

Exhibit B-38: Revised application narrative (August 2, 2018)

Concrete Nor'West Grip Road Special Use Narrative

The proposed project is a 68-acre gravel mine north of Grip Road in the North 1/2 of the Southeast 1/4 of Section 27, Township 36 North, Range 4 East, W.M. Access will be onto Grip road. There is no site address at this time. Property is identified by three Assessor's Parcels Numbers P125644, P125645, and P50155, all with Lot Certification. The site adjoins the Samish River to the east.

Special use permit requirements: The Applicant is requesting a Special Use permit pursuant to Skagit County Code (SCC) 14.16.430 Rural Resource-Natural Resource Lands (4)(g) and SCC 14.16.440 Mineral Resource Overlay (7) Special Uses and (8) Application for Mining Special Use Permit. Hearing Examiner Special Use permits are processed as a Level II permit as outlined in SCC 14.06 Level II Review Procedures.

An approved mining special use permit with the County is required before a reclamation and surface mining plan can be approved by the DNR. The site will be dry mined using standard mining equipment such as front-end loaders and excavators. The gravel will be loaded into trucks and transported to one of Concrete Nor'west's nearby facilities for processing. Operations onsite will be limited to excavation and removal from the site. No processing is proposed onsite at this time.

All drainage and runoff from the site will infiltrate into the gravel on the mine floor. Depth of the mine is to remain 10 feet above the water table with a mine floor from 154 feet to 163 feet in elevation. The mine is completely surrounded by Natural Resource designated land (NRL) and is situated near the north end of 726 acres of privately-owned contiguous property.

The proposal is designed to avoid all impacts to critical areas.

Specific Special Use Narrative Questions, Skagit County Application Item's a-e

a) The estimated quantities of all materials to be extracted

The estimated quantity to be mined over the life of the project is 4,280,000 cubic yards of sand and gravel with a proposed 200-foot buffer to the Samish River. If an alternate 300-foot buffer is imposed, the estimated quantity to be mined over the life of the project would be 3,942,000 cubic yards.

b) Identification of any possible Scientific Resource Sites

Prior to SEPA, the DAHP web site, WISSARD map tool and historic maps and GIS data were consulted and no Scientific Resource Sites were identified. On March 9, 2017, an additional cultural resources assessment was performed by Cultural Resource Consultants. This research and field investigation also did not identify any recorded or as yet unrecorded historic-era or precontact cultural resources within the project.

c) An on-site study to determine appropriate mitigation requirements for noise, vibration and dust levels. The study should specify what levels the Applicant deems satisfactory to mitigate off-site disturbances.

The Applicant has indicated that the proposal would not result in noise or vibration impact beyond the site boundaries. The Noise and Vibration study issued on November 21, 2018 by Ramboll US Corporation was based on conservative scenarios, such as total deforestation (which is not the proposal) and concurrent equipment operation at the current surface level as the worst case locations for their assessment. The resulting model calculations found all scenarios to be in compliance with state noise requirements.

The Applicant has submitted a Fugitive Dust Control Plan (FDCP) updated in March of 2016. A copy is attached.

The Grip Road Mine is uniquely situated on a large piece of contiguous land in private ownership that is over 726 acres in total size. The site is forested and large intact perimeter buffers will remain in place. The project is completely surrounded by Natural Resource Land (NRL). The noise at receiving properties is expected to meet applicable standards and to be relatively low, and excessive noise generation will be avoided due with no on-site crushing or blasting. Based on substantial experience with at least four other similar mining operations in Skagit County (and substantial operations by the Applicant elsewhere), and after review of the above-mentioned noise study and FDCP, no additional noise, dust or vibration analysis or mitigation is proposed or needed for this project.

d) 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.

As described above, sand and gravel will be mined using standard equipment. No blasting is needed or proposed. The expected volume of truck trips per day will be based on market demand and is described in a Traffic Report by DN Traffic Consultants dated November 30, 2016 and updated on April 24, 2017 (attached). During the Pre-Application Meeting for this project, Skagit County Public Works indicated a preference for the Flashing Amber Beacon to mitigate the existing Grip / Prairie Road intersection sight distance issue. Concrete Nor'West also supports this approach and would agree to a condition that specifies that it would pay for the cost of the required equipment for this mitigation. Hours of operation in the Rural Resource – MRL zone is not limited and that is what is proposed. In general though, normal operations will be Monday through Saturday from 7 a.m. to 5 p.m. Site screening is provided by the large acreage, contiguous ownership, and large undisturbed buffers that will remain on-site. No additional measures are proposed.

