

Exhibit C-3: Special Use Permit
Application, Forest Practice
Permit Application, Narrative,
Criteria of Approval, SEPA
checklist/addendum, & Acreage
Clarification Letter

PARCEL BREAKDOWN:

Mine:

	<u>Parcel</u>	<u>Owner</u>
-	P125644	Lisa INC.
-	P125645	
-	P50155	

Road:

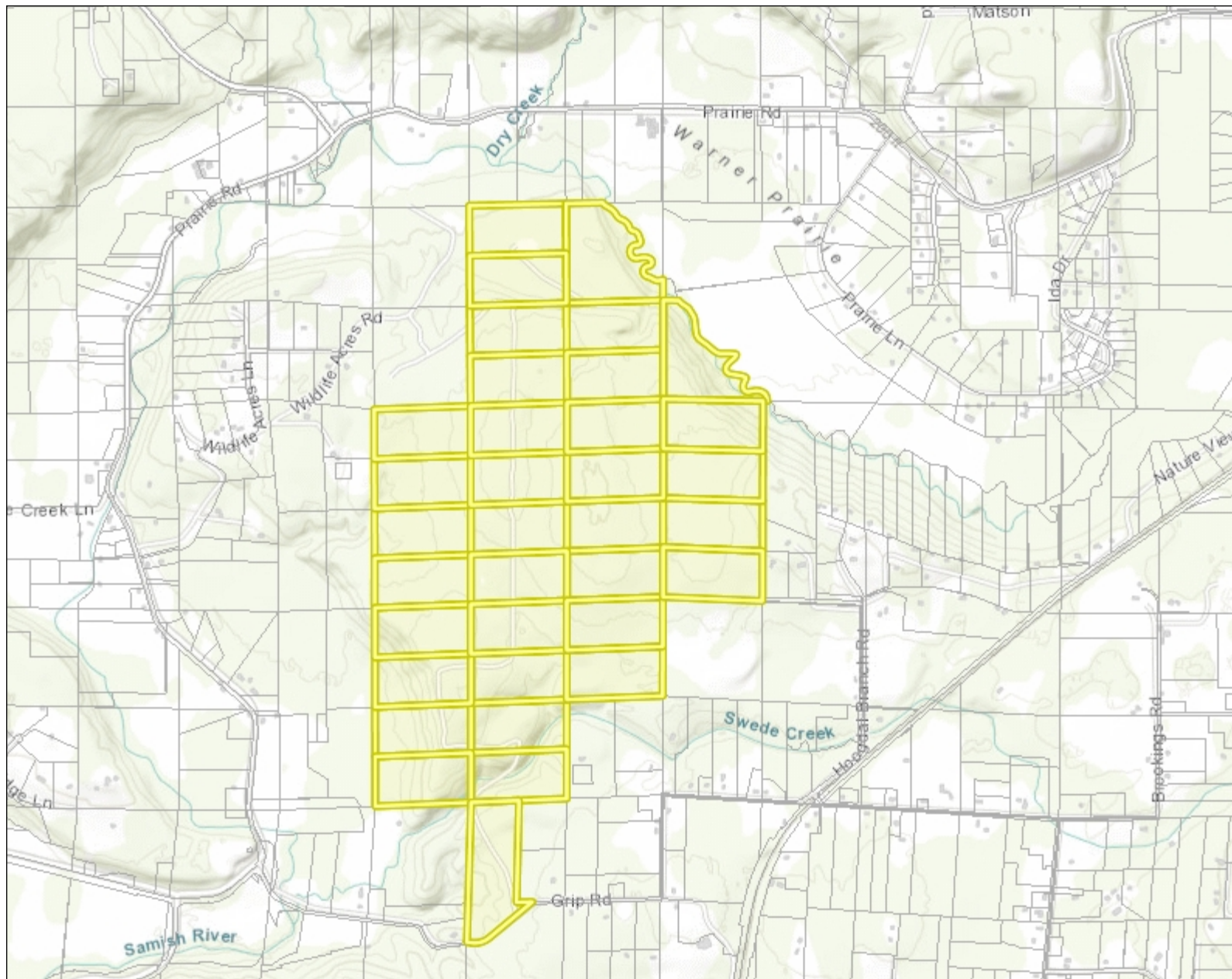
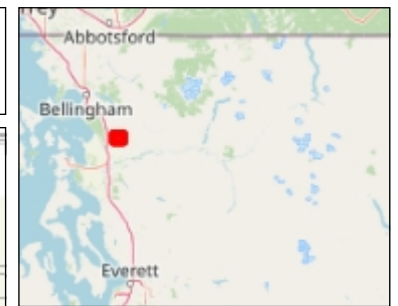
-	P125646	Lisa INC.
-	P125647	
-	P125626	
-	P125627	
-	P125628	
-	P125629	
-	P125630	
-	P125631	
-	P125623	
-	P125624	
-	P125632	
-	P125633	
-	P35704	

Contiguous:

-	P125648	Lisa INC.
-	P125649	
-	P50087	
-	P125618	
-	P125634	
-	P125640	
-	P125619	
-	P125635	
-	P125641	
-	P125620	
-	P125636	
-	P125642	
-	P125621	
-	P125637	
-	P125643	
-	P125622	
-	P125638	
-	P125639	
-	P125625	



Lisa Inc. Ownership



Legend

- Tax Parcels
- City Limit Lines
- County Boundary

Notes

Notes

0.76 0 0.38 0.76 Miles

Scale 1: 23,942

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This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. NOT TO BE USED FOR NAVIGATION.

005080

4/27/2021



Planning & Development Services Fact Sheet
Community Development Division

PL# 116-0097
Date Received

- | | |
|--|--|
| ☐ Binding Site Plan | ☐ Rezone |
| ☐ Bldg Permits Triggering SEPA | ☐ Shoreline Substantial Use Permit |
| ☐ Fill & Grade Triggering SEPA | ☐ Short CaRD |
| ☐ Forest Practice Waiver – HE | ☐ Short Plat |
| ☐ Level II, III and IV Applications | ☐ Special Use Permit Level II |
| ☐ Long CaRD ☐ Pre ☐ Final | ☐ Variance Level II |
| ☐ Plat or SPU Modification | ☒ Other : <u>Mining Special Use Permit</u> |

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MAY 10 2016
SKAGIT COUNTY
PDS

