
From: Patrick Donnelly <corbinbeach@gmail.com>
Sent: Wednesday, May 5, 2021 4:04 PM
To: PDS comments
Subject: LR21-01
Attachments: ComLetterMRO.docx

Categories: Comment

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Please find attached my comments

Patrick Donnelly
7650 Delvan Hill Rd, Sedro-Woolley, WA 98284

Patrick Donnelly
7650 Delvan Hill Rd
RE:RL21-01

Dear Sirs

I recognize there are mineral resources on the Wiede property.

In 2016 if Weide was included in the GMA I would not have objected to the MRO if truck traffic was set to historic limits.

In 2017 under a GMA amendment C-20. Had I been allowed or was notified I would not have objected to the MRO if truck traffic was set to historic limits.

Now my concerns relating to Delvan Hill Rd and its rural character are in great jeopardy. Over the past 3 years we experienced excess truck traffic, this must stop. We need to address how this happen and what can be done to coexist.

I would agree that the MRO remains in place with very, very strict controls and conditions at 10 loads per week on Delvan Hill Rd. The County will possibly need to revise or develop SCC regs.

I do have several questions and concerns:

The non-conforming pre-existing use was a stated part of the inclusion of an MRO in 2017 without consideration of historic truckloads from the site and not imposing them as a condition of MRO. The County may have relied on the owners claim of a pre-existing non-conforming use without verification.

- (1) Also consider whether there was a DNR reclamation permit requirement under DNR surface mines if not required the site would fall under the Forest Pactices Act surface mining under 3 acres. Under Forest practices that meant rock use on same or contiguous property. No traffic on Delvan Hill Rd.
- (2) What permit were they operating under 2017 forward?
- (3) Distraction/Delay pjd Lot Certification PL16-0343. The timing of application and the statement that they didn't know in 2017 that they weren't included in the 2016 GMA. That and the well installed on the new parcel Unique Well APA 561 without permit filed. Dept of Ecology Mr Rose. Also an Addendum to PL16-0343 in 2018 which then included the mine. These issues distracted me and maybe alerted me.

Respectfully

Goals and policies it fails in many areas

An MRO is not a permit, so what permit were they operating under?

Was a forest conversion plan submitted, If so when

The lot-certification in 2016 with a water well installed the lot-certification later amended in 2018 to include the mine area before a pre-SEPA presented to County

Was this a distraction, it distracted me in 2016, Wiede was not included in the 2016 GMA. Had they been included in the 2016 GMA my comments would have been to allow MRO with truck traffic limits to historic level.

Was it a delay, had the Wiede property been included in discussions from 2005 thru 2016 they would not have meet the necessary criteria. However by waiting, if it was'nt just a error'. they were able to in 2017 fall under the new notification reporting requirements. And the new SCC codes. The County failed to notify property owners.

From: Nancy Hoefer <nancyhoefer54@gmail.com>
Sent: Wednesday, May 5, 2021 11:23 AM
To: PDS comments
Subject: Mining traffic on Delvan Hill Road

Categories: Comment

Good morning, my husband and I live on Delvan Hill Rd. We are very concerned with the noise and other problems associated with heavy trucks on our narrow country road. This year we have seen many families walking by with their children and dogs. Some live on Collins Rd, but all find our quiet dead end road a safe place to walk. Many homes are backed by Thompson Creek so were built fairly close to the road and like us, if the road was widened, would possibly have trucks in their living room! Jack had given Pam Carpenter and I permission to run on his property many years ago. I stopped running there because I was nervous about our dog stepping in all the small liquid pools of various colors and viscosity, which brings me to the question of who would be checking on environmental issues at the pit? Sorry to be so long winded. Thank you for your work and please vote yes to control mining on Delvan Hill. Nancy Hoefer

From: Wende D <dolstads@hotmail.com>
Sent: Tuesday, May 4, 2021 9:35 PM
To: PDS comments
Subject: LR2101

