

13664 Rosario Road
Anacortes, Wa 98221
April 8, 2020

RECEIVED
AUG 12 2020
SKAGIT COUNTY
PDS

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

RE: Objection to PL16-0556 Special Use Permit Application

ATT: Mr. John Cooper, Senior Planner

Dear Mr. Cooper,

I am submitting this letter with the anticipation that the deadline of April 7th, 2020 deadline @ 4:30 has been extended for public comment due to the restrictions of public gatherings.

There are legitimate concerns about the current proposal to the expansion of the gravel pit on Rosario Road. Our concerns are the following:

1. **Gravel Truck Traffic:** In order to deliver the aggregate to market, gravel trucks are used to haul the materials. These trucks have a capacity of between 11 and 22 tons depending on the number of wheels and the physical size of the unit. For delivery of the estimated 60,000 Tons annually, that means numerous trips per day of noisy large gravel trucks up and down Rosario Road. When merge times are added for existing vehicle use, the result of this traffic increase will cause gridlock for everyone using Rosario Road as well as a potential danger to the many school buses that travel on the same route.
2. **Air Pollution:** Besides the traffic problems which will be created by such an enterprise there will be an immense increase in exhaust gases produced by this large number of trucks. Additionally, fugitive Dust Emissions are also generated from the plant yard due to vehicular traffic and wind. This dust settles on vehicles during loading operation and is then blown off as the truck moves down the highway. This fugitive dust is then deposited on the highway where it is then spread by all vehicles in the air as the tires pick it up. The dust is then in the air to be

July 28, 2020

RE: Mining Special Use Application PL16-0556.

Plea to Deny Mining Special Use Application PL16-0556

RECEIVED
JUL 31 2020
SKAGIT COUNTY
PDS

SKAGIT COUNTY PLANNING AND DEVELOPMENT SERVICES

Staff Contact: John Cooper, Senior Planner.

John Cooper, LG, LHg

Geologist/Hydrogeologist/Natural Resource Planner

Skagit County Planning and Development Services

1800 Continental Place

Mount Vernon, WA 98273

Dear Mr. Cooper,

I am writing to you regarding the Mining Special Use Application PL16-0556. I am asking the county to deny the approval of this mining expansion at the Lake Erie Pit mining operation on Fidalgo Island. The Lake Erie Pit mine is asking to expand from 17.78 acres to approximately 53.5 acres. The gravel mining operation proposes to remove approximately 3,600,000 tons of gravel over a 60 year period. This is a request to vastly expand the Lake Erie pit mining operation in what is currently a quiet, mainly residential neighborhood.

I am deeply concerned about the serious negative environmental impacts that result from aggregate pit mining and how the major expansion being requested by the Lake Erie Pit mine will affect our quiet and natural neighborhood on Fidalgo Island.

Pits and quarries disrupt the existing movement of surface and ground water. They interrupt the natural water recharge and can lead to the reduced quantity and quality of drinking water for residents and wildlife near or downstream from a quarry site. The Lake Erie Pit mining operation will remove all natural vegetation, top soil, and sub soil and immediately lead to the loss of all existing wildlife in the affected area. It will lead to the loss of huge biodiversity as the plants and aquatic habitats are destroyed.

Destroyed ecosystems and source water aquifers are irreplaceable. The landscape of Fidalgo Island will be forever blotted with destruction and suffer permanent negative environmental impacts. For those of us living in the community, the potential degradation of our natural water systems and the destruction

of our natural environment are real and pressing concerns

In addition to the physical destruction of Fidalgo Island, I am also deeply concerned about the daily barrage of blasting noise, equipment noise, dust, and exhaust produced by the requested major expansion of the Lake Erie Pit. The destructive activities from the Lake Erie Pit will negatively impact the air quality of all of the residents that live nearby and degrade the quiet enjoyment of our homes and residential neighborhood for years to come. I am concerned that the major expansion of the Lake Erie Pit Mine's destructive activity will also lead to negative impacts on the values of our homes and the desirability of our neighborhood. I am also concerned that the major expansion of destructive activity, noise, and dust will decrease the public's quiet, recreational enjoyment of Lake Erie, a valuable Skagit County natural asset.

Please consider the destruction of our environment and the negative impacts on our neighborhood and the surrounding areas and deny the Mining Special Use Application PL16-0556 expansion of the Lake Erie Pit mining operation on Fidalgo Island.

Thank you,

A handwritten signature in black ink, appearing to read 'Abby Jacobs', with a long, sweeping horizontal line extending to the right.

Abby Jacobs

13159 Deane Drive

Anacortes, WA

Patricia Winkler
12664 Rosario Rd
Anacortes, WA 98221-8528

RECEIVED

AUG 12 2020

SKAGIT COUNTY
PDS

August 7, 2020

I would like to add an addendum to my initial letter of 4/8/2020.

The number of animals that will be killed or injured will increase. We have already seen 700 too many dead animals on Roanoke.

Drivers seem to think that the speed limit does not apply to them as well as the law prohibiting texting and driving. Thanks -

Mrs. Winkler

From: John Cooper
Sent: Friday, August 28, 2020 2:16 PM
To: jtc27@hotmail.com
Subject: FW: Lake Erie Pit Mine Expansion

From: Brian Wetcher [brwetcher@gmail.com]
Sent: Friday, August 21, 2020 1:11 PM
To: John Cooper
Cc: 'Marlene Finley'; tom.glade@comcast.net; 'Jan Heald Robinson (EvergreenIslands)'
Subject: Lake Erie Pit Mine Expansion

Mr. Cooper- I was recently informed of the Hearing Examiner hearing this coming Wednesday concerning the Lake Erie Pit Mine Expansion. Looking back through the record I could not find any public record of public hearings or public review. How did this decision arrive at the Hearing Examiner review level without significant public review on record? The permit status page shows various approvals issued for this proposal since the initial request for approval (2016?) but not how or why those approvals were given, nor any reference to public review procedures. Would you please send me the permit file for this proposal? I am having a hard time understanding how we got to a Hearing Examiner without prior public hearings and review. Thank you, Brian Wetcher

From: John Cooper
Sent: Friday, August 28, 2020 2:12 PM
To: jtc27@hotmail.com
Subject: FW: Notice of Public Hearing : Mining Special Use Application PL16-0556

From: Clark, Shannon (DNR) [SHANNON.CLARK@dnr.wa.gov]
Sent: Thursday, July 23, 2020 12:52 PM
To: John Cooper
Cc: Crapo, Hollis (DNR); Klingbiel, David (DNR)
Subject: Re: Notice of Public Hearing : Mining Special Use Application PL16-0556

Mr. Cooper-

Portions of the mining expansion listed below appear to be on forest land, and the activity would constitute a conversion. The proponent may need to obtain necessary permits for this activity from the Department of Natural Resources.