1. Applicant name: Concrete Nor'West
2. Proposed project description: Grip Road Gravel Mine
3. Related Permits or Approvals: Mining Special Use Permit
4. Parcel ID#: P125644/ P125645 Assessor Tax #: 360427 -4 -003 -0100 and 0200
Parcel ID#: P50155 Assessor Tax #: 360427 -4 -002 -0003
5. Section 27 Township 36 Range 04E Comprehensive Plan/Zoning Designation: RRc-NRL
6. Site Address: None at this time.
7. Lot of Record: ☒ Yes ☐ No PL# 07-0291, 07-0292, 07-0295
8. Urban Growth Area: ☐ Yes ☒ No If yes, City: _____
9. Comp Plan/Zoning within 200 feet: RRc-NRL
10. Mineral Resource Overlay within ¼ mile ☒ Yes ☐ No
11. Critical Area/Water within 200 feet: ☒ Yes ☐ No
- 12 Acreage/Lot Dimensions: 68 Acres
13. Flood Zone: A1 FIRM Map Panel # 530151 0425 C Map Date: Jan. 3, 1985
14. Road access: ☒ Private ☒ County – Permit # _____ ☐ State – Permit # _____
15. Water Source: ☐ Drilled well - Permit # _____ ☐ Community Well ☐ Public _____
16. Sewage Disposal: ☐ Septic – Permit # _____ ☐ Public Sewer: _____
17. Legal Description: A Portion of the North 1/2 of the Southeast 1/4 of Section 27, Township
36 North, Range 4 East, W.M.

(Attach additional sheet if necessary.)



Planning & Development Services
Community Development Division

PL116-0097
RECEIVED
MAR 07 2016
SKAGIT COUNTY
PDS

Applicant

Concrete Nor'West, c/o Dan Cox

Name

PO Box 280, Mount Vernon, WA 98273

Address

(360) 757-3121

Phone

Fax

danc@concretenorwest.com

e-mail address

Signature:

Owner

Lisa Inc, Attn Concrete Nor'West

Name

400 Valley Ave NE, Puyallup, WA 98372

Address

Phone

Fax

e-mail address

Contact

John B Semrau, PE & PLS

Name

2118 Riverside drive, Suite 208, Mount Vernon, WA 98273

Address

(360) 424-9566

Phone

(360) 424-6222

Fax

john@semrau.com

e-mail address

Contractor (When applicable. If owner, write owner-builder)

Name

Address

Phone

Fax

e-mail address

Contractors License #

Expiration Date

Section 3

OWNERSHIP CERTIFICATION

I, BRAD BARTON, 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 for a

LISA INC. 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.

Street Address: 400 Valley Ave NE

City, State, Zip: Puyallup, WA 98372

Phone: (360) 757-3121

C/O Concrete Nor West
PO Box 280
Mount Vernon, WA
98273

Signature(s):

[Signature] VP/CM

for: LISA INC.

(corporation or company name, if applicable)

ACKNOWLEDGMENT

STATE OF WASHINGTON)
ss.)
COUNTY OF SKAGIT)

On this day personally appeared before me Brad Barton, known to be the individual(s) described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purpose therein mentioned.

GIVEN under my hand and official seal the 27th day of January, 2016.

Toni Teresa Vance

NOTARY PUBLIC in and for the State of Washington residing at 663 Peace Rd, Burlington
98273

My Commission Expires: 12-1-17



MAR 0 / 2018

SKAGIT COUNTY
PDS**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.

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 market.

All drainage and runoff from the site will infiltrate into the gravel in 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 proposal is designed to avoid all impacts to critical areas.

Specific Special Use Narrative Questions, Application Item's #3 a-f

- a) Estimated quantity to be mined over the life of the project is 4,280,000 cubic yards of sand and gravel.
- b) No Scientific Resource Sites have been identified on the project site.
- c) With regard to noise, vibration and dust, we have determined that no additional mitigation measures will be required to comply with all applicable regulations. The Grip Road Mine is uniquely situated on a large piece of contiguous private ownership that is over 726 acres in total size. The site is forested and large in-tact perimeter buffers will remain in place. Based on our experience with at least four other similar mining operations in Skagit County, no additional analysis or mitigation is needed for this project.
- d) As described above, sand and gravel will be mined using standard equipment. No blasting is needed or proposed. Truck trips per day is based on market demand and is described in the attached Traffic Report by DN Traffic Consultants. During the Pre-Application Meeting for this project, Skagit County Public Works indicated a preference for the Flashing Amber Beacon to mitigate the Grip / Prairie Road intersection sight distance issue. Concrete Nor'West also supports this approach and will agree to a condition that specifies that we would pay for the cost of the required equipment for this mitigation. Hours of operation in the Rural Resource – MRL zone is allowed as unlimited which is what is proposed based on market demand. 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.
- e) 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.
- f) A completed environmental checklist is attached.

MAR 07 2016

SKAGIT COUNTY
PDS

Section A

Please answer the following questions describing your proposal in detail. Attach a separate page if necessary.

1. Describe your proposal/business? The proposed project is development of a 68 acre sand and gravel mine in Skagit County, Wa. See attached narrative for additional detailed information.

2. What days and hours will your operation be open? Hours of operation are proposed to be unlimited as allowed in this Rural Resource zone under SCC 14.16.440(10)(i)(i).

3. How many employees will you have? One to two full time employees on site, and truck drivers hauling gravel who will come and go throughout the day.

4. State their working hours: Again hours may be unlimited, but normal hours would be 7:00 a.m. to 5:00 p.m., Monday through Friday.

5. Will the employees be working on-site? Yes
If not, how many will be working off-site? None

6. Will there be signs indicating the operation? No
If so, where will they be placed and how big will they be? n/a

7. Businesses need to be concealed from public view. How do you intend to do this? Will you use plants, shrubs or fences as a buffer? This site will not be visible to the public based on its isolated location with this property.

8. Describe the parking area. (You will need to ensure that you don't encroach on neighbors or into the road right-of-way.) Employee parking will be provided within the active mine on-site.

Please state your schedule for the development of this business/operation. The mine will be opened as soon as all required permits and approvals are in place.

If development is phased please describe timelines. Once the mine is operating, mining and reclamation will proceed according to the phasing plan on the reclamation plan set (sheet C5).

This schedule is driven by market demand for our product.

9. Describe the traffic impact of your operation on the County or State road system (such as the use of large trucks or constant vehicle traffic)? Traffic impacts and mitigation have been described in the attached May 15, 2015 Traffic Report by DN Traffic Consultants. Dump trucks will deliver sand and gravel to market via Grip Road, Prairie Road and Old Hwy 99 North Road.

10. Will your operation have an internal road system? The mine site will not have a defined road system per se, as the mine floor and elevation will be constantly changing as mining progresses.

***If so, please provide a layout plan of that system.**

11. How is your property accessed? By private, county or state road? The site is accessed via Grip Road, which is a County Road.

12. Will the operation generate heat from machinery or equipment? Yes, standard mining equipment such as front end loader, dozer and excavator will be used.

14. Will the operation generate noise or odors? Limited noise will be generated from the machinery operating on-site. No odors will be generated.

