Exhibit C-38: Agency /Department Comments Received in 2022

From:	Leah Forbes
To:	Kevin Cricchio; Betsy D. Stevenson
Cc:	Brandon Black; Hal Hart
Subject:	RE: Critical Areas Submittal; PL16-0097 & PL21-0348; Concrete Norwest HE-SUP
Date:	Wednesday, January 19, 2022 4:06:25 PM
Attachments:	image005.png image006.jpg image007.jpg image008.png image009.png image010.jpg image011.jpg

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Kevin,

These comments are in addition to the review of the proposed mine that was completed previously. Previous comments and conditions still apply. The comments and conditions below are limited to the proposed haul road.

The reports provided December 21, 2021 are limited in scope to the change in use of the forestry road to a gravel mine haul road. The conditions listed below are in addition to previous conditions related to use of the site as a gravel mine under file PL16-0097.

Geologic Hazard Conditions (Associated Earth Sciences Inc 12/16/2021):

1. No clearing of vegetation within the geologic hazard areas
2. Maintain roadside swales and check dams. Clean out material that has sloughed into the sales that could potentially block surface water. Avoid concentrated surface water discharge onto the steep slopes
3. Do not place uncontrolled fill, strippings, or other debris over the top of sleep slopes

Wetland/Fish & Wildlife Habitat Conditions (NW Ecological Services 12/2021):

1. During resurfacing of the haul road, establish erosion control and BMPs to ensure protection of downstream waters
2. Haul trucks shall be maintained in good working condition such that petroleum products of other harmful chemicals are not leaked into adjacent critical areas
3. During operation of the mine, maintain existing forested vegetation adjacent to the roadway, particularly in wetlands and buffers. This forested buffer along the road provides water quality filtration of surface waters prior to entering adjacent wetlands and stream and provides a buffer and screening for wildlife using the interior of the site
4. Review the proposal for compliance with applicable County/State stormwater management requirements

Leah Forbes, AICP
Senior Planner
Skagit County Planning & Development Services
Direct Line 360.416.1337
Main Number 360.416.1320
Pronouns: she/her

From: Kevin Cricchio <kcricchio@co.skagit.wa.us>
Sent: Wednesday, December 22, 2021 8:30 AM
To: Leah Forbes <leahf@co.skagit.wa.us>; Betsy D. Stevenson <betsyds@co.skagit.wa.us>; Kelsey Bellavance <kelseyb@co.skagit.wa.us>
Cc: Brandon Black <brandonb@co.skagit.wa.us>; Hal Hart <hhart@co.skagit.wa.us>; Alex Clark <alexc@co.skagit.wa.us>
Subject: Critical Areas Submittal; PL16-0097 & PL21-0348; Concrete Norwest HE-SUP

12/22/21

RE: Critical Areas Submittal; PL16-0097 & PL21-0348; Concrete Norwest HE-SUP

Good morning all. Happy Wednesday. We just received Dan Cox's resubmittal concerning the Concrete Norwest Hearing Examiner Special Use Permit to permit a mine /quarry on the subject property. A hard copy of the material submitted will be routed to the natural resource division today for your review.

Additionally, an electronic copy of the material submitted will be uploaded today to permits plus under PL16-0097 & PL21-0348 (thanks Alex).

Please review this material by **Friday, January 14th** and let me know if this is good to go or if additional revisions are needed.

Additionally, please provide me with your conditions of approval (critical area and shoreline) for the subject application.

Thanks everyone. Have a great upcoming holiday.

Kevin Cricchio, AICP, ISA
Senior Planner

Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, Washington 98273
Phone: (360) 416-1423
Email: kcricchio@co.skagit.wa.us

My incoming and outgoing email messages are subject to public disclosure requirements per RCW 42.56.