Categories: Comment

Regarding Delvan Hill Road and the Weide non-conforming use mine. I have lived on this road since 1979. Wow, that is 40 years. Jack Weide used to log the property he owned, on a fairly small scale. Maybe an average of 10 truck loads a week over the year. Very occasionally there were loads of gravel. It is my understanding that he was allowed to mine gravel for use on his property. The trucks were a bit of a nuisance, but Jack was a good neighbor and his quantity of truck traffics could be tolerated. In more recent years, there are more houses on our small road and more children, more animals. All creating more concerns for truck traffic. The road is about 1.5 lanes wide, the houses are mostly close to the road. There is a 90 degree turn on the road. This road and neighborhood should not be subject to an increase in mining and truck traffic. Please pass our concerns on to the planning commission to regulate truck traffic on Delvan Hill Road to a maximum of 10 trucks a week. I realize that the Weide dependents will not make as much money, as quickly, but they will make enough, just like Jack did for so many years.

Thank you for your consideration

Wende Dolstad
7650 Delvan Hill, Sedro-Woolley, WA. 98284

Sent from my iPad

From: Rita Rolph <mysticalcatering@icloud.com>
Sent: Tuesday, May 4, 2021 8:13 PM
To: PDS comments
Subject: Delvan Hill sedro Woolley

Categories: Comment

My name is Rita Rolph
7759 Delvan Hill sedro

Am discussing the Nelson company that wants to run so many trucks through our road. I live in the middle of the hill can't see going over can't see coming down. With the amount of truck they want to use we will Never be able to breath in our home the exhust is incredible. The noise is defining. There shifting gears in the middle of our home. I have 6 grand babies under 6 we use the field across street for everything. We have Salmon that spawn in our creek behind us. We have every wild animal possible. This will effect us greatly and our home. We have lived here 25 years we love our home. They will take 1/2 my yard to widen rd and where does that leave the residents of Delvan hill with Nothing. They Weill ruin our way of life and they get to profit from it all. And not one of the property owners or the truck company live up here. What about Us. Sincerely Rita Rolph. 360-421-2786

Sent from my iPad

From: JDale Weide <weidelog@yahoo.com>
Sent: Wednesday, April 28, 2021 5:07 PM
To: PDS comments
Subject: Petition LR21-01
Attachments: Signed Commissioner letter.jpg

Categories: Comment

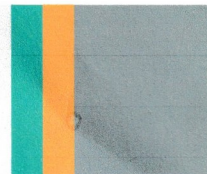
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Barbara Weide
22776 Mosier Rd
Sedro Woolley, WA 98284

Will be addressing the removal of this petition from the docket

The attached letter was already sent to the commissioners.

Weide Quarry Owners
P.O. Box 248
Sedro Woolley, WA 98284
weidelog@yahoo.com



April 15, 2021

Skagit County Commissioners
1800 Continental Place, Ste 100
Mount Vernon, WA 98273

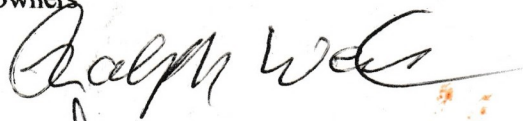
Dear Commissioners Wesson, Dahlstedt, and Janicki,

In regards to petition LR21-01 submitted by some residents of Delvan Hill Rd for removal of the MRO designation from the Weide Quarry and a 3-year moratorium, we request that this petition be DENIED and removed from consideration under the upcoming County Comprehensive Plan Amendment 2020/2021 docket process. The MRO was originally placed on our property during the initial GMA planning in the County as the land has substantial good quality rock resources as verified by a mineral land appraisal by geologists hired by the County back in 1994. However, subsequently during the 2005 Comprehensive Plan update County staff member John Cooper somehow managed to have the designation removed without following proper procedures and without notifying the owners of the property. Cooper deemed the rock unusable without ever visiting the site. Upon further review of the County files, and lack of proof of any letter being sent to the owners, and actually visiting the site, Cooper requested a correction in 2017 to restore the MRO designation on the property, therefore, there was no reason to notify the Delvan Hill neighbors of the correction. We thank the Commissioners for doing the right thing and restoring the MRO at that time.