15. Will steam, smoke or dust be generated by the operation? No steam or smoke will be generated. Dust could be generated by mining in the dry season and will be controlled by water truck as necessary.

16. Is heavy equipment or machinery being used? Will there be vibrations that may be felt by adjoining properties? Yes heavy equipment will be used (front-end loader, excavator, dozer and dump trucks). The large size of the property and setbacks will prevent vibrations to adjoining properties.

17. Will chemicals, waste oils, solvents, fuel, etc. be stored at the operation? Yes

If so, please state what kinds, how much and how they will be stored. Once operations are established on-site, we may install an above ground, double walled diesel fuel tank up to 2,000 gallons to fuel heavy machinery. Any fuel island would be built in compliance with our Department of Ecology Sand & Gravel General Permit.

How will they be disposed of? Waste oils, solvents, etc. will not be stored on site.

18. Will visitors, customers or employees have access to adjoining property? No

Please describe your plans for preventing trespassing. The site will be gated and clearly posted "No Trespassing".

19. If your operation will be using a building please describe the size, height and construction type. This building must be shown on the site plan.
No buildings are proposed at this time.

20. Describe the sewage disposal plan for employees and the public. Portable toilets will be provided for employees on-site.

21. Describe the water supply for employees and the public. There is no water supply to the property at this time. Bottled water will be provided.

22. Is water served by PUD, community water or drilled well? none

23. Address any fire flow issues. n/a

Section B

Please address the General Special Use Permit Application Evaluation Criteria. Attach a separate page if necessary.

The burden of proof shall be on the Applicant to provide evidence in support of the application.

1. Describe how the proposed use is compatible with the neighboring properties. The mine site is bordered to the north by Ag-NRL and on the east, south and west by Rural Resource -NRL.

Mining as described in this application is consistent and compatible with adjacent land uses typical of these zones.

2. How does the proposed use comply with the Skagit County Code? Please cite code section. SCC 14.16.400(7) allows mining by Special Use in the Rural Resource - Mineral Resource Overlay.

3. How will the proposed use create noise, odor, heat, vibration, and air or water pollution?
The principal source of noise and vibration in mining areas is truck traffic and mining machinery, which is the case for this proposal. Some heat will be generated by equipment engines. Vehicle exhaust and dust from gravel mining are the primary sources of air pollution.

4. How will the operation impact dwellings and property in the immediate area? This operation
will not impact dwellings and property in the immediate area.

5. How will the proposed use intrude on the privacy of the surrounding areas? This use will not
intrude on the privacy of the surrounding areas.

6. What potential effects could your proposal have to the general public health, safety and general welfare?
No adverse effects to the general public health, safety and welfare are anticipated.

***For special uses in Industrial Forest – Natural Resource Lands, Secondary Forest – Natural Resource Lands, Agricultural – Natural Resource Lands, and Rural Resource – Natural Resource Lands,**

1. How will the impacts on long-term natural resource management and production be minimized?
This request to manage this mineral resource by utilizing the sand and gravel located within this
Mineral Resource Overlay. Long term the site will be reclaimed in compliance with uses allowed in
the Rural Resource zone.

2. Describe how the proposed use complies with the health and safety of the community? _____
The health and safety of the community will not be impacted by this project occurring completely
within the confines of a large tract of private property.

3. Will the proposed use be supported by adequate public facilities and services? Public facilities
will not be required beyond access to county and state roads by delivery trucks.

4. Describe the plan to minimize the impacts on these facilities? A traffic mitigation plan has been
prepared and submitted as part of this application package (DN Traffic Consultants, May 15, 2015).

5. Describe any impact to those facilities. See attached report, DN Traffic Consultants, May 15,
2015. Impact and mitigation is provided for the Grip / Prairie Road intersection.

Please address Special Uses with Specific Criteria.

Failure to address the required criteria will cause delays in processing your application.

Provide the corresponding form for your application type.

See Forms A - K

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 July 18, 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, 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 May 30, 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

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 equipment operation limitation. 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.



Planning & Development Services

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SEPA ENVIRONMENTAL CHECKLIST UPDATED 2014

- ☐ SEPA FEE \$ _____ ☐ PUBLICATION FEE \$ _____
☐ STAMPED ENVELOPES FOR OWNERS OF RECORD WITHIN 300' OF ALL PARCEL BOUNDARIES. INCLUDE MAP AND LIST OF ADDRESSES.

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

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.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements—that do not contribute meaningfully to the analysis of the proposal.

Forms online:

<http://www.skagitcounty.net/PlanningAndPermit/Documents/Forms/SEPA/Environmental%20Checklist.pdf> OR
<https://fortress.wa.gov/ecy/publications/summarypages/ecy05045.html>

A. BACKGROUND

1. Name of proposed project, if applicable:

Gripp Road Gravel Mine

2. Name of applicant:

Concrete Nor'West

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

Applicant: Concrete Nor'West
C/o Dan Cox
PO Box 280
Mount Vernon, WA 98273
360.757.3121

Contact: John B. Semrau, PE, PLS
Semrau Engineering and Surveying
2118 Riverside Drive, Suite 208
Mount Vernon, WA 98273
360.424.9566
360.424.6222 Fax

4. Date checklist prepared:

March 2, 2016

5. Agency requesting checklist:

Skagit County Planning and Development Services

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

Mining is anticipated to begin as soon as feasible after all permits are approved.

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.

A Critical Area Review Checklist - Skagit County Planning and Development Services
Hydrogeologic Site Assessment – Associated Earth Sciences, August 21, 2015
Fish and Wildlife Site Assessment – Graham-Bunting Associates, August August 20, 2016
Gripp Road Gravel Pit Preliminary Traffic information, February 8, 2016, DN Traffic Consultants

Samish River (Ordinary High Water mark/Wetland Edge), Graham-Bunting Associates, May 18, 2015

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.

None.

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

Surface Mine Reclamation Permit – Washington Department of Natural Resources
Sand and Gravel NPDES Permit, Washington Department of Ecology
Commercial Access – Skagit County Public Works
Forest Practices Permit and Conversion - Washington Department of Natural Resources

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. (Lead agencies may modify this form to include additional specific information on project description.)

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.

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 market.

Drainage from the site will all infiltrate into the mine bottom gravel. No surface water from the mine will flow directly to the Samish River. Depth of mine is to remain 10 feet above the water table with a mine floor from 154 feet to 163 feet in elevation. Proposal is to avoid critical area impacts. The 200 foot setback from the river is proposed to be from the easterly toe of the slope, which is westerly of the associated wetland edge. Toe of slope has been determined by LIDAR data and verified by site observation and GPS. Top of slope was observed and measured by geotechnical consultant and the GPS observations have been mapped.

Site will access onto Grip Road from an existing private forest road at an existing gate approximately 0.7 miles east of the intersection of Grip Road to Prairie Road. The entrance will be upgraded to the County Commercial Entrance, Type D, 2 Lane standard.

