

Exhibit B-82: Miles Sand and Gravel: SEPA MDNS Comments



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March 11, 2022

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

Attn: Kevin Cricchio, Senior Planner

RE: February 24, 2022 SEPA MDNS Comments

Dear Mr. Kevin Cricchio,

We are providing comments relative to the February 22, 2022 SEPA MDNS prepared by Skagit County Planning & Development Services for File #'s PL16-0097 and PL16-0098.

As the applicant, we have reviewed the subject SEPA MDNS and feel it necessary to request clarification or correction of the following items:

1. Within the Project Description the County has stated the three gravel mine parcels total 77 acres and clearing will occur on 68 acres. This is incorrect. The Assessor's Records incorrectly list P50155 as 37 acres. Legal Description P50155: THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER EXCEPT THAT PORTION LYING NORTHEASTERLY OF THE SAMISH RIVER OF SECTION 27, TOWNSHIP 36 NORTH, RANGE 4 EAST, W.M., SKAGIT COUNTY, WASHINGTON. The mapping for the proposed mine is to scale and the river has been drawn from a digital copy of a Skagit County Aerial from a flight in 2011, as referenced on the Mine Plans. The area of P50155 is approximately 29.6 acres as measured graphically in Cad to the centerline of the river as mapped. An AutoCAD copy of the Skagit County Assessors map for Section 27 was found to measure 29 acres or well below the 37 acres listed on the Assessor's property detail sheet online. P125644 and P125645 are each 19.60 acres for a total of 39.20 acres. This is from the actual surveyed dimensions of the property as shown on the Mining Plan Set. The Assessor lists them as 20 acres which is their theoretical aliquot part of a theoretical 640 acre square mile section. The Project Description must be corrected to accurately reflect the correct acreage of the mine at approximately 68 acres, and area to be cleared, mined and reclaimed at 51 acres. Please refer to our submittal and the Mining Plan Set prepared by Semrau Engineering.
2. Within the Project Description and throughout the rest of the document, the phrase "gravel mine / quarry" is used. In the six year history of this application I don't recall ever seeing this project referred to as a quarry. Although in some regions of the Country the term quarry may be used to describe various types of mines, in this area the term quarry is often associated with hard rock mining and blasting. This is not a hard rock mine, and no blasting is necessary nor has ever been a part of this proposal. Blasting is a concern that has been brought up by the public and this language may cause unnecessary confusion. Although the Mitigation Condition #1 does state no blasting, we feel it is more accurate to simply refer to this application as a proposal for a gravel mine.



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3. Condition #4 states that we must comply with NWCAA requirements for mining related activities both "on and offsite". Please clarify what our obligation is "offsite".
4. Condition #7 – Please clarify that the The Washington State Department of Ecology will have authority of this requirement.
5. Condition #9 – Please clarify that "onsite" in this condition refers to the mine site comprised of parcels P125644, P125645 & P50155.
6. Condition #11, as written, appears to require notification to the Sheriff's office for any archeological finding including historic or cultural resources. We would ask the County to clarify whether the Sheriff's office must be notified for anything other than human remains.
7. Condition #12 and #13 both contain the phrase "... including but not limited to. . ." This is overly broad and we would ask the County to be specific with these two conditions. If there is any other agency or standard required of us please describe specifically what that might be.
8. Condition #17 please clarify that "Development" refers to development of the mine site comprised of parcels P125644, P125645 & P50155.
9. Condition #18 please clarify that "Development" refers to development of the mine site comprised of parcels P125644, P125645 & P50155.

Please contact me if you require any additional information or to discuss any of the items above.

Sincerely,

Dan Cox

General Manger