From: Dan Cox <Dan.Cox@miles.rocks>
Sent: Wednesday, December 22, 2021 8:06 AM
To: Kevin Cricchio <kcricchio@co.skagit.wa.us>
Cc: Brandon Black <brandonb@co.skagit.wa.us>; Leah Forbes <leahf@co.skagit.wa.us>
Subject: RE:

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Hi Kevin,

I just wanted to send a quick note to say I dropped off the submittal package yesterday including 3 paper copies of everything and a thumb drive. I had a chance to chat with Leah in the lobby and so just wanted to make sure all are aware we have met our December 28th deadline and we are looking forward to your review.

Thank you,

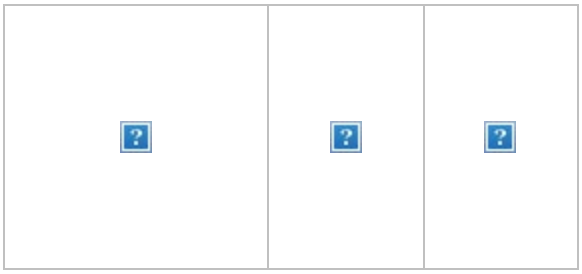
DAN COX
GENERAL MANAGER
Office: 360.757.3121 x 304
Mobile: 360.770.0494
P.O. Box 280 • Mount Vernon, WA 98273-0280
WWW.MILES.ROCKS

From: Kevin Cricchio [mailto:kcricchio@co.skagit.wa.us]
Sent: Monday, December 20, 2021 10:01 AM
To: Dan Cox <Dan.Cox@miles.rocks>
Cc: Brandon Black <brandonb@co.skagit.wa.us>; Leah Forbes <leahf@co.skagit.wa.us>
Subject:

Hi Dan. Thanks for the phone call. When submitting the material requested, please include 3 paper copies of everything for the project file **plus** an electronic copy of everything being submitted. You can burn it on a flash/ thumb drive. Thanks.

Kevin Cricchio, AICP, ISA
Senior Planner

Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, Washington 98273
Phone: (360) 416-1423
Email: kcricchio@co.skagit.wa.us



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From:	Shawn D. Christensen
To:	Kevin Cricchio; Bonnie LaCount; Mark Anderson
Cc:	Jack Moore; Brandon Black
Subject:	RE: refueling trucks
Date:	Thursday, December 30, 2021 3:06:10 PM
Attachments:	image004.png image006.jpg image008.jpg

Kevin,

From a stormwater perspective refueling should occur at a location where items such as spills can be contained and water quality protected. Using a standard gas station as an example some items may include but not limited to:

- Concrete fueling pad
- Oil\water separator
- Gutter\swale to prevent runoff from leaving the pad.
- Spill kit

A sketch and\or detailed description of what Concrete NW is proposing would be helpful.

Shawn Christensen, CESCL
Stormwater Review Technician
www.skagitcounty.net/stormwaterpermitting
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273
Ph 360-416-1327
shawnc@co.skagit.wa.us

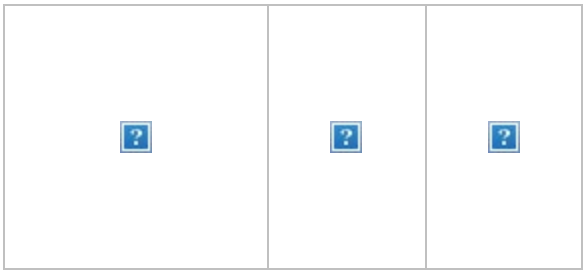
From: Kevin Cricchio <kcricchio@co.skagit.wa.us>
Sent: Thursday, December 30, 2021 2:10 PM
To: Bonnie LaCount <bonniel@co.skagit.wa.us>; Mark Anderson <manderson@co.skagit.wa.us>
Cc: Jack Moore <jrmoore@co.skagit.wa.us>; Brandon Black <brandonb@co.skagit.wa.us>; Shawn D. Christensen <shawnc@co.skagit.wa.us>
Subject: refueling trucks

Bonnie, what requirements (IFC, etc.) would you have for refueling of dump trucks onsite associated with the Concrete Norwest proposed gravel mine? Thanks.