Working the pit will require logging and conversion of approximately 51 acres of forest land.

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.

Mine is located in the North 1/2 of the Southeast 1/4 of Section 27, Township 36 North, Range 4 East, W.M. Access will be at the current location from the south onto Grip Road in the Southwest 1/4 of the Northeast 1/4 of Section 3, T. 35 N., R. 4 E., W.M. The private, existing, forest roadway to the site continues through the North 1/2 of Section 3, T. 35 N., R. 3 E., W.M., through Section 34, T. 36 N., R. 4 E., W.M., and through the South 1/2 of Section 27, T. 36 N., R. 4 E., W.M.

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site

(circle one): Flat, rolling, hilly, steep slopes, mountainous,
other _____

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

70%

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

NRCS, 1989, mapped as Skipopa silt loam. Surface soils will be stripped and stockpiled for reclamation following mining.

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

No.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

Mining will be within a 51 acre portion of the site. 4.28 million cubic yards of excavation.

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

Slopes are relatively flat where the mine excavation will begin. Chance of erosion is slight. Runoff will all infiltrate into the mine bottom gravel.

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

No permanent impervious surfaces are proposed.

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

Standard construction erosion control practices. All site runoff will infiltrate into the bottom of the mine.

2. Air

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

Mining activity would have temporary impacts on air quality including emissions from construction vehicles; increased suspended particulates (dust) during grading and loading activities.

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

There are no off-site sources of emissions that would impact the proposal.

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

Mining equipment and haul trucks would be properly maintained. There will also be a vegetated buffer around the boundary.

3. Water

- a. Surface Water:

- 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.

Samish River is the easterly boundary of the site and there is an unnamed intermittent stream that is tributary to the Samish that just passes through the southeast corner of the site

- 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.

No work is proposed within 200 feet of the river and stream.

- 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.

Construction will not require any filling or dredging of surface water areas. Mining will stay 10 feet above ground water table.

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

No, none required

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

All of the proposed mining area is located in Zone C, more than 50 feet above the flood plain of the Samish River.

- 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. All stormwater within the mining area will infiltrate into the bottom of the mine. No runoff is proposed.

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

No wells or groundwater withdrawal are proposed.

- 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.

None proposed. Portable facilities will serve the temporary use of the site.

c. Water runoff (including stormwater):

- 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.

No runoff is proposed from the mine site area. All site runoff will infiltrate into the gravel mine bottom.

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

It would be very unlikely for any waste materials to enter ground or surface waters. Mining is to remain 10 feet above ground water table.

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

No. Site is a localized plateau and receives little run-on and does not have apparent runoff channels.

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

Infiltration of mining runoff into bottom of mine.

4. Plants

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

- ☒ deciduous tree: alder, maple, aspen, other
- ☒ evergreen tree: fir, cedar, pine, other
- ☒ shrubs
- ☒ grass
- ☐ pasture
- ☐ crop or grain
- ☐ Orchards, vineyards or other permanent crops.
- ☐ 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?

All the vegetation within the 51 acre mining area will be removed. Reclaimed surfaces will be revegetated.

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

None known.

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

None.

- e. List all noxious weeds and invasive species known to be on or near the site.

None known.

5. Animals

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include:

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

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

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

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

None known.

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

Yes, insofar as that all of Western Washington is a migration route for bird species

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

No specific measures are proposed.

- e. List any invasive animal species known to be on or near the site.

None known.

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.

Fossil fuels would be used by mining vehicles as well as haul trucks.

- 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?
List other proposed measures to reduce or control energy impacts, if any:

None are proposed.

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.

The proposal is a mining project. As a result, environmental hazards associated with the project would be those typically associated with mining, including: noise from equipment and potential spills of fuels, oils, grease and lubricants from the operation and maintenance of equipment.

- 1) Describe any known or possible contamination at the site from present or past uses.

None known. Site has been used for forestry.

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

None known.

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

None proposed.

- 4) Describe special emergency services that might be required.

No emergency services beyond what is currently provided by the County would be required for the proposal.

- 5) Proposed measures to reduce or control environmental health hazards, if any:

Maintenance of equipment will be done in a manner that would minimize the potential for an accidental spill.

b. Noise

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

None known.

- 2) 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.

The principal source of noise in mining areas is truck traffic and mining machinery, which is the case for the proposed development. There would also be temporary noise impacts at the site during the construction phase. Noisy equipment usage can be divided into two types: relatively stationary on-site construction equipment and transportation equipment moving to and from the mining site.

3) Proposed measures to reduce or control noise impacts, if any:

Construction equipment would be properly muffled and would not exceed the state maximum noise standards.

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

Forestry and rural home sites. There are no homes within 300 feet of the site.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

Site has been working forest. Lots are also certified for rural home development. 51 acres of the site will be converted from forest land.

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

No.

- c. Describe any structures on the site.

No structures on-site and none proposed.

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

No.

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

RRc-NRL – 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?

Rural

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

Samish River and the associated wetlands are critical areas.

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

One to two full time employees on site and truck drivers hauling gravel will come and go throughout the day.

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

None.

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

None proposed.

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

The Rural Resource zoning and Mineral Resource Overlay are intended to reserve this property for the proposed mining activities.

m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:

None proposed. Proposal is already compatible.

9. Housing

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

None.

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

None

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

None.

10. 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?

No obstructions to the views will be created. The mine area is on a localized plateau which is below the peak of the ridge line on-site to the south and west. The height of the top of the slope above the river will also remain the same height. The mine excavation will be located between the unaltered easterly slope and the unaltered south and westerly ridge lines. Buffers will remain vegetated.

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

The proposed buffers along the four sides.

11. Light and glare

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

Light and glare from the project would be of the type typically associated with mining development. It would include lights from vehicles traveling to and from the site.

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

No.

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

None.

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

None.

12. Recreation

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

Fishing and hunting.

b. Would the proposed project 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:

None proposed.

13. Historic and cultural preservation

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe.

There are no buildings or structures on the site. There are no buildings, structures or sites identified on the WISSARD at the DAHP web site in the vicinity of this project.

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

None.

c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

DAHP web site, WISSARD map tool, historic maps and GIS data.

d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

Should archaeological materials (e.g. bones, shell, stone tools, beads, ceramics, old bottles, hearths, etc.) or human remains be observed during project activities, all work in the immediate vicinity should stop. The State Department of Archaeology and Historic Preservation (360-586-3065), the County planning office, the affected Tribe(s) and the County Coroner (if applicable) should be contacted immediately in order to help assess the situation and determine how to preserve the resource(s). Compliance with all applicable laws pertaining to archaeological resources (RCW 27.53, 27.44 and WAC 25-48) is required. Failure to comply with this requirement could constitute a Class C Felony.