Thanks

Shannon Clark

From: John Cooper <johnc@co.skagit.wa.us<<mailto:johnc@co.skagit.wa.us>>>
Sent: Thursday, July 23, 2020 10:56 AM
To: Ranten, Steven (DNR) <STEVEN.RANTEN@dnr.wa.gov<<mailto:STEVEN.RANTEN@dnr.wa.gov>>>;
'LibbyB@cityofanacortes.org' <LibbyB@cityofanacortes.org<<mailto:LibbyB@cityofanacortes.org>>>;
'jessb901@yahoo.com' <jessb901@yahoo.com<<mailto:jessb901@yahoo.com>>>; Gresham, Doug (ECY)
<DGRE461@ECY.WA.GOV<<mailto:DGRE461@ECY.WA.GOV>>>; 'abbyjacobs@live.com'
<abbyjacobs@live.com<<mailto:abbyjacobs@live.com>>>; 'sherryhill@live.com'
<sherryhill@live.com<<mailto:sherryhill@live.com>>>; 'brinkley.m.meyers@gmail.com'
<brinkley.m.meyers@gmail.com<<mailto:brinkley.m.meyers@gmail.com>>>; 'tmoser@advocateslg.com'
<tmoser@advocateslg.com<<mailto:tmoser@advocateslg.com>>>
Subject: Notice of public hearing

NOTICE OF PUBLIC HEARING
THE SKAGIT COUNTY HEARING EXAMINER WILL HOLD A PUBLIC HEARING ON WEDNESDAY, August 26, 2020, AT 9:00 a.m. OR SOON THEREAFTER FOR THE FOLLOWING:
PUBLIC HEARING

Mining Special Use Application PL16-0556. Lake Erie Pit 1, LLC requests the expansion of an existing mining operation from 17.78 acres to approximately 53.5 acres. The gravel mining operation proposes to remove approximately 3,600,000 tons of gravel over a 60 year period. The site is accessed from Rosario Road. No offices or structures are proposed to be built onsite. The mining operation will process

material onsite with a screen and rock crusher. The subject site is located within the Rural Resource-Natural Resource Land zoning/comprehensive plan designated area and designated within the mineral resource overlay. Staff Contact: John Cooper, Senior Planner.

LOCATION OF PROPOSED DEVELOPMENT:

The proposed mining expansion is located south of the intersection of Rosario Road and Marine Drive, Fidalgo Island, within a portion of Section 11, Township 34 N, Range 1, E W.M., situated within Skagit County, Washington. (Parcels P19108, P19155, P19158, P90028, P19161, P19164, P19165 & 19162).

Applicant/Contact:

Lake Erie Pit 1 LLC
Attn: Bill Wooding
13540 Rosario Road
Anacortes, WA 98221

SKAGIT COUNTY PLANNING AND DEVELOPMENT SERVICES

1800 CONTINENTAL PLACE

MOUNT VERNON, WASHINGTON 98273

360-416-1320

BY PROCLAMATION OF THE GOVERNOR OF THE STATE OF WASHINGTON: MEETINGS WILL BE TEMPORARILY HELD REMOTELY. IN-PERSON PUBLIC MEETINGS HAVE BEEN PROHIBITED. Your views for or against the requests are invited either by attendance or letter. To participate in the public hearing call 1 (872) 240-3311 (Access Code: 112-608-053) or join by link <https://global.gotomeeting.com/join/112608053>.

If you would like to speak at the hearing, please contact Stevee Kivi at (360) 416-1740 or skivi@co.skagit.wa.us<<mailto:skivi@co.skagit.wa.us>> to sign up.

Your views for or against the request are invited either by attendance or letter. Comments must be received by this office no later than 4:30 p.m. Tuesday, August 25, 2020 or be presented at the public hearing. Email correspondence will not be accepted however comments may be submitted with the PDS website under the current legal notices tab. Staff Contact: John Cooper, Senior Planner.

John Cooper, LG, LHg
Geologist/Hydrogeologist/Natural Resource Planner
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273
johnc@co.skagit.wa.us<<mailto:johnc@co.skagit.wa.us>>
(360) 416-1334

From: John Cooper
Sent: Friday, August 28, 2020 2:24 PM
To: jtc27@hotmail.com
Subject: FW: Staff report for Lake Erie Mining Expansion

From: jess brown [jessb901@yahoo.com]
Sent: Saturday, August 22, 2020 7:04 AM
To: John Cooper; Stevee Kivi
Subject: Re: Staff report for Lake Erie Mining Expansion

RE: Special use Permit Application P116-0556: Lake Erie Mining Expansion

To whom it may concern:

My name is Jessie Brown and I own the residence located at 13060 South Wildwood Lane. My residence is approximately 75 yards from the proposed mining site and my driveway exits on Rosario Road directly across from the entrance from the Lake Erie pit, the site of the proposed mining operation (and where these operations have been ongoing since I purchased my property 11 years ago in 2009).

I would like to speak in full, complete and overwhelming support of the proposed mining permit.

When I purchased my property in 2009 I knew I was purchasing a property that was across the road from an active pit operation. In the 11 years I have lived at my current residence, I never, not once, had any negative impact from the mining activities that have been ongoing at the pit. Never once, has noise created an issue, never once has traffic create a hazard or annoyance, never once has there been a dust problem and never once has my well been affected by the mining operation. I have never seen the proposed amount of activity (13 truckloads per day) take place during my time of residence so I truly believe the impact will be even less than the proposal states.

Mr Wooding and Lake Erie trucking/mining have always been good, conscientious neighbors

Finally, Lake Erie is a "locally grown" family owned and operated business started and ran by a lifelong resident of the community who supports the local economy, people and charities. His employees are lifelong community residents. This is the kind of operation that provides living wage jobs for local families in a time that fewer and fewer of those exist.

As a very close neighbor to the proposed mine, I fully support the proposed activities.