Applicant has agreed to use steel posts to mark the perimeter line of site with signs noting “No Trespassing – Active Mine Site” if this is determined to be necessary to alleviate safety concerns of inadvertent public intrusion.

e) Identification and description of those critical areas designated and regulated by SCC 14.24, together with any critical areas studies that may be required by SCC 14-24.

Wetlands, Streams and Steep Slopes are present within the parcel boundaries. The project has been designed to avoid all critical areas and maintain all County required buffers and setbacks. Detailed site assessments including Hydro-Geologic and Fish and Wildlife Site Assessment Reports are included in the application.

The Fish and Wildlife Site Assessment, prepared by Graham-Bunting Associates (GBA), issued on August 20, 2015, looked very specifically at the associated land use intensity and buffer requirements to adequately protect the onsite and adjoining critical areas.

While at face, the subject dry mining activity appears to be a high intensity land use, GBA also considered the following elements of the subject proposal:

- The mine site is located greater than 200 horizontal feet landward of the OHWM
- The mine site is also separated vertically approximately 90 feet above the OHWM
- Mining activities will be separated from the OHWM by a protective berm
- The dry mine floor will maintain a maximum depth of 10 feet above the underlying water table
- All surface water will drain through the gravel floor of the mine site – no surface water will drain directly to the Samish River
- The mine site is located in an area logged during the 1990s by a previous landowner
- No processing or industrial activity is proposed in conjunction with the project
- Aggregate extraction will be maintained at a relatively low volume level
- The project will utilize an existing interior road system
- The area contiguous to the berm will be mined first and reclaimed pursuant to a reclamation plan to be approved by the Washington State Department of Natural Resources. The goal of the reclamation plan will be to return the site to forest management or low density residential which are considered low and moderate land use intensities respectively.

Based on the elements of the project listed above, GBA would characterize the subject proposal as a moderate land use intensity. Moderate land use intensity is defined as:

“Land uses which are associated with moderate levels of human disturbance or substantial habitat impacts including, but not limited to, low density residential (no more than one home per five acres), active recreation, and moderate agricultural land uses.”

In short, the subject proposal is to utilize an existing mineral resource area by extracting relatively low volumes of aggregate with an excavator, loading the material into a dump truck and hauling the material to an authorized offsite processing facility.

Based on the thorough assessment of the project and site conditions the following mitigation measures were recommended as sufficient to avoid project generated impacts to regulated wetlands within the project area:

1. The Samish River and associated wetland should be provided with the optional 200-foot buffer required for Type S Waters of the state and Category II wetlands with moderate intensity land uses and a habitat score of 30.
2. The buffer should be measured on a horizontal plane landward of the OHWM/associated wetland edge (located at the toe of slope east of the proposed mine site).
3. The riparian buffer/associated wetland and 200-foot buffer should be designated as a Protected Critical Area to assure identification and long term protection. The site plan included as Attachment C is prepared in a format suitable for recording with the Skagit County Auditor.
4. The riparian and associated wetland buffers are also coexistent with the jurisdictional area regulated under the Shoreline Management Act (90.58 RCW) and Shoreline Master Program (14.26 SCC). Therefore, consultation with Skagit County Planning and Development Services should occur prior to initiating the application process for a Special Use Permit.

f) A completed environmental checklist

SEPA checklist for the proposed mining operation was prepared on March 2, 2016. Application to the County was made on March 7, 2016 and the application was determined by the County to be complete on March 22, 2016. A Mitigated Determination of Non-significance (MDNS) PL16-0097 & PL16-0098 was issued by Skagit County on May 24, 2016 and first published on May 26, 2016.