14. Transportation

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

The site will have access from Grip Road approximately 0.7 miles east of the intersections of Grip Road and Prairie Road.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

No.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

No additional parking is proposed and none would be eliminated.

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

No.

- e. Will the project or proposal 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 or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

Traffic generated by the project will be typical of mining operations and demand for gravel. See traffic report by DN Traffic Consultants report for discuss and ansysis of averages and PM peak trips per day.

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

No.

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

A flashing beacon is proposed at the intersection of Grip Road with Prairie Road to warn motorists on Prairie Road when trucks are approaching intersection.

15. Public services

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

No increased need for public services is anticipated.

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

None are necessary.

16. Utilities

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

None available.

- 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 are proposed. All facilities on-site will be temporary.

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: _____

Name of signee John B. Semrau, PE & PLS

Position and Agency/Organization _____

Date Submitted: 3/2/16

Supplemental Information Regarding SEPA Checklist

Skagit County has previously conducted a SEPA review for a forest practice conversion (PL16-008) and mining special use permit (PL16-0097) to develop a gravel mining operation on parcels P50155, P125645 & P125645. The original SEPA Checklist was prepared March 2, 2016. Additional studies have been performed and submitted to the County for review since both applications were determined to be complete on March 22, 2016 and clarifications have been made at the request of the County. The County has requested the applicant summarize and clarify the results of the studies and additional mitigation. The purpose of the attached document is to identify the additional information (including mitigation) that has been submitted to the County and to tie it to statements in the original SEPA Checklist. This should be read in combination with other project information in the County record for this action.

The following sets out language from Sections of the original SEPA Checklist with additional language underlined.

A. BACKGROUND

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

A Critical Area Review Checklist - Skagit County Planning and Development Services
Hydrogeologic Site Assessment – Associated Earth Sciences, August 21, 2015
Fish and Wildlife Site Assessment – Graham-Bunting Associates, August August 20, 2016
Gripp Road Gravel Pit Preliminary Traffic information, February 8, 2016, DN Traffic Consultants

Samish River (Ordinary High Water mark/Wetland Edge), Graham-Bunting Associates, May 18, 2015

Private Access Road As-Built, September 13, 2018

Site Management Plan, Sand and Gravel Permit, Preliminary September 2018

Grip Road Mine Updated Noise and Vibration Study, July 18, 2018

Cultural Resources Assessment, March 9, 2017

Traffic Memorandum, Maximum Daily Truck Traffic, November 30, 2016

Addendum to Fish and Wildlife Site Assessment, April 18, 2017

Fugitive Dust Control Plan, March 2016

Bridge Load Rating, March 2016

Timber Management Plan, November 5, 2009

Traffic Memorandum, June 6, 2019

B. ENVIRONMENTAL ELEMENTS

1. Earth

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

Standard construction erosion control practices. All site runoff will infiltrate into the bottom of the mine. Additional information on this is set forth in the Site Management Plan, Sand and Gravel Permit, Preliminary September 28, 2018.

2. Air

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

Mining equipment and haul trucks would be properly maintained. There will also be a vegetated buffer around the boundary. Additional measures are set forth in the Fugitive Dust Control Plan, March 2016.

3. Water

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

Infiltration of mining runoff into bottom of mine. See Site Management Plan, Sand and Gravel Permit, Preliminary September 2018.

7. Environmental health

3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

~~None proposed.~~ Toxic or hazardous chemicals are primarily limited to those materials associated with the operation of heavy equipment. These materials generally consist of fuel, oil, and associated equipment fluids. Mobile fueling vehicles and mobile maintenance vehicles will be used to service the equipment at the site. If fueling stations or other storage of these materials occurs on-site, it will be in compliance with the NPDES General Sand and Gravel Permit which will be monitored by the Department of Ecology.

b. Noise

2) 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.

The principal source of noise in mining areas is truck traffic and mining machinery, which is the case for the proposed development. There would also be temporary noise impacts at the site during the construction phase. Noisy equipment usage can be divided into two types: relatively stationary on-site construction equipment and transportation equipment moving to and from the mining site. Additional information regarding noise is set forth in the Grip Road Mine Update Noise and Vibration Study, July 18, 2018.

13. Historic and cultural preservation

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material

evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

Cultural Resources Assessment, March 9, 2017.

14. Transportation

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

No. In addition, see Private Access Road As-Built, September 13, 2018.

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

Traffic generated by the project will be typical of mining operations and demand for gravel. See traffic report by DN Traffic Consultants report for discuss and analysis of averages and PM peak trips per day. See additional Traffic Memorandum, Maximum Daily Truck Traffic, November 20, 2016 and Traffic Memorandum, June 6, 2019.



Forest Practices Application/Notification Western Washington

For DNR Region Office Use Only

FPA/N #:	
Region:	
Received Date:	

PLEASE USE THE INSTRUCTIONS TO COMPLETE THIS APPLICATION. TYPE OR PRINT IN INK.

1. Landowner, Timber Owner and Operator

Legal Name of LANDOWNER Lisa Inc	Legal Name of TIMBER OWNER (if different than Landowner) Same as Landowner	Legal Name of OPERATOR (if different than Landowner) Concrete Nor'West
Mailing Address: 400 Valley Ave NE	Mailing Address:	Mailing Address: PO Box 280
City, State, Zip Puyallup, WA 98372	City, State, Zip	City, State, Zip Mount Vernon, WA 98273
Phone (360) 757-3121 Email: danc@concretenorwest.com	Phone () Email:	Phone (360) 757-3121 Email: danc@concretenorwest.com

2. Contact Person

Contact Person: Dan Cox, Land Use/Environmental/Safety	Phone (360) 757-3121 x3046 Email: danc@concretenorwest.com
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NOTE: You are required to verify Type Np, and Ns water types within 200 feet of your proposed forest practices activities prior to submitting a Forest Practices Application / Notification. Use the Additional Information section, additional pages, the Water Type Classification Worksheet, and/or a Water Type Modification form to explain how you verified water types. See Water Typing Requirements in the instructions.

3. Landownership information: See instructions

a. ☐ No ☒ Yes Are you a small forest landowner per RCW 76.09.450?

If Yes, go to b.

b. ☐ No ☒ Yes Is your entire proposed harvest area on a single contiguous ownership consisting of one or more parcel

4. If you are harvesting timber, enter the Forest Tax Reporting Account Number of the Timber Owner:

800026259

For tax reporting information or to receive a tax number, call the Department of Revenue at 1-800-548-8829.

5. Are you substituting prescriptions from an approved state or federal conservation agreement or watershed analysis?

☐ No ☒ Yes Write "HCP" or "Using Prescriptions" in tables that apply. Attach or reference on file prescriptions and/or crosswalks.