Thank you,

Jessie P Brown
13060 South Wildwood Lane
Anacortes WA 98221
jessb901@yahoo.com

On Tuesday, August 18, 2020, 10:52:03 AM PDT, John Cooper <johnc@co.skagit.wa.us> wrote:

As you have commented on the proposal, attached is the staff report for the lake erie pit gravel mine expansion for the public hearing dated August 26, 2020.

Sincerely,

John Cooper
Skagit County PDS

From: John Cooper
Sent: Friday, August 28, 2020 2:26 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Monday, August 24, 2020 7:45 AM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Sunday, August 23, 2020 12:35 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Kate Scott
Address : 11330, Whistle Lake Rd
City : Anacortes
State : WA
Zip : 98221
email : scottkat13@gmail.com
PermitProposal : PL-16-0556 Expansion of Lake Erie Gravel Pit Mining Operation
Comments : Six days a week noise pollution from rock crushing,
Day-long noise and air pollution from heavy truck traffic on our rural roads,
Ground water pollution and interruption of water flow,
Disruption of slope stability of Dodson Canyon,
Drastic degradation of peaceful, rural life quality here,
for sixty years?
Absolutely not!
This special use application is unacceptable and should be denied.

From Host Address: 50.34.140.178

Date and time received: 8/23/2020 12:31:28 PM

From: John Cooper
Sent: Friday, August 28, 2020 2:26 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Monday, August 24, 2020 7:45 AM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Sunday, August 23, 2020 12:50 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Paul Sherman
Address : 4596 Ginnett Rd
City : Anacortes
State : WA
Zip : 98221

email : pshermanpt@gmail.com

PermitProposal : Mining Special Use Application PL16-0556

Comments : As a long time resident in the neighborhood around the proposed mining site, I will be directly impacted by the operation. I am asking the Hearing Examiner to please consider all environmental impacts as well the use of the word "may" in the application. Things that "may" happen often do and we need plans to manage those possibilities. The idea of an increase in mining area with its necessary logging along with the impact of the trucks will be significant to our quality of life as well as creating potential damage to the aquifer. This proposal if allowed in its present form "may" damage our unique rural character and negatively impact our neighborhood for generations.

From Host Address: 76.28.176.187

Date and time received: 8/23/2020 12:48:58 PM

From: John Cooper
Sent: Friday, August 28, 2020 2:26 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Monday, August 24, 2020 7:44 AM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Sunday, August 23, 2020 1:25 PM
To: Planning & Development Services
Subject: PDS Comments

Name : NEIL O'HARA
Address : 4407 ANACO BEACH PLACE
City : ANACORTES
State : WA
Zip : 98221-8767
email : neiloh52@gmail.com
PermitProposal : NEIL O'HARA
Comments : Re: Mining Special Use Application PL16-0556

The proposed expansion of gravel mining near the junction of Marine Drive and Rosario Road would have serious adverse environmental effects not only on the immediate vicinity of the project but also the surrounding areas due to increased truck traffic.

Noise and dust from mining activities will affect nearby residences, but increased vehicle noise, emissions and light pollution (in winter) will spread over the entire west side of Fidalgo Island and Campbell Lake Road.

The indicated traffic pattern would have ten laden trucks per day heading north along Marine Drive, but it does not specify whether those vehicles would use Havecost Road or continue on Marine Drive toward Anaco Beach Road and the ferry terminal. To the extent trucks take the latter route, they would have to navigate the tight S-bend between Marine Heights Way and Beachwood Lane. In the past two years, at least two cars coming down that hill have overshot the corner opposite Anaco Beach Place. Those drivers were lucky—they ended up in bushes but did not hit any trees. A fully laden truck would not be able to avoid one or more trees, and if by some miracle it did the momentum would carry the vehicle through fencing into someone's yard. To avoid this eventuality, trucks would have to use their air brakes, disturbing everyone who lives along that section of road.

Another six trucks per day would use Rosario Road and Campbell Lake Road to reach Route 20. The junction with Route 20 is already dangerous with a filter lane many drivers do not know how to use and which often confuses northbound drivers on Route 20. Trucks would have to wait until both lanes on Route 20 were clear to make a safe left turn from Campbell Lake Road. Apart from delaying other traffic using Campbell Lake Road, it is almost inevitable that an accident involving one of these trucks will occur at this junction.

The staff report lists numerous other potential adverse environmental impacts that "may" occur if the project proceeds, including possible groundwater contamination and drainage issues. This expansion project should not be allowed to proceed without a thorough examination of all these impacts and a requirement for mitigation including detailed plans. Failing adequate mitigation, permission for the project should be denied.

From Host Address: 24.19.241.135

Date and time received: 8/23/2020 1:21:22 PM

From: John Cooper
Sent: Friday, August 28, 2020 2:25 PM
To: jtc27@hotmail.com
Subject: FW: In support of the expansion of the Lake Erie Trucking gravel pit.

From: Stevee Kivi
Sent: Monday, August 24, 2020 8:22 AM
To: John Cooper
Subject: FW: In support of the expansion of the Lake Erie Trucking gravel pit.

From: Eaton, Rory <RMEaton@Marathonpetroleum.com>
Sent: Sunday, August 23, 2020 10:10 AM
To: Stevee Kivi <skivi@co.skagit.wa.us>
Subject: In support of the expansion of the Lake Erie Trucking gravel pit.

To the hearing committee,

I am in full support of the expansion of the Lake Erie Trucking's operation in the proposed gravel pit.

Hello, I am Rory Eaton a longtime resident of Wildwood lane, as my property sits just north of the Lake Erie Trucking shop. I can see the property out of my kitchen window as I type this message. I first moved to this beautiful section of Fidalgo island when I was 2 years old when my parents finished the construction of our home. Fast forward some 40 years and I am now the proud owner of this same property. I have basically lived at this address for 30+ years.

As far back as I can remember Lake Erie Trucking has been operating out of their shop and gravel pit. As a local resident I have had no issues or concerns with their operation or any of their employees. In fact, I believe the Mr. Wooding has gone above my expectations as a local business owner to ensure a solid relationship with the closest residents surrounding their business property. In my opinion Mr. Wooding has been an exceptional neighbor and I hope this great relationship can continue going forward with the expansion of his family owned and operated business.

Mr. Wooding has always shown major support for our Fidalgo island community through financial and voluntary work. Our community would not be what it is without the overwhelming support that Mr. Wooding and his family continue to give back to our community.