Special Use Permit Reequipments under **SCC 14.16.900** indicate that certain items will be reviewed when approving or denying Special Use permits. Those standards are as follows:

(A) The proposed use will be compatible with existing and planned land use and comply with the Comprehensive Plan for Natural Resources Lands Element.

The proposed land use, including reclamation, is consistent with the goals and policies of the Comprehensive Plan and Growth Management Act (GMA) protecting and preserving Natural Resource Land of long-term commercial significance. In addition, many of the Skagit County Comprehensive Plan's goals and policies that support the development of mining operations in the Mineral Resource Overlay zone were specifically created to meet the criteria outlined in the Comprehensive Plan. The Comprehensive Plan states in Chapter 4 Section D Mineral Resource Overlay (MRO):

Skagit County supports environmentally responsible and safe mineral resource extraction and processing activities. Mineral resource lands of long-term commercial significance are to be designated to conserve the mineral resource. These designations apply to areas where mining and processing activities are economically and environmentally feasible and where 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 proposal is consistent with Goal's 4D-2, 4D-3, 4D-4, 4D-5 and 4D-6 of the Comprehensive Plan, Natural Resource Lands Element as more specifically described below.

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 lands.

Maximize compatibility between mineral extraction operations and other land uses.

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

Promote the economic and regulatory stability of the mining industry.

The proposal is consistent with the following Comprehensive Plan policies and objectives:

GOAL 4D-2: CONSERVE MINERAL RESOURCE LANDS

Protect and conserve mineral resource lands of long-term commercial significance.

Policy 4D-2.1 Designate Mineral Resource Overlay

Areas meeting the criteria for mineral lands of long-term commercial significance shall be identified as Mineral Resource Overlay on the Comprehensive Plan Land Use and Zoning Map.

Policy 4D-2.2 Allowable Mineral Extraction Activities

Activities associated with mineral extraction operations are those activities that further develop the base product of the mineral being extracted. Examples of these activities include washing, crushing, asphalt plants, and concrete batch plants. Associated activities shall be allowed as a hearing examiner special use within the Mineral Resource Overlay or in areas designated Natural Resource Industrial - NRI. Those associated activities must meet the requirements of the Special Use Permit specific to those areas and must be listed as permitted uses in those Districts. Temporary activities associated with construction projects may be permitted as part of the related construction permit review and may be conditioned as necessary to address applicable mining regulations.

GOAL 4D-3: REDUCE LAND USE CONFLICTS

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

Policy 4D-3.1 Exclusive Mineral Resource Overlay

The Mineral Resource Overlay adds additional uses and related requirements to the Industrial Forest, Secondary Forest, Rural Resource, and Natural Resource Industrial districts of the Comprehensive Plan/Zoning Map. New mining is limited to the MRO, subject to applicable permits. However, pre-existing, permitted mining operations outside the Mineral Resource Overlay may operate subject to the terms of the existing approval(s). Such operations may expand beyond the scope of the original permit but within the existing parcel provided that they receive a mining special-use permit.

Policy 4D-3.2 Right to Manage Mineral Resource Lands

The provisions of Right-to-Manage Natural Resource Lands shall apply to all lands designated Mineral Resource Overlay (MRO) to protect mineral resource landowner rights to manage their lands for mining uses.

Policy 4D-3.6 Mining Site Buffer Standards

Mining buffer standards shall maintain the purpose and functions of mineral resource lands. These standards shall require equivalent buffers on mining sites and on adjacent properties with the exception of mines adjacent to mines. Excavation shall not occur within the buffer of any mine except during reclamation and on mines adjacent to mines. Storage of topsoil and excavation associated with reclamation area may be allowed in buffers.

Policy 4D-3.7 Mining Activities Buffer Standards

Buffers and setbacks should be provided for all activities associated with mineral extraction operations in addition to those required for mineral resource areas.

GOAL 4D-4: EFFECTIVE REGULATORY ENVIRONMENT

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

Policy 4D-4.1 Coordinate State and Local Regulations

Development regulations for mineral resource lands in the county shall be consistent with applicable Washington State mining regulations and Department of Natural Resources rules. Overlap in the regulatory authority between Skagit County and the DNR may occur to ensure public health and safety in matters not under the DNR's jurisdiction.