Kevin Cricchio, AICP, ISA
Senior Planner

Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, Washington 98273

Phone: (360) 416-1423
Email: kcricchio@co.skagit.wa.us



My incoming and outgoing email messages are subject to public disclosure requirements per RCW 42.56.

From:	Forrest Jones
To:	Brandon Black; Paul A. Randall-Grutter; Grace Kane; Joe Amaro
Cc:	Kevin Cricchio
Subject:	RE: Draft MDNS
Date:	Wednesday, January 5, 2022 2:41:36 PM
Attachments:	image001.png image002.png image003.jpg image004.jpg RCW 46.61.655 Dropping load, other materials—Covering .pdf

Kevin,

I have attached the RCW referring to the covered load requirements.

Possibly just add the conditions that all loads must meet the requirements as outlined in ***RCW 46.61.655 – Dropping load, other materials – Covering.*** When hauling on any public highway and/or Skagit County Roadways.

From: Brandon Black <brandonb@co.skagit.wa.us>
Sent: Wednesday, January 5, 2022 2:09 PM
To: Paul A. Randall-Grutter <paulrg@co.skagit.wa.us>; Grace Kane <gracek@co.skagit.wa.us>; Forrest Jones <forrestj@co.skagit.wa.us>; Joe Amaro <jamaro@co.skagit.wa.us>
Cc: Kevin Cricchio <kcricchio@co.skagit.wa.us>
Subject: FW: Draft MDNS

I have attached the previous "Withdrawn" MDNS (Labled Mikes) and the Draft that Kevin has prepared.

Take a look at the conditions.

Brandon Black
Current Planning Manager
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

PHONE: 360-416-1326
CELL: 360-399-0201
EMAIL: brandonb@co.skagit.wa.us

"Helping You Plan and Build Better Communities"

From: Kevin Cricchio <kcricchio@co.skagit.wa.us>
Sent: Tuesday, January 4, 2022 8:48 AM
To: Brandon Black <brandonb@co.skagit.wa.us>
Cc: Hal Hart <hhart@co.skagit.wa.us>
Subject: Draft MDNS

Brandon,

FYI. Keeping you in the loop. Attached is Mike's old MDNS. I have updated it. Please see my attached draft. The yellow highlights are areas where we need more info.

I want to make sure we condition any required traffic improvements, critical area requirements, fugitive dust control plan, etc. Also, need to make sure all parcels for the subject proposal and road are included therein. Thanks.

Kevin Cricchio, AICP, ISA
Senior Planner

Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, Washington 98273
Phone: (360) 416-1423
Email: kcricchio@co.skagit.wa.us

My incoming and outgoing email messages are subject to public disclosure requirements per RCW 42.56.

RCW 46.61.655

Dropping load, other materials—Covering.

(1) No vehicle shall be driven or moved on any public highway unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking, or otherwise escaping therefrom, except that sand may be dropped for the purpose of securing traction.

(2) No person may operate on any public highway any vehicle with any load unless the load and such covering as required thereon by subsection (3) of this section is securely fastened to prevent the covering or load from becoming loose, detached, or in any manner a hazard to other users of the highway.

(3) Any vehicle operating on a paved public highway with a load of dirt, sand, or gravel susceptible to being dropped, spilled, leaked, or otherwise escaping therefrom shall be covered so as to prevent spillage. Covering of such loads is not required if six inches of freeboard is maintained within the bed.

(4)(a) Any person operating a vehicle from which any glass or objects have fallen or escaped, which would constitute an obstruction or injure a vehicle or otherwise endanger travel upon such public highway shall immediately cause the public highway to be cleaned of all such glass or objects and shall pay any costs therefor.

(b) Any vehicle with deposits of mud, rocks, or other debris on the vehicle's body, fenders, frame, undercarriage, wheels, or tires shall be cleaned of such material before the operation of the vehicle on a paved public highway.

(5) The state patrol may make necessary rules to carry into effect the provisions of this section, applying such provisions to specific conditions and loads and prescribing means, methods, and practices to effectuate such provisions.