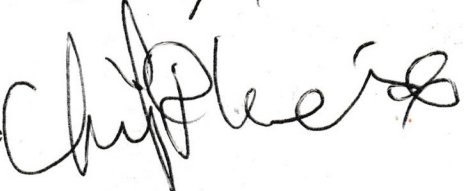
In keeping with the County's growth management plan, this quarry has an important natural resource of long term commercial significance located in close proximity to developing areas of Skagit County. This resource would be beneficial for the County and any expansion of the pit in the future requires full review under a Special Use Permit which would require a public process to address concerns of neighbors. We request that the MRO designation on this property be retained.

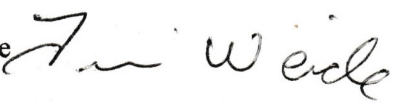
Sincerely,

Weide Quarry Owners

Ralph Weide 

Dale Weide 

Chip Weide 

Tim Weide 

From: Ellen Bynum <skye@cnw.com>
Sent: Wednesday, April 28, 2021 9:21 AM
To: PDS comments; Peter Gill
Cc: Commissioners; Tim Raschko; Randy Good; Lori Scott; Andrea Xaver; FOSC Office
Subject: Fwd: Comments Skagit County's 2021 Docket of Proposed Policy, Code and Map Amendments CORRECTED AND REVISED

Follow Up Flag: Follow up
Flag Status: Completed
Categories: Comment

Dear Peter:

We submit below a corrected and slightly revised letter of comments.

Thanks for your time and help.

Ellen

Begin forwarded message:

From: Ellen Bynum <skye@cnw.com>
Date: April 27, 2021 4:17:00 PM PDT
To: Skagit Planning & Development Services - Comments
<pdscomments@co.skagit.wa.us>
Cc: "Katie L. Williams - Commissioners" <kwilliams@co.skagit.wa.us>, T
Raschko - SCPC <timr@co.skagit.wa.us>, Randy Good
<rlgood30@frontier.com>, Lori Scott <srsracing@frontier.com>, Andrea Xaver
<dancer@fidalgo.net>, FOSC Office <friends@fidalgo.net>
**Subject: Comments Skagit County's 2021 Docket of Proposed Policy,
Code and Map Amendments**

April 25, 2021

From: Friends of Skagit County

PO Box 2632

Mount Vernon, WA 98273-2632

To: Peter Gill

Skagit County Planning & Development Services

1800 Continental Place

Mount Vernon, WA 98273

RE: Comments on proposed amendments to the 2021 Comprehensive Plan update.

Dear Peter:

Attached are comments submitted by Friends of Skagit County on the 2021 proposed amendments to the Skagit County Comprehensive Plan. In this letter we provide comments independent of the staff recommendations and we appreciate reviewing the staff reasoning for their recommendations to the Board of County Commissioners.

Since there is no open public hearing scheduled on the 2021 CP updates docketing, we assume this is the opportunity to submit comments concerning all of the proposed amendments. In the interest of time, please read the comments on LR20-05 Fully Contained Communities into the record first, then LR21-03, LR21-02 and the other submitted comments as time permits.

PL19-0396 Buchanan Acres Map Amendment and Rezone

Exclude. LAMIRD boundaries cannot be expanded beyond 1990 boundaries and even if that were possible, Lot 9 is the conservation and reserve portion of the CaRD and cannot be rezoned or separated from the other lots as an integral component of the CaRD.

PL19-0419 Nielsen Brothers Map Amendment and Rezone

Exclude. GMA explicitly requires the identification and protection of natural resource lands including Ag-NRL. Non-conforming uses do not change the requirement to protect the Ag-NRL zoning.

LR20-02 Small Scale Business Zone Use Modification

Include.

LR20-05 Fully Contained Community.

Exclude.

FCCs are considered urban growth areas per RCW.36.70A.350 (2). GMA requires counties to allocate 20-year population projections between cities/towns, their Urban Growth Areas (UGAs) and to the rural County lands each year. Cities and towns accommodate increased populations by allowing additional development inside city/town limits and in UGAs. Until the cities, towns and UGAs are unable to take additional development, there is no need to consider FCCs in Skagit County.

GMA prohibits plans that allow urban development outside of cities, towns and UGAs.

UGAs cannot exceed the area needed to accommodate the growth management planning projections, plus a reasonable land market supply factor, or market factor. If UGAs must be properly sized and cannot be “over-sized”, the County has no need to change the Comprehensive Plan, countywide planning policies or development codes to permit FCCs.