6. What is the legal description of your forest practice?

Section	Township	Range	E/W	Tax Parcel Number	County
27	36	4	E	P125644	Skagit
27	36	4	E	P125645	Skagit
27	36	4	E	P50155	Skagit

7. When are you planning to begin work on the proposed activity? : April 2017 _____

8. Is the taxpayer eligible for the EARR Tax Credit?

☒ No ☐ Yes

9. Have you reviewed this forest practices activity area to determine whether it may involve historic sites and/or Native American cultural resources? Read the instructions before answering this question.

☐ No ☒ Yes

10. Do you have a DNR approved Road Maintenance and Abandonment Plan (RMAP)?

a. ☒ No ☐ Yes List the RMAP number: _____

If no, go to b.

b. ☒ No ☐ Yes Is a Checklist RMAP required? (see instructions)

11. Are there potentially unstable slopes or landforms within the boundaries of your forest practices activity area?

☒ No ☐ Yes – attach geotechnical report and “Slope Stability Informational Form.” If applicable, attach the SEPA checklist, HCP or Watershed Analysis prescriptions.

12. Are there potentially unstable slopes or landforms adjacent to your forest practices activity area?

☒ No ☐ Yes – complete and attach the “Slope Stability Informational Form.” If applicable, attach geotechnical report, HCP or Watershed Analysis prescriptions.

13. Is this forest practice application/notification: (Answer every question)

a. ☒ No ☐ Yes Within city limits or inside an urban growth area?

(IF YES SEE INSTRUCTIONS FOR ADDITIONAL REQUIRED DOCUMENTS.)

b. ☒ No ☐ Yes For road work that is included in an approved Road Maintenance and Abandonment Plan (RMAP)?

c. ☒ No ☐ Yes Within a public park? If Yes, include SEPA Environmental Checklist or SEPA Determination - except for harvesting/salvaging less than 5,000 board feet within a developed public park.

d. ☒ No ☐ Yes Within 500 feet of a public park? Park name: _____

e. ☒ No ☐ Yes In an approved Conversion Option Harvest Plan (COHP) from the local government? If yes, include a copy. This only applies to proposals within urban growth areas.

f. ☒ No ☐ Yes Within 200' of the Ordinary High Water Mark (OHWM) or floodway of Type S water? If yes, check with the county or city to determine whether a substantial development permit is required under the local shorelines master plan.

- g. ☒ No ☐ Yes A request for a multi-year permit? If yes, length requested: ☐ 4 years or ☐ 5 years.
Not everyone qualifies for a multi-year permit. See instructions for details.
- h. ☒ No ☐ Yes An Alternate Plan? If yes, include a copy.
- i. ☐ No ☒ Yes Within 50 miles of saltwater and do you own more than 500 acres of forest land in Washington State? If Yes - include the "Marbled Murrelet Form" or attach/reference HCP prescriptions.
- j. ☒ No ☐ Yes In or directly adjacent to a potential Channel Migration Zone (CMZ)? If Yes – include the "CMZ Assessment Form." Attach/reference applicable HCP and/or Watershed Analysis prescriptions.

***** **If not working in or over typed waters, skip to number 18** *****

Prior to answering number 14-17 in this section please refer to the Forest Practices Application Instructions and Forest Practices Board Manual Section 5 (BM 5).

14. Are you proposing any of the following projects NOT permitted by current HPAs from WDFW?

- a. ☐ No ☐ Yes Installing, replacing or repairing a culvert at or below the bankfull width of Type S or F Water(s) that exceeds a five percent gradient?
- b. ☐ No ☐ Yes Constructing, replacing, or repairing a bridge at or below the bankfull width of unconfined streams in Type S or F water(s)?
- c. ☐ No ☐ Yes Placing fill material within the 100-year flood level of unconfined streams in Type S or F water(s)?

15. Have you consulted with DNR and/or WDFW about the proposed hydraulic project(s) in or over Type S or F water? ☐ No ☐ Yes

16. If installing, replacing, removing or maintaining structures in or over any typed water, complete the table below. Type S and F waters require detailed plan information. Provide plan details in number 31 or attach plan to the FPA/N. Provide crossing locations and identifiers on your Activity Map. (A detailed plan with profiles may also be required for more complex hydraulic projects in Type N Waters per WAC 222-24-042(2)).

Crossing Identifier (letter and/or number)	Water Type (S, F, Np, Ns)	*Existing HPA Number (if applicable)	HPA Expiration Date (if applicable)	Planned Activity (install, replace, remove, temporary, structure maintenance)	Structure (culvert, bridge, ford**, punchoon, arch, other)	Proposed Size (dimensions of structure)	Culvert Design Method (No-slope, Stream-sim, Hydraulic, Other) (F and S only)	Channel Bed Width (ft) (F and S only)	Stream Gradient (%) (F and S only)	RMAP Project (Y or N)	FFPPP Project (Y or N)

*Existing HPAs issued by WDFW will be complied and enforced by WDFW until expiration. Plan details are not required for hydraulic projects permitted with an existing HPA (see instructions).

** Fords and equipment crossings on Type S and F Waters may result in an unauthorized incidental take of certain endangered or threatened fish species. For more information, see "Background for the state's Incidental Take Permits for certain endangered and threatened fish species" following number 24 of the FPA/N Instructions.

17. If conducting any of the following activities in or over typed water, complete the table below. Some activities will require identifiers on your Activity map and/or more information in number 31, Additional Information. See instructions.

*Activity	Type S Water	Type F Water	Type Np Water	Type Ns Water
Equipment Crossing**				
Suspending Cables				
Cable Yarding				
LWD Placement/Removal				
Beaver Dam Removal				
Felling and Bucking				
Other (describe in number 31)				

*Existing HPAs issued by WDFW will be complied and enforced by WDFW until expiration. Plan details are not required for hydraulic projects permitted with an existing HPA (see instructions).

** Fords and equipment crossings on Type S and F Waters may result in an unauthorized incidental take of certain endangered or threatened fish species. For more information, see "Background for the state's Incidental Take Permits for certain endangered and threatened fish species" following number 24 of the FPA/N Instructions.

18. If constructing or abandoning forest roads complete the table below. Show the road locations and identifiers on your Activity Map. Include abandonment plans for temporary roads and abandonment projects.

Road Identifier (name, number)	Road Construction		Road Abandonment	
	Length (feet)	Steepest Side-slope (%)	Length (feet)	Abandonment Date

19. If depositing spoils and/or expanding or developing a rock pit for forestry use, complete the table below. Show locations and identifiers on your Activity Map.

Spoil Area Identifier (letter, number)	Amount of Spoils Deposited (cubic yards)	Rock Pit Identifier (name, number or letter)	Acres of New Rock Pit Developed	Acres of Existing Rock Pit Expanded

20. If operating in or within 200 feet of a wetland, complete the table below. Show the boundaries of each wetland, along with its identifier, and WMZ on your Activity Map. See instructions for information.