GOAL 4D-5: SAFE OPERATIONS

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

Policy 4D-5.1 Noise Impacts

Sound levels, as measured on properties adjacent to the mining site, shall conform to the provisions of WAC Section 173-60-040, Maximum Permissible Environmental Noise Levels.

Policy 4D-5.2 Traffic Impacts

Potential effects of truck traffic from mining operations shall be reviewed as part of the permitting process.

Policy 4D-5.3 Roads and Bridges

New public roads and bridges accessing designated Mineral Resource Overlay Areas shall be designed to sustain the necessary traffic for mineral extraction operations. Existing roads and bridges shall be improved as needed as each new extraction operation is developed. Cost sharing for the improvement of roads and bridges shall be negotiated between the permitting authorities and the Applicant.

Policy 4D-5.4 Operation Hours

Standards for hours of operations, appropriate for the underlying land-use designation, shall be established for mineral extraction operations. In determining appropriate hours of operation, consider traffic impacts and requirements, nearby uses, and noise impacts.

Project-specific circumstances that demand non-standard or 'off-peak' hours may also be considered.

Policy 4D-5.6 Noise and Blasting Mitigation

Site-specific studies shall be conducted to determine appropriate mitigation of noise and blasting for new operations and expansion areas of existing operations. Standards shall be maintained to implement existing and accepted methods by which vibrations and noise shall be measured and appropriate mitigation established to alleviate incompatibilities. The Applicant has indicated the noise at receiving properties is expected to be relatively low and that excessive noise will be avoided due to no on-site crushing or blasting.

GOAL 4D-6: WATER QUALITY

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

Policy 4D-6.1 Reclamation Plan

Support the Washington Department of Natural Resources (DNR) requirement that reclamation plans specify how overburden and spoil material is to be handled and placed in a manner which will control erosion, dust, sedimentation or leaching of material and hazardous substances into surface or ground waters.

Policy 4D-6.2 Storage Ponds

Storage pond systems for holding mineral processing waters should be designed to preclude untreated discharge as required by federal and state laws.

Policy 4D-6.3 Erosion Prevention

The flow of natural or process runoff from mineral extraction sites shall be dispersed or regulated such that soil erosion on receiving lands is prevented. Natural runoff includes: Any water that runs on disturbed ground, including storm water and 'process water' that flows through operation.

Policy 4D-6.4 Aquifer Barriers

Surface mining shall be vertically limited to only one aquifer unless specifically approved by the Washington State Department of Ecology. A separation of a minimum of 10 feet between the bottom of the mine and the groundwater table shall be maintained as established by the Hydrogeologic Site Assessment report by Associated Earth Sciences dated August 21, 2015.

Policy 4D-6.5 Aquifer Reclamation

Reclamation of disturbed aquifers shall be in accordance with federal, state and local law. Disturbed aquifers should be reclaimed as ponds or lakes. On-site material is preferred where an aquifer has been breached.

Policy 4D-6.6 Aquifer Protection

Activities related to mineral extraction and processing operations in the vicinity of open aquifers must provide safeguards including containment, to prevent contamination to the open aquifer.

Policy 4D-6.8 Groundwater Study

Before a new sand and gravel mine is permitted, the area ground water shall be characterized by a licensed geologist, hydrogeologist or engineer.

Policy 4D-6.9 Aquifer Monitoring

Where a proposed mine will breach an aquifer, monitoring shall be established to measure the impact of the mining activity on water quality and supply to wells relying on the aquifer to be breached. There are no planned aquifer breaches with this project.

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

The subject parcel is designated as Rural Resource-Natural Resource Lands with a Mineral Resource Overlay. The proposed use is allowed by special use permit in this zoning designation. The zone is designed

to protect and encourage resource utilization. The proposal complies with SCC 14.16.430 by providing site reclamation including re-vegetation. Some possibility of low density residential use is anticipated in the future when mining is complete. As required by SCC 14.16.440, the proposal meets the requirements of the Mineral Resource Overlay and will comply with the requirements of the Surface Mining Act, Chapter 78.44 RCW.