RCW 36.70A.350 outlines the process for establishing FCCs. The requirements under this section do not appear to allow a piecemeal process. The RCW does not appear to allow for the adoption of changes to the Comprehensive Plan without following the process for population allocation. Assigning an arbitrary population figure does not follow the process for population allocation under the RCW for FCCs.

RCW.36.70A.350 (2) states “...Final approval of an application for a new fully contained community shall be considered an adopted amendment to the comprehensive plan prepared pursuant to RCW36.70A.070 designating the new fully contained community as an urban growth area.”

The RCW does allow reserving a portion of the 20-year population projection to establish FCC; however, **the portion reserved for the FCC is removed from the UGA allocation.** (emphasis added).

The staff report stated that “ Because it is master planned, an FCC does not have the constraints of the existing major UGAs for accommodating, larger, high density developments as infill projects.” Nothing in the GMA RCWs says this is the case. Environmental regulations for critical areas and development regulations for UGAs would apply to FCCs because they are considered UGAs.

The GMA’s only reference to “master planned” is for master planned resorts where residential development must be related to the on-site recreational nature of the resort.

Like any urban growth area, FCCs would be eligible to be annexed into cities/towns.

FCCs are not just residential developments. RCW 35.70A.350 lists criteria for FCCs and includes at (1) (d) “... A mix of uses is provided to offer jobs, housing and services to the residents of the new community;...”.

The GMA, Skagit County Comprehensive Plan, policies (CPP) and codes discourage residential development in resource lands. CPP 8.9 further states that the “principal and preferred land uses will be long term commercial resource management” on natural resource lands.

Under GMA, cities, towns and their UGAs are identified as areas for development. RCW 36.70A.110 Comprehensive plans – Urban growth areas – “.... (3) Urban growth should be located first in areas already characterized by urban growth that have adequate existing public facility and service capacities to serve such development, second in areas already characterized by urban growth that will be served adequately by a combination of both existing public facilities and services and any additional needed public facilities and services that are provided by either public or private sources, and third in the remaining portions of the urban growth areas. Urban growth may also be located in designated new fully contained communities as defined by RCW 36.70A.350.”

The population projection is the key starting point for determining the amount of land that is needed and appropriate for future growth, not vice versa.....A County’s UGA designation cannot exceed the amount of land necessary to accommodate the urban growth projected by OFM, plus a reasonable land market supply factor. RCW36.70A.110; RCW 36.70A.115 *Thurston County v. Western Washington Growth Management Hearings Board*, 164 En.2d 329, 350 (2008).

RCW 36.76A.350 New fully contained communities lists criteria for reviewing proposals to authorize new FCCs located outside of the initially designated urban growth areas.

At “...(1) (c) **Buffers are provided between the new fully contained communities and adjacent urban development;...**”. This requirement shows that FCCs must be adjacent to existing urban development, not located away from UGAs in a county’s rural area or on resource lands. **(Emphasis added)**.

(2) New fully contained communities may be approved outside established urban growth areas only if a county reserves a portion of the twenty-year population projection and offsets the urban growth area accordingly for allocation to new fully contained communities that meet the requirements of this chapter. Any county electing to establish a new community reserve shall do so no more often than once every five years as a part of the designation or review of urban growth areas required by this chapter. The new community reserve shall be allocated on a project by project basis, only after specific project approval procedures have been adopted pursuant to this chapter as a development regulation. When a new community reserve is established, urban growth areas designated pursuant to this chapter shall accommodate the unreserved portion of the twenty-year population projection....” **(emphasis added)**.

As long as Skagit County, its cities and UGAs can accommodate the annual state population projections there is no need to create an FCC or another stand alone Urban Growth Area. Skagit County should not change the Comprehensive Plan, Development Regulations and CPPs to allow FCCs.

LR20-05 Public Notice Ammendment for MRO extraction areas.

Include.

LR20-06 Outbuildings in Rural Zones.

Exclude.

LR20-07 Accessory Dwelling Unit Code Amendment.

Exclude.

LR20-08 MRO review.

Exclude. We request a full review be done at the next multi-year Comprehensive Plan update.

LR21-01 Delvan Hil Road Weide Quarry C-20 MRO reconsideration and moratorium.