Wetland Identifier (number, letter)	Wetland Type (A, B, or Forested)	Planned Activities in Wetland	Planned Activities in Maximum Width WMZ	Total Wetland Area (acres)	How many acres are you draining?	How many acres are you filling?

***** **If not harvesting or salvaging timber, skip to number 29** *****

21. If harvesting or salvaging timber, complete the table below. Show all harvest areas and unit numbers on your Activity Map. For even-aged harvest units also show surrounding stand information on your Activity Map.

Unit Number	Harvest Type (Even-aged, Uneven-aged, Salvage, Right-of-Way)	Biomass Harvest (Y/N)	Harvest Method (Rubber Tired Skidder, Tracked Skidder, Dozer, Shovel, Full Suspension Cable, Lead-end Suspension Cable, Helicopter, Animal, Chipper-forwarder, Slash Bundler)	Acres to be Harvested	Volume to be Harvested (mbf)	Volume to be Harvested (biomass tonnage)	Volume to be Harvested (%)	Steepest Slope in Harvest Unit (%)

22. Reforestation. Check the appropriate box(es).

☐ Planting. Tree Species: _____

☐ Natural. Include a Natural Regeneration Plan

☒ Not required because of one or more of the following:

☒ I am converting some or all of this land to non-forest land in the next 3 years or lands are exempted under WAC 222-34-050.

☐ Individual dead, dying, down, or wind-thrown trees will be salvaged.

☐ Trees are removed under a thinning program reasonably expected to maximize the long-term productivity of commercial timber.

☐ I am leaving at least 100 vigorous, undamaged, and well-distributed saplings or merchantable trees per acre.

☐ An average of 190 tree seedlings per acre are established on the harvest area and my harvest will not damage it.

☐ Road right-of-way or rock pit development harvest only.

**** If you own MORE than 80 forested acres in Washington, skip to number 27 ****

23. Are you using the exempt 20-acre parcel riparian management zone (RMZ) rule on type S, F, or Np waters?

☐ No If no, continue to number 27.

☐ Yes If yes, continue to number 24. See instructions for qualifications and information.

24. Choose the answer below that best fits your situation. Show all RMZs on your Activity Map.

☐ a. ALL of the following apply to me and my land: (If no, answer b.)

- Between June 5, 2006 and today's date I have always owned less than 80 acres of forestland in Washington.
- Between June 5, 2006 and today's date this parcel has always been 20 acres or less of contiguous ownership.
- Between June 5, 2006 and today's date this parcel has always been owned by me or someone else that has owned less than 80 acres of forestland in Washington.

b. ONE OR MORE of the following apply to me and/or my land (check all that apply):

- ☒ I currently own more than 80 acres of forestland in Washington.
- ☐ Between June 5, 2006 and today's date I have owned more than 80 acres of forestland in Washington.
- ☐ Between June 5, 2006 and today's date this parcel has been more than 20 acres of contiguous ownership.
- ☐ Between June 5, 2006 and today's date this parcel has been owned by someone that has owned more than 80 forested acres in Washington.

25. If harvesting within 115 feet of a Type S or F water on an exempt 20-acre parcel, complete the table below. Show RMZs and stream segment identifiers on your Activity Map. (Include stream shade assessment methodology if you are harvesting within 75 feet, or the maximum RMZ, whichever is LESS. If using BM1 to evaluate shade, you may use the "Stream Shade Assessment Worksheet").

Stream Segment Identifier (letter)	Water Type (S, F)	Segment Length (feet)	Bankfull Width (feet)	Maximum RMZ Width (feet)	Are you harvesting within the maximum RMZ? (Y or N)

26. Are you harvesting within 29 feet of a Type Np water on a 20-acre exempt parcel?

- ☒ No Continue to number 29.
- ☐ Yes See instructions and describe leave tree strategy in number 31. Then continue to number 29.

27. If harvesting within 200 feet of any of Type S or F waters, complete the table below. Include DFC for all inner zone harvests unless you have an HCP prescription. Show RMZs, CMZs, and stream segment identifiers on your Activity Map. (Include stream shade assessment methodology if you are harvesting within 75 feet of S or F waters. If using BM1 to evaluate shade, you may use the "Stream Shade Assessment Worksheet").

Stream Segment Identifier (letter)	Water Type (S or F)	Site Class (I - V)	Stream Width (feet)	Is there a CMZ? (Y/N)	RMZ Harvest Code(s) (see instructions)	DFC Run Number	Total width of RMZ (feet)

28. If harvesting within 50 feet of Type Np water, complete the table(s) below. Show RMZs and stream segment identifiers on your Activity Map.

Stream Segment Identifier (letter)	Total Stream Length in Harvest Unit (feet)	Length of No-Harvest, 50-foot Buffers in Harvest Unit (feet)	Stream Segment Identifier (letter)	Total Stream Length in Harvest Unit (feet)	Length of No-Harvest, 50-foot Buffers in Harvest Unit (feet)

29. How are the following marked on the ground? (Flagging, paint, road, fence, etc.)

Harvest Boundaries: Flagging

Clumped Wildlife Reserve Trees/Green Recruitment Trees: N/A

Right-of-way limits/road centerlines: Existing - no new roads needed for logging activity.

Stream Crossing Work: N/A

Riparian Management Zone Boundaries and Leave/Take Trees: N/A

Channel Migration Zone: N/A

Wetland Management Zone Boundaries and Leave/Take Trees: N/A

30. Are you converting the land to non-forestry use within 3 years of harvest?

☐ No ☒ Yes If yes, include your SEPA Determination and/or SEPA checklist.

31. Additional Information (attach additional pages if necessary):

For hydraulic projects in or over S or F water(s) see instructions for required plan information.

32. We acknowledge the following:

- The information on this application/notification is true.
- We understand this proposed forest practice is subject to:
 - The Forest Practices Act and Rules AND
 - All other federal, state or local regulations.
- Compliance with the Forest Practices Act and Rules does not ensure compliance with the Endangered Species Act or other federal, state or local laws.
- If we said that we would not convert the land to non-forestry use, the county or city may deny development permits on this parcel for the next 6 years.
- The following may result in an unauthorized incidental take of certain endangered or threatened fish species:
 - Conversion of land to non-forestry use.
 - Harvesting within the maximum RMZ on a 20-acre exempt parcel that was acquired after June 5, 2006.
 - Equipment Crossings/Fords in or over Type S and F Waters.

