed 200' buffer is consistent with the optional wetland buffer widths listed in SCC 14.24.230 (1)(b).

Thank you for considering these comments from Ecology. Based on the extensive number of documents associated with this proposal, it is possible that I may have missed information that

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could have addressed my concern. If you have any questions or would like to discuss these comments, please contact me at (360) 410-4807 or by email at chris.luerkens@ecy.wa.gov.

Sincerely,

A handwritten signature in cursive script that reads "Chris Luerkens".

Chris Luerkens, Shorelands & Wetlands Permit Specialist
Shorelands and Environmental Assistance Program

Sent by email: Kevin Cricchio, kcricchio@co.skagit.wa.us