(6) Nothing in this section may be construed to prohibit a public maintenance vehicle from dropping sand on a highway to enhance traction, or sprinkling water or other substances to clean or maintain a highway.

(7)(a)(i) A person is guilty of failure to secure a load in the first degree if he or she, with criminal negligence, fails to secure a load or part of a load to his or her vehicle in compliance with subsection (1), (2), or (3) of this section and causes substantial bodily harm to another.

(ii) Failure to secure a load in the first degree is a gross misdemeanor.

(b)(i) A person is guilty of failure to secure a load in the second degree if he or she, with criminal negligence, fails to secure a load or part of a load to his or her vehicle in compliance with subsection (1) or (2) of this section and causes damage to property of another.

(ii) Failure to secure a load in the second degree is a misdemeanor.

(c) A person who fails to secure a load or part of a load to his or her vehicle in compliance with subsection (1), (2), or (3) of this section is guilty of an infraction if such failure does not amount to a violation of (a) or (b) of this subsection.

[**2005 c 431 § 1**; **1990 c 250 § 56**; **1986 c 89 § 1**; **1971 ex.s. c 307 § 22**; **1965 ex.s. c 52 § 1**; **1961 c 12 § 46.56.135**. Prior: 1947 c 200 § 3, part; 1937 c 189 § 44, part; Rem. Supp. 1947 § 6360-44, part. Formerly RCW **46.56.135**.]

NOTES:

Rules of court: *Monetary penalty schedule—IRLJ 6.2.*

*Littering: Chapter **70A.200** RCW.*

From: Corrina L. Marote
To: Kevin Cricchio
Subject: RE: Concrete Nor"West, Issued SEPA MDNS, PL16-0097 & PL16-0098
Date: Friday, March 11, 2022 10:21:50 AM
Attachments: image004.png
image005.jpg
image006.jpg

Hi Kevin,

Public Health comment:

The applicant will need to have spill plans and any necessary equipment and supplies in place to cleanup and report spills from equipment leaks and on-site fueling. For more information, contact Environmental Public Health at 360-416-1500.

Corrina Marote, MS, REHS
Environmental Health Specialist III
Skagit County Public Health
1800 Continental Place
Mount Vernon, WA 98273
Telephone: 360—416--1563
Cell: 360—399--0136
FAX: 360—416--1501

Work Schedule: M-F 0700 - 1530

http://www.skagitcounty.net/

From: Kevin Cricchio <kcricchio@co.skagit.wa.us>
Sent: Thursday, February 24, 2022 12:34 PM
To: 'agatam@nwcleanairwa.gov' <agatam@nwcleanairwa.gov>; Joe Amaro <jamaro@co.skagit.wa.us>; Bonnie LaCount <bonniel@co.skagit.wa.us>; Corrina L. Marote <corrinam@co.skagit.wa.us>; Greg Geleynse <gregg@co.skagit.wa.us>; twoodard@samishtribe.nsn.us; Jackie Ferry <jferry@samishtribe.nsn.us>; 'sepa@dahp.wa.gov' <sepa@dahp.wa.gov>; 'mari461@ecy.wa.gov' <mari461@ecy.wa.gov>; Doug.gresham@ecy.wa.gov; 'chris.luerkens@ecy.wa.gov' <chris.luerkens@ecy.wa.gov>; Leah Forbes <leahf@co.skagit.wa.us>; Betsy D. Stevenson <betsyds@co.skagit.wa.us>; 'Ross.Zimmerman@dnr.wa.gov' <Ross.Zimmerman@dnr.wa.gov>; 'Robert.Warinner@dfw.wa.gov' <Robert.Warinner@dfw.wa.gov>; Wendy.Cole@dfw.wa.gov; 'roland.storme@wsdot.wa.gov' <roland.storme@wsdot.wa.gov>; Ronald.J.Wilcox@usace.army.mil; nortwest.region@dnr.wa.; Josephine Jefferson <jjefferson@swinomish.nsn.us>; sschuyler@UPPERSKAGIT.com; swalsh@skagitcoop.org; Jolivette, Stephanie (DAHP) <stephanie.jolivette@dahp.wa.gov>; 'sepaunit@ecy.wa.gov' <sepaunit@ecy.wa.gov>; Shawn D. Christensen <shawnc@co.skagit.wa.us>
Subject: Concrete Nor'West, Issued SEPA MDNS, PL16-0097 & PL16-0098

