

EXHIBIT A
COUGAR PEAK'S LIST OF PROPOSED CONDITIONS
Miles Sand & Gravel Special Use Permit (Grip Road)

In addition to the Special Use Permit conditions proposed in the Staff Report, Exhibit C-1 at 31, Cougar Peak LLC and the McLeod family propose the following conditions or revisions to staff-proposed conditions:

1. Prior to commencing operations, the applicant is required to file a certificate of compliance with the Hearing Examiner demonstrating completion of the following.
 - (a) The applicant shall install and maintain automatic traffic counters at the mine entrance to and from Grip Road and provide Skagit County monthly printouts of all traffic entering and exiting the mine, indicating time of day, type of vehicle and whether loaded or unloaded;
 - (b) Acquisition of right-of-way and construction of road widening and striping at any curve or corner on Grip Road to the standard shown on Figure B-6 of the County adopted Road Standards (Exhibit 18); the applicant shall obtain the written approval of the County Road Engineer for plan approvals, construction methods, and inspection of completed construction, which shall become exhibits to the record in this proceeding;

Nothing in this condition prevents the applicant from negotiating payment of a proportionate share of costs for the improvements to be completed prior to operation of the mine. This permit may be extended for twelve months in the event the applicant and the county have not reached agreement, provided regular monthly negotiations are continuing to identify road improvements and cost allocations.

2. The mine operation is limited to ingress and egress of trucks or truck/trailer combinations capable of transporting sand, rock or gravel from the mine in the amount of 11,900 trips per calendar year total (ingress and egress) (prorated in the year that operations commence). The average of 46 trips per day shall be determined based on this annual average (or prorated annual average in the first year of operation).
3. For extended hours, no more than six truck trips per hour are authorized (one every 10 minutes). The applicant's intended operation up to 30 trips per hour shall be authorized by the Directors of Public Works and PDS under "extended circumstances" only on rare occasions for periods of time not to last more than two hours per approval, not to exceed ten events per calendar year. In the event of emergencies, deliveries at that rate up to four hours per approval may be authorized based on a written statement of the emergency and the phone and email contact information for the contact person at the city, county, agency or public district requesting the emergency response. The trips for "extended circumstances" shall be counted against the limit on annual trips per year.
4. Between the weekday hours of 7:00 a.m. and 5:00 p.m., none of the truck or truck/trailer traffic capable of transporting sand, rock or gravel shall utilize any portion of Grip Road east or west of the mine during the time any private or public school bus is present on

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Grip Road on a regular schedule. For purposes of this condition and unless otherwise verified by the applicant based on published school bus schedules, it is assumed the school buses will be utilizing Grip Road between the hours of 6:45 a.m. and 9:00 a.m. and between the hours of 2:45 p.m. and 4:15 p.m (Exhibit 49, S-9).

5. The mine operator shall monitor truck or truck/trailer combination access to and from the Grip Road mine and adopt measures ensuring that no more than two trucks or combinations are present on any portion of Grip Road at any one time.
6. Within six months and prior to operation of the mine the Public Works Director shall conduct a study of speed limit safety on Grip Road, mail notice of the study availability for public comment to each taxpayer of record on Grip Road and Lillian Lane, and thereafter consider the reduction in posted speed limits by class of vehicle to 25 miles per hour in areas of driveways and school bus stops.
7. On portions not already being improved under Condition No. 1, above, the applicant shall widen driveway entrances on Grip Road within the Right of Way with a gravel or asphalt apron and culvert to standards approved by the Director of Public Works, if requested in writing by the driveway landowners.

[These conditions are, verbatim, the same as the conditions submitted by Cougar Peak and the McLeod Family to the Hearing Examiner on October 7, 2022, with two clerical corrections: (a) the paragraphs have been renumbered to correct a typographical error in the number sequence; and (b) the Staff Report is now identified by exhibit number.]