Exclude.

LR 21-02 Clarify CaRD Land division and reserve function.

Include.

Additional background information:

Friends of Skagit County v. Skagit County No. 98-2-0016 Petition for Review, WWGMHB, 1998.

B. Requirements of The Comprehensive Plan

“ In Skagit County the Countywide Planning Policies (CPPs) are also Comprehensive Plan policies. CP, Part IV, Appendix K incorporated by CP at 1. The CPPs state that rural development should “have limited impact” on resource lands. CPP 2.3, 1997. Residential development “shall be made in a manner consistent with protecting natural resource lands.” CPP 4.6.....The CPPs require residential uses to be subservient to natural resource land uses..... Residential development shall be strongly discouraged within designated forest lands.” CPP 5.9 (emphasis added in the original).Principal and preferred land uses will be long term commercial resource management in designated NRLs. CPP 5.11. The CPPs state “natural resource lands shall be protected by restricting conversion.” CPP 8.1.

.....Even the CaRD subsection of the Comprehensive Plan recognizes the importance of protecting natural resource lands. Objective 5 in the CaRD subsection of the CP at 4-37 seeks to “create development patterns that provide...natural resource land and critical area conservation and protection.” The intent of a CaRD land division is to “buffer areas to reduce land use conflicts and minimize the loss of designated natural resource lands.” CP Policy 1.2.2 at CP4-37. Open space in natural resource lands must be either “set-aside as a conservation easement in perpetuity” or set-aside as a condition/covenant/restriction (CCR) “which removes the development right on such lands” until the land is no longer designated as natural resource lands. CP Policy 1.8.1 and 1.8.2 at 4-40.”

This appeal of the short CaRD subdivision ordinance states that the CaRD Ordinance is an implementing regulation. RCW 36.70A.040(3) and must assure that building lot clustering and alignment does not complicate access, normal field operations or harvesting on natural resource lands.

In addition the appeal cited CPP 7.4 which “requires implementing codes to “provide clear regulations to reduce the possibility of multiple interpretations by staff and applicants.”. The appeal challenged whether the building lot placement was required to minimize potential impacts on “adjacent properties” within natural resource lands. It was unclear whether the remainder portion of the subdivided property was protected from potential impacts.

It is unclear whether the current CaRD land division policies uphold and comply with the original intent to identify and protect natural resource lands and restrict inappropriate development in rural lands. We are especially concerned that the remainder portion of the set-aside as a land reserve can be re-designated through a comprehensive plan amendment.

We urge staff, County Commissioners and Planning Commission members to review the existing policies and codes with the original documents and WWGMHB decisions and propose changes needed to uphold the GMA.

LR21-03 Prohibit **additional** mitigation banks and use of Skagit mitigation banks by other counties.

Include with suggested modifications.

We withdraw the request for moratorium on future wetland banks. We modify the request to be only a revision to code to specify wetland mitigation bank credits be used for development applications within Skagit County. The concern stems from the proposed Bellingham Urban Mitigation Bank’s map of its service area to include parts of northern Skagit County. While the operations and oversight of wmb is by the U.S. Army Corps of Engineers and the WA State

Dept. of Ecology, the area for the location as well as the use of credits should be decided by local municipal governments since they control the planning and permitting process that may make mitigation necessary

LR 21-04 Ag processing facilities in BR-Light Industrial.

Include.

Friends supports efforts to locate additional food production and distribution in the BR-LI zone, keeping Ag-NRL prime soils in production which prevents conversion of farmland to other uses.

LR21-05 Expand pre-existing natural resource-based uses in Ag-NRL.

Exclude.

C21-1 2020 Comprehensive Parks and Rec Plan

Include with corrections attached at the end of this document.

C21-2 SEPA Determination Reviewing Timing

Include.

C21-3 Hamilton Zoning & Comprehensive Plan updates

Include.

C21-4 Front setback to include Class 19 roads.

Include.

C21-5 Pre-Application Requirement

Include.

C21-1 2020 Comprehensive Parks and Rec Plan

Suggested Corrections.