February 24th, 2022

RE**: Concrete Nor'West, Issued SEPA MDNS, PL16-0097 & PL16-0098**

Good afternoon all. Attached is an issued **SEPA Mitigated Determination of Non-Significance (MDNS),** associated with an application for a Special Use Permit to permit a gravel mine/quarry on the subject property(s). The applicant is Concrete Nor'West /Miles Sand & Gravel.

Supporting documentation for the issued SEPA MDNS can be found here:
https://skagitcounty.net/Departments/PlanningAndPermit/gravelmine.htm

Written comments must be received no later than **4:30 P.M. on March 11th, 2022**. If you have any questions, please let me know. Thank you.

Kevin Cricchio, AICP, ISA
Senior Planner

Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, Washington 98273
Phone: (360) 416-1423
Email: kcricchio@co.skagit.wa.us

My incoming and outgoing email messages are subject to public disclosure requirements per RCW 42.56.

From:	Jolivette, Stephanie (DAHP)
To:	Kevin Cricchio
Cc:	Brandon Black; Hal Hart
Subject:	DAHP Project 2017-01-00065 RE: Cultural Resource Report, Concrete Norwest Proposed Quarry
Date:	Monday, January 10, 2022 2:44:57 PM
Attachments:	image006.jpg image010.png image011.jpg image012.jpg

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Hello Kevin,

Thank you for providing the DAHP with a copy of the 2017 cultural resources report for the Concrete Norwest Proposed Quarry. I had previously located a badly scanned copy, so this color copy has greatly assisted in my review of the project. The last notice I believe I received for this project was a Notice of Withdrawal for the SEPA threshold determination in May of 2021, so I am not sure if there is a comment period currently open. However, I am happy to provide a concurrence letter based on this copy of the report if that would be useful now, or during a future review period.

If there is a current review period open please let me know. I did a cursory review of my email and did not see a notice, but it is sometimes hard to find a specific projects in Outlook searches. We have an email backlog from the holidays and it could be lost in there.

Let me know what would be most helpful.
Best,
Stephanie

sigresize

DAHP staff are working remotely until further notice. My hours are 8 am – 4:30 pm Monday - Friday. Staff no longer have land lines. For a directory of staff cell phone numbers please see the Meet the Staff page on our website.

Stephanie Jolivette | Local Government Archaeologist
(preferred pronouns: she / her / hers)
Work Cell: 360-628-2755 | stephanie.jolivette@dahp.wa.gov

Department of Archaeology & Historic Preservation | www.dahp.wa.gov
1110 Capitol Way S, Suite 30 | Olympia WA 98501
PO Box 48343 | Olympia WA 98504-8343

From: Kevin Cricchio <kcricchio@co.skagit.wa.us>

Sent: Monday, January 10, 2022 1:40 PM
To: Brooks, Allyson (DAHP) <Allyson.Brooks@DAHP.WA.GOV>
Cc: Brandon Black <brandonb@co.skagit.wa.us>; Hal Hart <hhart@co.skagit.wa.us>
Subject: Cultural Resource Report, Concrete Norwest Proposed Quarry

External Email

1/10/22

RE: Cultural Resource Report

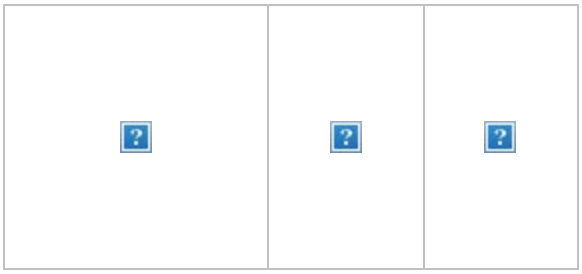
Allyson,

Good afternoon to you. I am not sure if the Washington State DAHP was ever sent the attached cultural resource report after DAHP commented in the attached letter dated January 9, 2017. If not, see attached report.