Again, as a lifelong resident I have had zero issues stemming from the operation that has been run out of the same gravel pit that this expansion is proposed for and I do not anticipate any issues going forward in the future as a result of the expansion. The drivers and operators of the equipment have always been courteous and cautious as they enter and exit the roadways. Often forgoing the right of way to passenger vehicles.

In closing I just want to reiterate my complete support in Mr. Wooding, Lake Erie Trucking and the expansion of their operation in the already established gravel pit.

Thank you,

Rory Eaton

13003 S. Wildwood lane

Anacortes, WA 98221

From: John Cooper
Sent: Friday, August 28, 2020 2:36 PM
To: jtc27@hotmail.com
Subject: FW: Objection to PL16-0556 Special Use Permit Application

From: Stevee Kivi
Sent: Wednesday, August 26, 2020 7:18 AM
To: 'Debbie Wheelock'
Cc: Jeff Wheelock; John Cooper
Subject: RE: Objection to PL16-0556 Special Use Permit Application

Good Morning,

Your comment letter has been received and added to the exhibits. I have also added your name on the list to speak you are 7th on the list. Please let me know if you have any questions.

From: Debbie Wheelock <debbiewheelock@gmail.com>
Sent: Tuesday, August 25, 2020 3:32 PM
To: Stevee Kivi <skivi@co.skagit.wa.us>
Cc: Jeff Wheelock <jeffswheelock@gmail.com>
Subject: Objection to PL16-0556 Special Use Permit Application

We wanted to raise concerns regarding the Permit noted above...
We recently purchased a property on Rosario and we were told the mining operation was abandoned. Shortly after moving in our neighbor expressed her concern regarding the expansion of the mining operation across the street.
After investigating further we have major concerns with the expansion. Rosario is already a busy road and to increase traffic with trucks moving gravel throughout the day and night would intrude on our "Quiet Enjoyment" rights. We believe the noise pollution would be huge.
We are also concerned with the activity within the mining operations. We are concerned the noise from drilling and excavating the area would be extreme.
We also have concerns regarding dust/air pollution. Will the mining operation be required to water down the area and trucks so it decreases the amount of dust/air pollution? The dust/air pollution could also damage/kill vegetation and wildlife as well.
As we just purchased our home, we are concerned with the property value and how the expansion will affect our investment. This is a major concern as we bought when it was a seller's market and at the higher end of the market. As a licensed Realtor in Arizona, I can tell you that the expansion will have an affect on the value of homes in the area.

With that being said, we appreciate consideration of our concerns.

I would also like to be put on the agenda to voice my concerns at the remote hearing being held tomorrow, 08/26/20, at 9am.

Please confirm receipt and that I am placed on the Agenda.

--

Thank you,
Debbie Wheelock
(480) 329-6398

From: John Cooper
Sent: Friday, August 28, 2020 2:36 PM
To: jtc27@hotmail.com
Subject: FW: Support Mining Special Use Application PL16-0556

From: Leah Forbes
Sent: Wednesday, August 26, 2020 7:10 AM
To: John Cooper
Subject: FW: Support Mining Special Use Application PL16-0556

From pds comments

From: Krysta Verbarendse <krysta@srvconstruction.com>
Sent: Tuesday, August 25, 2020 8:25 AM
To: PDS comments <pdscomments@co.skagit.wa.us>
Subject: Support Mining Special Use Application PL16-0556

I write in SUPPORT of the Mining Special Use Permit Application #PL16-0556, for the expansion of the Lake Erie Gravel Pit Mining Operation.

This is an existing gravel pit in our local community providing aggregate products well before most of the community lived in this area. By increasing the size of the pit, our local natural resources can be mined, keeping jobs and revenues right here on Fidalgo Island, rather than outsourcing to Oak Harbor, Burlington, or Mount Vernon.

South Fidalgo Island is Rural and this permit would to nothing to change that landscape. There are already buffers in place to protect against noise. The mining operations will take place over sixty (60) years, not all at once, and truck traffic will be minimal. South Fidalgo needs these resources to improve and maintain our roads and local projects.

Sincerely,

Krysta Verbarendse
6192 Campbell Lake Road
Anacortes, WA 98221

From: John Cooper
Sent: Friday, August 28, 2020 2:35 PM
To: jtc27@hotmail.com
Subject: FW: Expansion of Lake Erie Gravel Pit

From: Leah Forbes
Sent: Wednesday, August 26, 2020 7:09 AM
To: John Cooper
Subject: FW: Expansion of Lake Erie Gravel Pit

From pds comments

-----Original Message-----

From: Patricia Wasson <pwasson3@comcast.net>
Sent: Tuesday, August 25, 2020 12:14 PM
To: PDS comments <pdscomments@co.skagit.wa.us>
Subject: Expansion of Lake Erie Gravel Pit

From Patty Wasson, [14748 Rosario Rd, Anacortes, WA](#)

We disagree with the granting of the expansion of the Lake Erie Gravel Pit for the following reasons:
The expansion is not in character with the rural nature of South Fidalgo Island with the increase in large truck traffic, noise both from the truck traffic as well as from the gravel pit site itself, traffic congestion from trucks and cars on the same roads, ugly land use residuals due to this type of digging etc. There MUST be an environmental impact statement. It was very sleazy to push this through with so little comment and notification of the surrounding community.

From: John Cooper
Sent: Friday, August 28, 2020 2:35 PM
To: jtc27@hotmail.com
Subject: FW: Expansion of Lake Erie Gravel Pit

From: Leah Forbes
Sent: Wednesday, August 26, 2020 7:09 AM
To: John Cooper
Subject: FW: Expansion of Lake Erie Gravel Pit

From pds comments

From: Rob Adler <adlerbachrach@gmail.com>
Sent: Monday, August 24, 2020 9:37 AM
To: PDS comments <pdscomments@co.skagit.wa.us>
Subject: Expansion of Lake Erie Gravel Pit

This mining expansion will ruin the nature of Faldago Island. By;

- 1) Noise of rock crusher.
- 2) Increase truck traffic
- 3) Increase truck noise
- 4) Increase truck exhaust
- 5) Increase road degradation
- 6) Increase generation of mud and dust on roadways
- 7) Increase discharge of water runoff and fuel/oil leaks

Please stop this project. It is inappropriate in such a sensitive rural environment.