1. The Skagit County Parks and Recreation Plan has used data and information from the Skagit County UGA (Urban Growth Areas) Open Space Concept Plan completed as part of a settlement agreement when Friends challenged whether the County had complied with a section of the GMA that required the county to identify open space in and between UGAs. The plan was not intended to address all open space in the county, nor was it intended to be used without any update process to guide the cities and county's subsequent decisions on open space within and between UGAs.

The legal definition of UGAs includes the areas within cities or towns limits and the nearby unincorporated areas of the county that have been identified for future growth in the city and county planning process.

We urge SCPR to add the complete and correct name of the study (as above) as well as to add language to more accurately reflect that it was a concept plan for meeting the requirements of GMA and may be used for future planning of open space within and between UGAs.

2. Any update of the SCPR plan should reflect accurate and current data. Table 3-1 Summary of Park and Recreation areas in Skagit County lists as the source of the data the “SC UGA Open Space Plan, B-47”. The original text lists SCPR acres owned as 1,710, not 2,235 shown in the SCPR document. Further the data in the SC UGA Open Space Plan is more than 12 years old. SCPR should update their plans with current data and cite the sources of the data.

3. The SCPR plan states at page10-12: “...The Skagit County Planning Department has full review of potential open space areas. The UGA Open Space Concept Plan was forwarded to the Planning Commission and approved by the Board of County Commissioners in 2009. The plan should act as an extension of this parks and recreation plan...”. The SC UGA Open Space Concept Plan is not and should not be considered an extension of the SCPR plan. The SCPR can use the plan as a conceptual guide to complete additional planning or as a reference for information included in the SCPR Comprehensive Plan.

4. The SCPR CP uses the words “open space” generically. The definition of Open Space in the Skagit County 2016 Comprehensive Plan should be used for consistency in this plan:

“ **Open space:** any land area, the preservation of which in its present use would conserve and enhance natural or scenic resource; or protect streams or water supplies; or promote conservation of soils, wetlands, beaches or tidal marshes; or enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations, sanctuaries or other open space; or enhance recreational opportunities; or preserve historic sites. Public open space is publicly owned land that has been or will be set aside for open space and recreational use. Private open space is privately owned land that has been or will be set aside by operation of the Critical Areas Ordinance, by voluntary conservation, or by land reserve easements. Current use open space taxation program includes properties utilized for agriculture, timber , and open space uses provided in Chapter 84.24 RCW.”

SCPR should use the same definitions in the SC Comprehensive Plan for consistency and to clarify the inevitable confusion created by using more than one definition.

Thank you for your time and assistance. Should you have questions or need additional information please contact us.

Yours sincerely,

Ms. Ellen Bynum

Executive Director

cc: Friends of Skagit County Board; FOSC Office; Skagit County Board of County Commissioners; Skagit County Planning Commission.

Below are comments received after Wednesday, May 5th at 4:30PM.

From: Peter Gill
Sent: Thursday, May 6, 2021 10:52 AM
To: PDS comments
Subject: FW: PDS Comments - Delvan Hill

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Wednesday, May 5, 2021 5:25 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Donald Mann
Address : 7524 Delvan Hill Rd
City : Sedro Woollley
State : WA
Zip : 98284
email : mann5440@yahoo.com
PermitProposal : Weide Mining Proposal
Comments : Planning and Development Services,

I am writing to express my concerns regarding the proposed mining development on the Weide property on Delvan Hill Road. I have lived at my current address, 7524 Delvan Hill Road, since 1988.

My understanding is that Mr. Jack Weide, the previous owner, gifted the property to his sons a few years ago. I have known Jack since I moved here. He was not a perfect neighbor, but he was a good neighbor. He sold rock on an infrequent basis out of a small quarry on the property, he stored explosives and I believe rented explosive storage to others, he logged some of his property; he also for a time collected large volumes of building demolition debris and burned it (the imperfect part of his neighborliness). He also was friendly, we've had many long conversations about working in the woods, hiking, his granddaughter and my son went to school together. With his equipment he's pulled my tractor out of a ditch, and done site preparation for several people on the road. He's always made an effort to maintain the private section of our unpaved road, and more than once cut the brush back on my section of road. He's managed to make a little money off of his property and been a good neighbor.