This concerns a proposed gravel quarry/ mine proposed by Concrete Norwest/ Miles Sand & Gravel in the Alger, Washington area of unincorporated Skagit County. Let me know if you have any questions. Thanks.

Kevin Cricchio, AICP, ISA
Senior Planner

Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, Washington 98273
Phone: (360) 416-1423
Email: kcricchio@co.skagit.wa.us



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Allyson Brooks Ph.D., Director
State Historic Preservation Officer

February 25, 2022

Kevin Cricchio
Senior Planner
Skagit County

In future correspondence please refer to:
Project Tracking Code: 2017-01-00065
Property: PL16-0097 Concrete Nor'West Gravel Mine
Re: Archaeology - Concur with Survey; Follow Inadvertent Discovery Plan

Dear Mr. Cricchio:

Thank you for contacting the State Historic Preservation Officer (SHPO) and the Department of Archaeology and Historic Preservation (DAHP) with documentation regarding the above referenced project. In response, we concur with the results and recommendations made in the survey report. Specifically, as no cultural resources were found during the survey we do not recommend further direct archaeological supervision of the project. However, we do recommend that a standard Inadvertent Discovery Plan is followed during all ground disturbing activities.

Please note that the recommendations provided in this letter reflect only the opinions of DAHP. Any interested Tribes may have different recommendations. We appreciate receiving copies of any correspondence or comments from Tribes or other parties concerning cultural resource issues that you receive.

These comments are based on the information available at the time of this review and on behalf of the SHPO pursuant to Washington State law. Please note that should the project scope of work and/or location change significantly, please contact DAHP for further review.

Thank you for the opportunity to review and comment. Please ensure that the DAHP Project Number (a.k.a. Project Tracking Code) is attached to any future communications about this project. Should you have any questions, please feel free to contact me.

Sincerely,

Stephanie Jolivette
Local Governments Archaeologist
(360) 586-3088
Stephanie.Jolivette@dahp.wa.gov

From:	Jolivette, Stephanie (DAHP)
To:	Kevin Cricchio
Subject:	DAHP Concur 2017-01-00065 RE: Concrete Nor"West, Issued SEPA MDNS, PL16-0097 & PL16-0098
Date:	Friday, February 25, 2022 11:42:25 AM
Attachments:	image004.jpg image005.png image006.jpg image007.jpg 2017-01-00065_022522_DAHP_Concur_FollowIDP_ConcreteNorwest_PL16-0097.pdf

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Hello Kevin,

Please see the attached letter from the DAHP concurring with the results and recommendations in the survey report, and recommending that the project move forward follow an Inadvertent Discovery Plan.

Feel free to contact me if you have questions about these recommendations.
Best,
Stephanie

DAHP staff are working remotely until further notice. My hours are 8 am – 4:30 pm Monday - Friday. Staff no longer have land lines. For a directory of staff cell phone numbers please see the Meet the Staff page on our website.

Stephanie Jolivette | Local Government Archaeologist
(preferred pronouns: she / her / hers)
Work Cell: 360-628-2755 | stephanie.jolivette@dahp.wa.gov

Department of Archaeology & Historic Preservation | www.dahp.wa.gov
1110 Capitol Way S, Suite 30 | Olympia WA 98501
PO Box 48343 | Olympia WA 98504-8343

From: Kevin Cricchio <kcricchio@co.skagit.wa.us>
Sent: Friday, February 25, 2022 10:44 AM
To: Jolivette, Stephanie (DAHP) <stephanie.jolivette@dahp.wa.gov>
Subject: RE: DAHP Concur Project 2017-01-00065 RE: Concrete Nor'West, Issued SEPA MDNS, PL16-0097 & PL16-0098

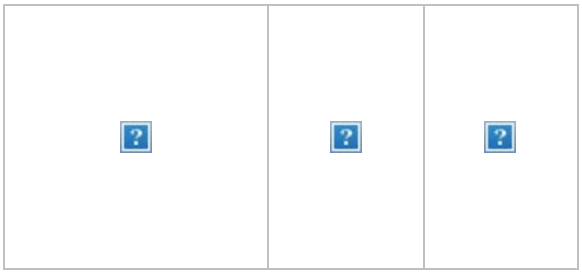
External Email

Stephanie,

Good morning. A concurrence letter would be appreciated. Thanks.