Thank You

Robert Adler and Ruth Bachrach

4461 Ginnett Rd
Anacortes Wa 98221
206 482 8025

From: John Cooper
Sent: Friday, August 28, 2020 2:35 PM
To: jtc27@hotmail.com
Subject: FW: PL 16-0556 Gravel Pit Expansion

From: Leah Forbes
Sent: Wednesday, August 26, 2020 7:08 AM
To: John Cooper
Subject: FW: PL 16-0556 Gravel Pit Expansion

From pds comments

From: Arlene French <a_bfrench@msn.com>
Sent: Monday, August 24, 2020 11:35 AM
To: PDS comments <pdscomments@co.skagit.wa.us>
Subject: PL 16-0556 Gravel Pit Expansion

I am a member of Evergreen Islands, a long time resident of Fidalgo Island, and I oppose this expansion!

We have a lovely place to live and I want to keep it that way. There is space for small , moderate industry, but this expansion is wrong; 18 acres to 54 acres is crazy. When I hike on the trails within hearing distance of the Gravel Operation, there is often a dull roar that spoils the serenity of the moment. We don't need more noise pollution and trucks speeding down the narrow island roads!

There needs to be environmental studies, I'm sure the expansion is not environmentally sound.

Arlene French
1411 8th St.
Anacortes WA 98221
360-293-0142

From: John Cooper
Sent: Friday, August 28, 2020 2:34 PM
To: jtc27@hotmail.com
Subject: FW: mining special use application PL 16-0556

From: Leah Forbes
Sent: Wednesday, August 26, 2020 7:08 AM
To: John Cooper
Subject: FW: mining special use application PL 16-0556

From pds comments

From: KATHRYN ALEXANDRA <kalexandra@comcast.net>
Sent: Tuesday, August 25, 2020 10:56 AM
To: PDS comments <pdscomments@co.skagit.wa.us>
Subject: mining special use application PL 16-0556

This is an outrageous request, totally opposed to the original agreement! They are liable for site reclamation for the original site - where is that?

This expansion would spoil the rural character of Fidalgo Island by allowing:

- Increased Heavy Truck Traffic on our Narrow Rural Roads
- Increased Truck Noise and Noise Events in our Rural Neighborhoods
- Increased Heavy Truck Exhaust Pollution on our Narrow Rural Roads
- Noise from the Rock Crusher
- The risk onsite fuel/oil leaks or spills or at the Lake Erie Trucking operation across the road.
- The generation tracking of mud and debris off site.
- The generation of excessive emissions or odors and dust.
- The tracking of mud and debris off site and onto the roadway.
- Concerns regarding the recharge area for the springs located within Dodson Canyon, and the slope stability of Dodson Canyon
- Assurance of Site Reclamation

This proposal should not merit consideration.

Sincerely,
Kathryn Alexandra
4311 Ginnett Rd.
Anacortes, WA 98221

From: John Cooper
Sent: Friday, August 28, 2020 2:31 PM
To: jtc27@hotmail.com
Subject: FW: PL16-0556 Wednesday 0825

From: Stevee Kivi
Sent: Tuesday, August 25, 2020 8:07 AM
To: 'Michael Mihalik'
Cc: John Cooper
Subject: RE: PL16-0556 Wednesday 0825

Good Morning,

Thank you for reaching out. The comment letters are handled by the planning department. I have cc John Cooper who is handling this project, so he can confirm receipt. The comment letters will be part of the record, but will not be read publicly. You will be able to speak even if you do not sign up. The Hearing Examiner will call on the people who sign up first and then will open up for anyone else who would like to speak. Would you like me to add you to the list?

From: Michael Mihalik <m.mihalik@comcast.net>
Sent: Tuesday, August 25, 2020 6:56 AM
To: Stevee Kivi <skivi@co.skagit.wa.us>
Subject: PL16-0556 Wednesday 0825

Good morning,

I've never been a part of this process so please excuse the dumb questions.

I believe I've submitted my comments on this permit. Can you confirm receipt?

I plan on attending via the gotomeeting link provided. Will my comments be read publicly or do I have to voice them personally? If I do not sign up to speak will I be able to respond to other people's comments?

I guess I'd appreciate some guidance as to how the meeting process works, please.

I appreciate your time.

Mike Mihalik and Janelle Wallace

From: John Cooper
Sent: Friday, August 28, 2020 2:30 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Monday, August 24, 2020 9:11 AM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Monday, August 24, 2020 9:05 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Konrad Kurp
Address : 6920 Salmon Beach Rd.
City : Anacortes
State : WA
Zip : 98221
email : konradn7qcdkurp@gmail.com
PermitProposal : Mining Special Use Application PL16-0556
Comments : Is there a need for this massive expansion??
A plan to serve a greater market?
Does Mr. Wooding want to create an opportunity for outside Investors and a sale for his retirement?
Some background information would be helpful.
Thanks for being more forthcoming!?!
K.Kurp

From Host Address: 172.92.195.229

Date and time received: 8/24/2020 9:04:13 AM

From: John Cooper
Sent: Friday, August 28, 2020 2:29 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Monday, August 24, 2020 8:52 AM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Monday, August 24, 2020 8:50 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Don Knutsen
Address : 12157 Havekost Rd
City : Anacortes
State : WA
Zip : 98221
email : dgknute@gmail.com

PermitProposal : Mining Special Use Application PL16-0556

Comments : I am writing to ask why has the county allowed this blatant use of the current pandemic that prevents a large gathering or meeting to take place to shove behind the people's back this expansion of the Lake Erie Pit? This is news to most all of us living on the Island. This hasn't been brought to the attention of we who live here..What in the hell is going on at our county ? We who worked to build and live here did so for a reason...I have lived here all my life, some 67 years..My home I built sits west of the already expanded Lake Erie Pit operations which was considerably smaller 40 years ago. Now when they blast the vibrations are felt stronger with each passing year as they encroach further south. My home is heated with a radiant floor slab that I am waiting to become damaged eventually due to their blasting and expansion activity. This truck traffic on Havekost is already getting ridiculous and dangerous. This isn't the first time our county has turned a blind eye to whats best for the citizens. But is probably the most outrageous.