- (C) The proposed use will not create undue noise, odor, heat, vibration, air and water pollution impacts on surrounding, existing, or potential dwelling units, based on the performance standards of SCC 14.16.840.**

The site is on land zoned as Natural Resource Land (NRL) and is also completely surrounded by adjoining NRL land.

Rural residential development is present near the site. Potential residential development is limited to one home per 10 acres in the Rural Reserve zoning designation and one home per forty acres in the Rural Resource (NRL) zoning designation unless a CaRD design is proposed (4/40). Areas farther west, east and south are also zoned as Rural Reserve (RRv) which allows for a residential development of one residence per 10 acres.

Noise and Vibration

The proposed mine will not result in noise or vibration impact beyond the site boundaries. The Noise and Vibration study released on November 21, 2018 by Ramboll US Corporation referred to earlier considered conservative scenarios for their assessment. The resulting model calculations for all scenarios were found to be in compliance with state noise requirements.

Odor and Heat

No odors or heat are projected to occur with the proposed activities that would impact surrounding residential land uses or the environment.

Air

Fugitive dust emission is an environmental concern at the subject site and mitigation shall be necessary to continue mining operations. The site operator will be responsible for controlling dust impacts during operations utilizing the provided "Fugitive Dust Control Plan" and "Reasonably Available Control Technology" specified by the Northwest Clean Air Agency to abate dust emissions. All project related activities will use appropriate BMP's to meet ambient air quality standards enforced by the Northwest Air Pollution Authority.

Water Pollution

Skagit County has adopted the Department of Ecology's 2012 Stormwater Management Manual for Western Washington, as amended in December 2014, as the Stormwater Management Manual for the entirety of unincorporated Skagit County (SWMM), SCC 14.32.040. The Applicant has prepared a National Pollutant Discharge Elimination System (NPDES) and a State Waste Discharge General Permit Environmental Protection Plan. Potential water pollutants associated with operations at the subject site are primarily limited to those materials associated with the operation of heavy equipment. These materials generally consist of fuel, oil, and associated equipment fluids. There would be a slight risk of spill during operation and maintenance of the equipment and subsequent release of these materials to waters on the subject site. It would be unlikely that waste materials would enter ground or surface waters due to the project proposal. As previously mentioned, BMP's will be used to minimize potential water pollution impacts. Specifically, BMP's SWMM S1.10 Fueling Stations, SWMM S1.20 Vehicle/Equipment Washing and Steam Cleaning and SWMM S1.60 Outside Storage of Raw Materials, By-Products or Finished Products. Compliance with the NPDES General Sand and Gravel Permit will be monitored by the Department of Ecology.

Conformance to the local and state environmental regulations and mitigation measures as proposed in the permit conditions, will ensure that water pollution will not result from project implementation.

(D) The proposed use will not generate intrusions on privacy of surrounding uses.

The project is completely surrounded by Natural Resource Land (NRL). The Applicant has indicated the noise at receiving properties is expected to be relatively low and that excessive noise will be eliminated through the proposed operation. Potential visual impacts would primarily be mitigated by the maintenance of a 100 foot vegetated buffer around the mining site, a buffer double the width of the state standard. Native vegetation will be maintained or enhanced as necessary to provide a visual and noise barrier along the site boundaries throughout the life of the mining operation. In addition to the 100-foot buffer inside the mine boundary per Skagit County Code, per SCC 14.16.440 (10)(b)(ii) – adjacent properties are required to maintain a 200 foot buffer from the natural resource designated land or sign a nuisance waiver to reduce the 200 foot barrier. In effect, adjoining property owners have opportunity for a 300-foot buffer unless they choose to reduce it.

(E) The proposed use will not cause potential adverse effects on the general public health, safety, and welfare.

Based on a review of the environmental documentation and the proposed mining operational plan, the general welfare of Skagit County or the surrounding area will not be negatively affected by the proposed mining operation as conditioned. The proposal is located in a designated Mineral Resource Overlay and is substantially compatible with surrounding land uses. The operation will provide needed resources for projects within Skagit County and will contribute to the area's economic base. Mitigation and project conditions have been designed to address any identified issues/concerns related to the public health, safety and general welfare.