Kevin Cricchio, AICP, ISA
Senior Planner

Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, Washington 98273
Phone: (360) 416-1423
Email: kcricchio@co.skagit.wa.us



My incoming and outgoing email messages are subject to public disclosure requirements per RCW 42.56.

From: Jolivette, Stephanie (DAHP) <stephanie.jolivette@dahp.wa.gov>
Sent: Friday, February 25, 2022 10:42 AM
To: Kevin Cricchio <kcricchio@co.skagit.wa.us>
Subject: DAHP Concur Project 2017-01-00065 RE: Concrete Nor'West, Issued SEPA MDNS, PL16-0097 & PL16-0098

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Hello Kevin,

I could not see evidence that the DAHP ever sent an official concurrence letter when the archaeological survey report was completed for this project in 2017. If it would be useful to have for your files I am happy to provide a letter. Our letter would recommend that the project move forward

following an Inadvertent Discovery Plan, which is already in the MDNS requirements, so I was not sure if a letter would be useful at this time.

If so just let me know.
Best,
Stephanie

DAHP staff are working remotely until further notice. My hours are 8 am – 4:30 pm Monday - Friday. Staff no longer have land lines. For a directory of staff cell phone numbers please see the Meet the Staff page on our website.

Stephanie Jolivette | Local Government Archaeologist
(preferred pronouns: she / her / hers)
Work Cell: 360-628-2755 | stephanie.jolivette@dahp.wa.gov

Department of Archaeology & Historic Preservation | www.dahp.wa.gov
1110 Capitol Way S, Suite 30 | Olympia WA 98501
PO Box 48343 | Olympia WA 98504-8343

From: Kevin Cricchio <kcricchio@co.skagit.wa.us>
Sent: Thursday, February 24, 2022 12:34 PM
To: 'agatam@nwcleanairwa.gov' <agatam@nwcleanairwa.gov>; Joe Amaro <jamaro@co.skagit.wa.us>; Bonnie LaCount <bonniel@co.skagit.wa.us>; Marote, Corrina (DOHi) <corrinam@co.skagit.wa.us>; Greg Geleynse <gregg@co.skagit.wa.us>; twoodard@samishtribe.nsn.us; Jackie Ferry <jferry@samishtribe.nsn.us>; DAHP SEPA (DAHP) <sepa@dahp.wa.gov>; Sandercock, Maria (ECY) <MARI461@ECY.WA.GOV>; Gresham, Doug (ECY) <DGRE461@ECY.WA.GOV>; Luerkens, Chris (ECY) <CLUE461@ECY.WA.GOV>; Leah Forbes <leahf@co.skagit.wa.us>; Betsy D. Stevenson <betsyds@co.skagit.wa.us>; Zimmerman, Ross (DNR) <Ross.Zimmerman@dnr.wa.gov>; Warinner, Robert J (DFW) <Robert.Warinner@dfw.wa.gov>; Cole, Wendy D (DFW) <Wendy.Cole@dfw.wa.gov>; 'roland.storme@wsdot.wa.gov' <roland.storme@wsdot.wa.gov>; Ronald.J.Wilcox@usace.army.mil; nortwest.region@dnr.wa.; Josephine Jefferson <jjefferson@swinomish.nsn.us>; sschuyler@UPPERSKAGIT.com; swalsh@skagitcoop.org; Jolivette, Stephanie (DAHP) <stephanie.jolivette@dahp.wa.gov>; ECY RE SEPA REGISTER <separegister@ecy.wa.gov>; Shawn D. Christensen <shawnc@co.skagit.wa.us>
Subject: Concrete Nor'West, Issued SEPA MDNS, PL16-0097 & PL16-0098

External Email

February 24th, 2022

RE**: Concrete Nor'West, Issued SEPA MDNS, PL16-0097 & PL16-0098**

Good afternoon all. Attached is an issued **SEPA Mitigated Determination of Non-Significance (MDNS),** associated with an application for a Special Use Permit to permit a gravel mine/quarry on the subject property(s). The applicant is Concrete Nor'West /Miles Sand & Gravel.