From Host Address: 50.34.119.101

Date and time received: 8/24/2020 8:46:52 AM

From: John Cooper
Sent: Friday, August 28, 2020 2:28 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Monday, August 24, 2020 8:35 AM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Friday, August 21, 2020 2:30 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Abby Jacobs
Address : 13159 Deane Drive
City : Anacortes
State : WA
Zip : 98221
email : abbyjacobs@live.com
PermitProposal : PL16-0556 Mining Special Use Application
Comments : July 28, 2020
RE: Mining Special Use Application PL16-0556.
Plea to Deny Mining Special Use Application PL16-0556

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

I am writing to you regarding the Mining Special Use Application PL16-0556. I am asking the county to deny the approval of this mining expansion at the Lake Erie Pit mining operation on Fidalgo Island. The Lake Erie Pit mine is asking to expand from 17.78 acres to approximately 53.5 acres. The gravel mining operation proposes to remove approximately 3,600,000 tons of gravel over a 60 year period. This is a request to vastly expand the Lake Erie pit mining operation in what is currently a quiet, mainly residential neighborhood.

I am deeply concerned about the serious negative environmental impacts that result from aggregate pit mining and how the major expansion being requested by the Lake Erie Pit mine will affect our quiet and natural neighborhood on Fidalgo Island.

Pits and quarries disrupt the existing movement of surface and ground water. They interrupt the natural water recharge and can lead to the reduced quantity and quality of drinking water for residents and

wildlife near or downstream from a quarry site. The Lake Erie Pit mining operation will remove all natural vegetation, top soil, and sub soil and immediately lead to the loss of all existing wildlife in the affected area. It will lead to the loss of huge biodiversity as the plants and aquatic habitats are destroyed.

Destroyed ecosystems and source water aquifers are irreplaceable. The landscape of Fidalgo Island will be forever blotted with destruction and suffer permanent negative environmental impacts. For those of us living in the community, the potential degradation of our natural water systems and the destruction of our natural environment are real and pressing concerns

In addition to the physical destruction of Fidalgo Island, I am also deeply concerned about the daily barrage of blasting noise, equipment noise, dust, and exhaust produced by the requested major expansion of the Lake Erie Pit. The destructive activities from the Lake Erie Pit will negatively impact the air quality of all of the residents that live nearby and degrade the quiet enjoyment of our homes and residential neighborhood for years to come. I am concerned that the major expansion of the Lake Erie Pit Mine's destructive activity will also lead to negative impacts on the values of our homes and the desirability of our neighborhood. I am also concerned that the major expansion of destructive activity, noise, and dust will decrease the public's quiet, recreational enjoyment of Lake Erie, a valuable Skagit County natural asset.

Please consider the destruction of our environment and the negative impacts on our neighborhood and the surrounding areas and deny the Mining Special Use Application PL16-0556 expansion of the Lake Erie Pit mining operation on Fidalgo Island.

Thank you,

Abby Jacobs
13159 Deane Drive
Anacortes, WA

From Host Address: 172.92.214.178

Date and time received: 8/21/2020 2:27:02 PM

From: John Cooper
Sent: Friday, August 28, 2020 2:28 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Monday, August 24, 2020 8:33 AM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Friday, August 21, 2020 1:55 PM
To: Planning & Development Services
Subject: PDS Comments

Name : sherry hill
Address : 13159 Deane Dr
City : Anacortes
State : WA
Zip : 98221
email : SHERRYHILL@LIVE.COM

PermitProposal : Mining Special Use Application PL16-0556

Comments : I am writing to request the county to deny the Mining Special Use Application PL16-0556 to expand the Lake Erie Pit mine. I have many concerns about this expansion however will focus on my primary concerns.

- 1) My residence is in close proximity to the mine. I am concerned about noise, air, and water pollution which will directly and negatively impact my quality of life and the value of my property. This a place with natural beauty that must be protected.
- 2) The owner of the mine is the owner of a nearby property and business (Lake Erie trucking) that is one of Fidalgo's major pollution sites. Based on this track record and current status of the trucking company, there is no indication the business owner address and resolves pollution issues. No evidence has been provided to indicate things will be different with the expanded mine business. Since it appears there is no effect way to force that business owner to address pollution owners (given there are still issues with the trucking company), we need to ensure new pollution problems are not created.
- 3) Water is a precious resource, especially on Fidalgo Island. Mines are known to negatively impact the water table and aquifers. In addition, they contaminate surface water and the run-off created spreads the contamination. We must protect our drinking water and the water that is needed by wildlife and plants to sustain the natural ecosystem.
- 4) I received the staff report on the project. Many of the attachments and exhibits that are referenced were not included. The exclusion of those raises doubts and questions as to the comprehensiveness of the review. And renders the report almost useless when combined with the poor organization of the report.

5) I have not read any material that indicates there will be consistent and ongoing monitoring to ensure compliance and to immediately halt mining operations in the case of violations.

An expansion of the kind requested is significant in amount of land covered, volume of material to be mined, and the period of time. The damage that it will cause can not be overstated. And in most cases it is irreversible. I will reiterate my request, please deny this mining expansion application.

Thank you

From Host Address: 172.92.214.178

Date and time received: 8/21/2020 1:54:09 PM

From: John Cooper
Sent: Friday, August 28, 2020 2:27 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Monday, August 24, 2020 7:55 AM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Monday, August 24, 2020 7:55 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Roberta Hutton
Address : 11135 O Ave
City : Anacortes
State : Washington
Zip : 98221

email : Rahutton5@msn.com

PermitProposal : Expansion of Lake Erie Gravel Pit Mining Operations

Comments : This huge expansion makes me cringe, as I have often been at Heart Lake and walking in the forest lands when the rock crusher is operating, and it completely destroys any sense of peace, which is the reason for the walk. And the rock crusher is operating A LOT. I can't imagine what it would be like with this huge expansion.

The noise and pollution of all the trucks and the dust and dirt in the air does not fit in with a rural setting. It already is very obnoxious.

PLEASE don't allow this to happen. It would cause so many problems for so many to benefit a few.
Thank you.

From Host Address: 73.118.150.30

Date and time received: 8/24/2020 7:52:20 AM

From: John Cooper
Sent: Friday, August 28, 2020 2:27 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Monday, August 24, 2020 7:46 AM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Sunday, August 23, 2020 6:15 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Rosie Wuebbels
Address : 11134 O Ave
City : Anacortes
State : Washington
Zip : 98221-1982

email : rwuebbels@yahoo.com

PermitProposal : Mining special use application PL16-0556

Comments : Lake Erie gravel pit is an intrusion on our rural roads and our forest lands. The rock crushers, truck noise, back up beepers can be heard for miles even deep in the anacortes forestlands. It's a deep scar in an otherwise beautiful view.