Signature of LANDOWNER 	Signature of TIMBER OWNER* (If different than landowner)	Signature of OPERATOR (If different than landowner)
Print Name: <u>Dan Cox</u>	Print Name: <u>Dan Cox</u>	Print Name: <u>Dan Cox</u>
Date: <u>3/8/16</u>	Date: <u>3/8/16</u>	Date: <u>3/8/16</u>

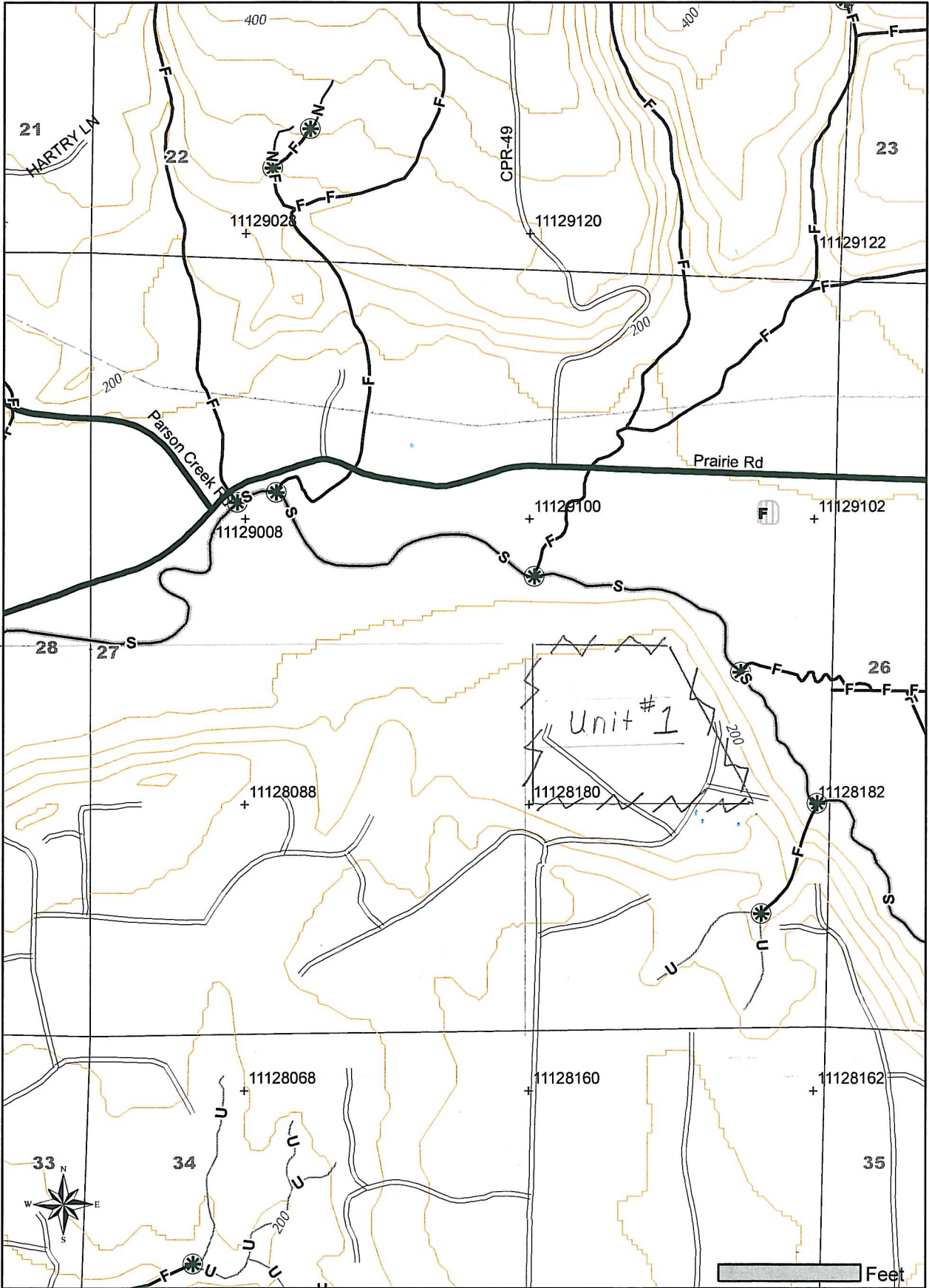
* NOTE: If you are a "Perpetual Timber Rights Owner," and are submitting this without the Landowner's Signature, provide written evidence the landowner has been notified.

Please make a copy of this FPA/N for your records. If this FPA/N contains a hydraulic project requiring WDFW concurrence review, it will not be available online for public review until after the WDFW concurrence review period.

FOREST PRACTICE ACTIVITY MAP

TOWNSHIP 36 NORTH HALF 0, RANGE 04 EAST (W.M.) HALF 0, SECTION 27

Application #: _____



Please use the legend from the FPA Instruction or provide a list of symbols used.

Unit boundary #1

005134

Date: 3/8/2016 Time: 11:29:52 AM
 NAD 83
 Contour Interval: 40 Feet



OFFICE: 360.757.3121
FAX: 360.757.3816

PO Box 280
Mount Vernon, WA 98273-0280

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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PO Box 280

Mount Vernon, WA 98273-0280

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



Skagit County Planning & Development Services

1800 Continental Place ♦ Mount Vernon, WA 98273 ♦ Phone (360) 336-9410 ♦ Fax (360) 336-9416
pds@co.skagit.wa.us ♦ www.skagitcounty.net/planning

March 22, 2016

Concrete Nor'west
Attn: John Semrau, PE & PLS
2118 Riverside Drive, Suite 208
Mount Vernon, WA 98273

RE: Letter of completeness for mining special use permit application PL16-0097 & forest practice conversion application PL16-0098.

Dear Mr. Semrau:

In accordance with Skagit County Code, section 14.06.100, Skagit County Planning and Development Services has reviewed the above referenced applications PL16-0097 & PL16-0098 and has determined the applications to be complete on March 22, 2016. Skagit County will make the final decision on the application within 120 days from the date the application was determined complete, with the following exceptions:

- (a) Any time required to correct plans, perform studies or provide additional information, provided that within 14 days of receiving the requested additional information, the Administrative Official shall determine whether the information is adequate to resume the project review. Provided further, the applicant shall be required to submit corrected plans, studies, or additional information within 180 days of the written request or said application may be returned without prejudice.
- (b) Substantial project revisions made or requested by an applicant, in which case the 120 days will be calculated from the time that the County determines the revised application to be complete.
- (c) All time required for the preparation and review of an environmental impact statement.
- (d) An extension of time mutually agreed upon by the County and the applicant.
- (e) Projects involving the siting of an essential public facility.
- (f) Any period for administrative appeals of project permits, if appeals are allowed.
- (g) Amendments to the Comprehensive Plan or Development Code.
- (h) Any remand to the hearing body.

If you have any questions regarding this matter, please contact my office at (360) 336-9410.

Sincerely,

John Cooper, LG
Planner/Geologist