Supporting documentation for the issued SEPA MDNS can be found here:
https://skagitcounty.net/Departments/PlanningAndPermit/gravelmine.htm

Written comments must be received no later than **4:30 P.M. on March 11th, 2022**. If you have any questions, please let me know. Thank you.

Kevin Cricchio, AICP, ISA
Senior Planner

Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, Washington 98273
Phone: (360) 416-1423
Email: kcricchio@co.skagit.wa.us

My incoming and outgoing email messages are subject to public disclosure requirements per RCW 42.56.

From: Luerkens, Chris (ECY)
To: Kevin Cricchio
Subject: RE: Concrete Nor"West, Issued SEPA MDNS, PL16-0097 & PL16-0098
Date: Friday, March 11, 2022 4:37:53 PM
Attachments: image004.png
image006.jpg
image008.jpg
ECY MDNS cmts Concrete NorWest 2022.03.11.pdf

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Hello Kevin,

Please see the attached comments. I'm happy to discuss these if I have misunderstood any of the issues that I've mentioned regarding the wetlands/buffers. There are a lot of documents associated with this proposal.

Chris Luerkens | Shorelands & Wetlands Permit Specialist | Department of Ecology | ~~360-255-4399~~ | cell: 360-410-4807 |chris.luerkens@ecy.wa.gov

This communication is a public record and may be subject to disclosure as per the Washington State Public Records Act (RCW 42.56)

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Sent: Thursday, February 24, 2022 12:34 PM
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Subject: Concrete Nor'West, Issued SEPA MDNS, PL16-0097 & PL16-0098

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February 24th, 2022

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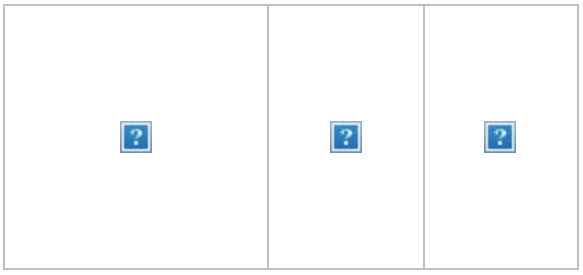

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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
Northwest Regional Office • 3190 160th Avenue SE • Bellevue, Washington 98008-5452 • (425) 649-7000
711 for Washington Relay Service • Persons with a speech disability can call (877) 833-6341

March 11, 2022

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

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

Dear Kevin Cricchio:

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

- Based on review Fish and Wildlife Assessment prepared by Graham-Bunting Associates, it is not clear if the wetland adjacent to the Samish River have been delineated as required in Skagit County Code (SCC) 14.24.200. Without an accurately delineated wetland edge it is unclear how the width of the wetland buffer will be identified.

- Based on the Graham-Bunting Associates Fish and Wildlife Assessment, it appears that the wetland along the Samish River was rated using the Ecology 2004 Wetland Rating Form. Section 14.24.210 of the County's Critical Areas Ordinance (CAO) requires that wetlands be rated according to Ecology's 2014 Wetland Rating System.

- The wetland along the Samish River has been rated as Category II wetland per the Graham-Bunting report. The proposed gravel mine would appear to be considered a high land use impact per SCC 14.24.230(1)(a), and therefore require a standard buffer of 300'. The Graham-Bunting report implies use of an optional buffer width, however, it is unclear how the proposed 200' buffer is consistent with the optional wetland buffer widths listed in SCC 14.24.230 (1)(b).

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

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

Sincerely,

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

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