There is pollution, odors and dust. The heavy truck traffic is NOT conducive to riding a bike nor walking anywhere near there. One of their truck's loose rock broke the windshield of my car not that there is compensation because I didn't note the license plate.

Because we already put up with SO much from lake Erie gravel pit , DO NOT allow for an expansion of their pit. No way!

Sincerely,
Rosie wuebbels
11134 O Ave Anacortes, WA. 98221

From Host Address: 50.34.140.91

Date and time received: 8/23/2020 6:14:04 AM

From: John Cooper
Sent: Friday, August 28, 2020 2:27 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Monday, August 24, 2020 7:45 AM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Sunday, August 23, 2020 10:05 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Richard Bergner
Address : 15515 Yokeko Drive
City : Anacortes
State : Washington
Zip : 98221
email : fidalgowildlifehabitat@gmail.com
PermitProposal : PL 16-0556 Mining Special Use Application - Expansion of the Lake Erie Gravel Pit Mining Operation
Comments : I am a resident of South Fidalgo, and I am very concerned about maintaining the rural character of South Fidalgo.

I am asking you to delay the permit for the expansion of the Lake Erie Gravel Pit mining operation until the many environmental impacts are adequately addressed.

Sincerely,

Richard J. Bergner

From Host Address: 172.92.209.149

Date and time received: 8/23/2020 10:01:19 AM

From: John Cooper
Sent: Friday, August 28, 2020 2:27 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Monday, August 24, 2020 7:45 AM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Sunday, August 23, 2020 12:35 PM
To: Planning & Development Services
Subject: PDS Comments

Name : laurie sherman
Address : 4596 GINNETT RD
City : ANACORTES
State : WA
Zip : 98221
email : shermanpt@gmail.com
PermitProposal : PL16-0556

Comments : To the Hearing Examiner: THERE ARE FAR TOO MANY POSSIBILITIES SUGGESTED IN THE STAFF REPORT AS CAPITALIZED IN QUOTES BELOW. A mining operation of this size and duration requires thorough investigation as the mining will forever change the environment. Any project that impacts water quality and stability is critical and warrants study by the DOE especially regarding the recharge area for the springs located within Dodson Canyon, and the slope stability of Dodson Canyon. IN addition, the noise and exhaust, the debris, wear and tear on the roads for us, the taxpayers needs to be properly evaluated and solutions clearly stated. Thank-you for your consideration!

I am asking the following be done:

- either delay the permit until the environmental impacts are adequately addressed
 -
 - or deny permit if the environmental impacts cannot be adequately addressed
 - the staff report listed in quotes state many "MAY BE" possibilities of adverse impacts (included below).
- I request that if the Hearing Examiner approves the permit, that CONDITIONS be attached to the permit to either LIMIT OR ELIMINATE these 'MAY BE' adverse impacts.

As quoted

"There MAY BE times in which market demands exceed average production. Under high market demand conditions, the gravel mining operation is proposed to be increased."

"Additional traffic generation MAY BE noticeable in the vicinity"

"Lights from trucks MAY BE visible when trucks are accessing or traveling down Rosario Road and Marine Drive in the early morning and early evening hours of the winter months"

"Once the extraction and transportation operations have been completed, the 100-foot buffer MAY BE utilized for reclamation of the parcel"

"Hours of operation vary according to the zoning designation of the site, but MAY BE shortened by the Hearing Examiner based on site-specific circumstances".

"Mining operations on RRc-NRL designated land MAY BE granted unlimited hours of operation"

"The Hearing Examiner MAY limit hours of operation to daylight hours or to such other reasonable limitation deemed necessary to address potential significant adverse impacts to existing adjacent land uses"

"The Hearing Examiner MAY limit hours of operation to daylight hours or a reasonable limitation as necessary to address potential significant adverse impacts to adjacent land uses"

"If noise complaints do occur in the future, the operator of the pit MAY BE required to hire a noise consultant to evaluate and recommend mitigation procedures".

"Significant deviation from the proposal MAY require additional review and approval by Skagit County Planning and Development Services".

"A Construction Stormwater General or Industrial Permit MAY BE required by the Department of Ecology (WSDOE) for this project".

***INTERRUPTION OF THE GEOLOGIC STRATIGRAPHY AND GROUNDWATER FLOW MAY DISRUPT THE THE SLOPE STABILITY OF DODSON CANYON* Extremely Critical!!!!**

"The Del Mar Community letter suggests that a perched aquifer is present on the Lake Erie mine expansion area that may direct groundwater to Dodson Canyon"

"As silt generally has lower permeability than the overlying sand and gravel deposits, groundwater may accumulate above the silt formation resulting in a perched aquifer"

"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".

"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 they receive a mining special-use permit"

"Storage of topsoil and excavation associated with reclamation area MAY BE allowed in buffers".

"Project-specific circumstances that demand non-standard or 'off-peak' hours MAY also BE considered".

"If noise complaints do occur in the future, the operator of the pit MAY BE required to hire a noise consultant to evaluate and recommend mitigation procedures".

"Although a risk of hazardous material impact to groundwater resources MAY BE present on the subject site, the risk is minimal and that does not represent a significant concern"

"Although any activity in close proximity to groundwater resources MAY represent a risk of impairment to the resource, the 20 to 30-foot separation between the mining activity and the aquifer SHOULD minimize the risk of impairment".

"As there are no other ongoing mining activities in the area except Lakeside Industries located 1.25 miles to the north, it is anticipated that the proposed land use MAY TEMPORARILY(13 TRUCKS/DAY X 60 YEARS) disrupt the existing character and landscape of this rural area. Noise from expanded mining operations and increased truck traffic MAY slightly alter the quiet lifestyle of this rural area"

"After Phase 1 of the extraction and transportation operations have been completed, the material in the buffer MAY BE utilized during reclamation".

"Noise levels continuously exceeding maximum allowable noise levels allowed under Chapter 173-60 WAC MAY BE considered a violation of permit conditions and result in revocation, suspension, or modification of this special use permit."

"Significant deviation from the proposal MAY require additional review and approval by Skagit County Planning and Development Services".