Compliance with local, state and federal environmental regulations, as well as permit conditions, will ensure that the general welfare of Skagit County citizens is protected.

- (F) For special uses in Industrial Forest-Natural Resource Lands, Secondary Forest- Natural Resource Lands, and Rural Resource - Natural Resource Lands, the impacts on long-term natural resource management and production will be minimized.**

The proposed site is located in a Rural Resource-Natural Resource Lands designated area. The proposed special use is in compliance with the intent of the Mineral Resource Overlay and its designation as Natural Resource Land. Such designation indicates that the proposed site has been through preliminary land use review during the County's comprehensive planning process to determine the suitability of the parcel as a mining resource site. The proposed site will be revegetated and upon completion of mining activities, long-term natural resource use such as timber production may resume.

- (G) The proposed use is not in conflict with the health and safety of the community.**

The approval of a Special Use permit for the proposed use would not impact the health and safety of the community, provided that best management practices are maintained, and all permit conditions and environmental mitigation measures are implemented.

The proposed traffic revision for a Flashing Amber Beacon to mitigate the Grip/Prairie Road intersection sight distance issue addresses safety of the traveling public.

The proposed border buffer zones and the required 10-foot separation from the groundwater table will be sufficient to protect groundwater resources from the proposed mining activities.

- (H) The proposed use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding areas, or conditions can be established to mitigate adverse impacts on such facilities.**

The proposed land uses will be supported by adequate public facilities and services with no adverse effects on the services of the surrounding areas. County services are adequate to serve the proposed use.

The project at times could have relatively high truck traffic volumes when the market demands. The supplied traffic analysis indicates that the truck traffic would not significantly increase traffic volumes and would not require mitigation, however the project proposes traffic improvements. Traffic mitigation is proposed using a flashing amber light which the Applicant agrees with. No significant impact to the provision of public services in surrounding areas has been identified and the project can be served by adequate public facilities and services as proposed.

The current private access road, with the required and permitted commercial access improvement at the gate, is sufficient for all proposed mining operations.

- (I) The proposed use will maintain the character, landscape and lifestyle of the rural area. For new uses, proximity to existing businesses operating via special use permit shall be reviewed and considered for cumulative impacts.**

The proposed use area is not proximal to any existing businesses, except forest practice activities. In fact, the entire mining operation will not be visible to any neighbor. The only evidence of the operation will be viewing of trucks on the public roads. The proposed land use will temporarily disrupt the existing landscape until restoration is accomplished. Noise from truck traffic may slightly alter the quiet lifestyle of this area. However, mining operations is consistent with the allowed uses in this zoning district. After completion of mining operations, it is anticipated that the character and landscape will return to its previous state.

- (J) Specific Criteria for Special Use Permits for Mining Operations Pursuant to SCC 14.16.440**

The Mineral Resource Overlay (MRO) overlaps with 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, RCW 78.44. 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 Applicant submitted all application materials required for a Mining Special Use Permit under SCC 14.16.440(8). The proposal meets the purpose of the MRO zoning overlay and all of the special criteria related to mining operation special use permits outlined in SCC 14.16.440(1).

The purpose of the Mineral Resource Overlay designation 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. Adjacent land uses should not interfere with the processing of sand and gravel at this site.

The location of the project site should keep noise levels in compliance with the provisions of the WAC 173-60, Maximum Environmental Noise Levels. There will be no blasting at this mining site.

The Applicant's proposal is in compliance with the operation standards criteria outlined in SCC 14.16.440. Surface mining at this site is proposed to be vertically limited to only one aquifer and hydrological barriers separating aquifers are not proposed to be disturbed.

Surface water protection will be accomplished through project design and compliance with the minimum requirements of SCC 14.32, as well as all pertinent requirements of the Washington State Department of Ecology, the Department of Natural Resources, Department of Fish & Wildlife, and other state and federal regulations regarding surface water protection. The Sand and Gravel General NPDES Permit and the required Storm Water Pollution Protection Plan will be maintained throughout the project.

Reclamation of surface mining sites shall be in accordance with the requirements of the State Department of Natural Resources. Reclamation activities shall not include land filling.

Chemical leach or metal mining are not proposed in this Special Use application.