In January of 2020 I was invited to a meeting by the current Weide owners and Nielsen Brothers Logging to discuss a proposed mining development a short distance from my property. I learned that they hope to extract 2,500,000 cubic yards of rock from three rock knobs on their property. The likely result of that operation would be approximately 100 dump trucks per day passing my mailbox for perhaps the next 25 years. At the conclusion of the meeting one of the Weides stated that they were "... just trying to make a return on their investment", property that they said had been purchased in the mid 1960's. Up to that point I was listening, not enthusiastic about the project, but I was listening. At that point, someone that I doubt had been born at the time of the property's original purchase saying they were just trying to make a return on their investment, I realized that their motivation was primarily self-interest.

Since then I've learned a few other things about their proposal.

It appears that a few years ago the new Weide owners made an adjustment to tax lots. They also petitioned for some of their property to receive a mineral resources overlay. By modifying the tax lots they were able to avoid notifying neighbors (distance limitations) when they petitioned for the mineral resources overlay. I think that

was intentional.

Shortly after the meeting dump trucks were frequently hauling loads of rock down Delvan Hill Rd. Neighbors contacted the county and it appears that the existing quarry operation was not permitted, or their activities exceeded what was permitted. They were told they could haul the rock that had been crushed and stockpiled, and/or they were told not to haul more than had occurred historically. The permit allowed for the rock to be used on that property or adjacent forest property, so it seems odd that it was allowed to be moved off Delvan Hill at all. At about that time a “No Trespassing” sign went up on Delvan Hill Road north of my driveway where the private portion of Delvan Hill Road enters the Weide property. Many people, for many years have walked on that road (it provides access to hundreds of acres of undeveloped land and trails) to hike, walk dogs, and jog. It seemed to be retribution for not bowing to their wishes.

One of my neighbors is contesting the process that granted the mineral resource overlay; and, requesting that the mineral resource overlay be reviewed and existing mining operations halted or reduced to their historic level. Historically Jack Weide sold rock infrequently, it seemed most often during the winter for flood control projects, and very occasionally a truck or two during the rest of the year.

I love the rural environment and have lived at my current address for over 30 years. I have seen black bear and bob cats. Neighbors have seen mountain lion, deer are a daily visitor, and coyotes sing every full moon. Even with the lawn mowers, barking dogs, and target practice, it is peaceful. I believe many of my neighbors feel the same way. A hundred dump trucks a day will end that. The environmental impacts on the wildlife will be significant. I am concerned about the potential impacts on ground water. We are all on wells. What is the potential that years of drilling and blasting may affect the water? Many people’s wells are tenuous. Thomas Creek, near the project site, is a salmon bearing creek.

I think back to the Weide Brothers/Nielsen Brothers meeting in January 2020. It was suggested that the rock could be hauled out to the north to Grip Rd. The immediate response was, “... can’t be done, you’d need to bridge Thomas Creek, can’t be done because it’s salmon bearing... too expensive...”

We were told there would be 50 – 60 trucks a day and when we asked was that loaded trucks, they weren’t sure. We pointed out that 50 – 60 loads a day meant 100 – 120 trucks a day, one way in one way out, they kind of shrugged their shoulders.

And after the meeting they soon started hauling rock, without the proper permits. And when someone complained up went the no trespassing sign in retribution.

Jack Weide, the previous owner was able to extract resources, make a little money and be a good neighbor. I have no confidence that the current owners care about being good neighbors. I don’t believe they care about being good stewards of the land. They’re interested in, “... getting a return on their investment.” What I’d like to know is what about my investment? What about my neighbors’ investments? My home is my single largest asset. I can’t imagine that this mining proposal won’t have a negative impact on my home value, and my neighbor’s home values, and the quality of their lives.

Since 1992 (taxes for 1988- 1991 aren’t on-line) I’ve paid \$110,721.76 in property tax to Skagit County. Who’s looking out for my interests? Will the county lower my assessment if this project is approved? Will they lower my neighbors? Will this loss of revenue be exceeded by what the county will collect from the mining operation?

Who’s looking out for the environment’s interest?

Sincerely,

Donald Mann

mann5440@yahoo.com

360 391 4914

From Host Address: 50.34.171.67

Date and time received: 5/5/2021 5:23:55 PM