From Host Address: 76.28.176.187

Date and time received: 8/23/2020 12:30:25 PM

From: John Cooper
Sent: Friday, August 28, 2020 2:45 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 8:29 AM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Monday, August 24, 2020 2:00 PM
To: Planning & Development Services
Subject: PDS Comments

Name : AMY HONG
Address : 13964 BIZ POINT LANE
City : ANACORTES
State : WA
Zip : 98221
email : amyleehong@gmail.com
PermitProposal : PL16-0556 (Expansion of the Lake Erie Gravel Pit Mining Operation)
Comments : Dear Sir/Madame,

It has come to our attention that Lake Erie gravel pit has applied for a major expansion permit. As a homeowner adjacent to the pit, we are confirming that we never received any public notice of this expansion and are very disturbed to find that a complete and thorough environmental impact study has not been completed.

It is clear that a large pit will negatively impact local property values, as well as the quality of life in this area. The increased large truck traffic endangers my young children as they wait for their school bus on Rosario Road, water well quality could be negatively impacted, and the noise and air pollution, along with traffic problems, will most certainly increase.

I am demanding that the committee delay the permit until the myriad of environmental impacts are adequately addressed. This permit must be denied if the environmental impacts cannot be addressed, or at the very least conditions attached to the permit to eliminate potential adverse impacts.

Thank you.

From Host Address: 67.183.248.134

Date and time received: 8/24/2020 1:55:20 PM

From: John Cooper
Sent: Friday, August 28, 2020 2:45 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 8:29 AM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Monday, August 24, 2020 2:00 PM
To: Planning & Development Services
Subject: PDS Comments

Name : AMY HONG
Address : 13964 BIZ POINT LANE
City : ANACORTES
State : WA
Zip : 98221
email : amyleehong@gmail.com
PermitProposal : PL16-0556 (Expansion of the Lake Erie Gravel Pit Mining Operation)
Comments : Dear Sir/Madame,

It has come to our attention that Lake Erie gravel pit has applied for a major expansion permit. As a homeowner adjacent to the pit, we are confirming that we never received any public notice of this expansion and are very disturbed to find that a complete and thorough environmental impact study has not been completed.

It is clear that a large pit will negatively impact local property values, as well as the quality of life in this area. The increased large truck traffic endangers my young children as they wait for their school bus on Rosario Road, water well quality could be negatively impacted, and the noise and air pollution, along with traffic problems, will most certainly increase.

I am demanding that the committee delay the permit until the myriad of environmental impacts are adequately addressed. This permit must be denied if the environmental impacts cannot be addressed, or at the very least conditions attached to the permit to eliminate potential adverse impacts.

Thank you.

From Host Address: 67.183.248.134

Date and time received: 8/24/2020 1:55:20 PM

From: John Cooper
Sent: Friday, August 28, 2020 2:44 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 8:19 AM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Monday, August 24, 2020 11:45 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Kevin S Montgomery-Duban
Address : 14121 Devin Cliff Lane
City : Anacortes
State : WA
Zip : 98221

email : devinhevn@gmail.com

PermitProposal : Mining Special Use Application PL16-0556

Comments : As residents of South Fidalgo for over 33 years we are horrified that a permit would be granted to increase the size of the Lake Erie Mining operation to way over twice as big as it already exists. We settled in this beautiful part of the island BECAUSE of the natural beauty and freedom from industry and blight! The land that would be devastated and not to mention heavy trucks that would clog and pollute our roads would be a travesty. We don't believe that this is a move in the right direction for our beautiful south island environment. We have purchased as much land as we could around our property to keep it from being developed and passionately participated in the acquisition of The Montgomery-Duban headlands so that it could remain natural and open to the public to enjoy it's spendid and unique beauty.

I beg you to consider the destruction that would be reeked on our sanctuary if you quickly approve this venture....especially without proper environmental impact statements or giving ample time for everyone impacted to weigh in on how this would affect so many

With kind regards,

Kevin Montgomery-Duban

From Host Address: 72.67.32.170

Date and time received: 8/24/2020 11:44:40 AM

From: John Cooper
Sent: Friday, August 28, 2020 2:44 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 8:18 AM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Monday, August 24, 2020 10:25 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Luis E. Gastellum
Address : 14451 Ashley Pl.
City : Anacortes
State : WA
Zip : 98221

email : egastellum34@gmail.com

PermitProposal : Mining Special Use Application PL 16 0556

Comments : This is a huge expansion that needs the utmost detailed Environmental Review the state can do.

With diminishing salmon and other fish resources in our area we cannot afford to put gravel dust and rock in our surrounding area. Streams will be affected by the dust. The noise to the surrounding area will be immense to the people who live around the area.

A CEPA process needs to be done to evaluate total long lasting effects including to the diminishing water table by the proposed activity.

From Host Address: 172.92.202.178

Date and time received: 8/24/2020 10:24:45 AM

From: John Cooper
Sent: Friday, August 28, 2020 2:44 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 8:06 AM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Monday, August 24, 2020 9:05 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Marlene Finley
Address : Evergreen Islands PO Box 223
City : Anacortes
State : WA
Zip : 98221
email : Evergreen.Islands@Outlook.com
PermitProposal : Mining Special Use Application PL16-0556
Comments : Dear Skagit County Hearing Examiner,

I am writing on behalf of Evergreen Islands regarding the Mining Special Use Application PL16-0556, otherwise known as the Expansion of the Lake Erie Gravel Pit Mining Operation accessed from Rosario Road. We have many concerns about this proposed large-scale mining operation and urge you to delay a decision until proper disclosure and analyses are completed.

Households living adjacent to the property have not been sufficiently notified as required. In addition, we have substantive concerns regarding the adverse impacts the proposed gravel operation will have on the aesthetic rural character of South Fidalgo. We are concerned the project poses detrimental effects on the quality of life for nearby neighbors. We fear for the safety of locals and tourists with increased heavy truck traffic and we are concerned about adverse impacts on the natural environment.

We request that you:

1. Delay the permit until the environmental impacts are adequately addressed by changes in the project proposal and/or appropriate mitigation is reflected in terms and conditions of the permit.
2. Alternatively, we request you deny the permit if the environmental impacts, including impacts to aesthetics cannot be mitigated.

This project will seriously spoil the Rural Character of Fidalgo Island by authorizing:

- Increased heavy truck traffic on our narrow rural roads
- Increased truck noise and noise events in our rural neighborhoods
- Increased heavy truck exhaust pollution on our narrow rural roads
- Noise from the rock crusher
- The risk of fuel/oil leaks onsite or spills at the Lake Erie Trucking operation across the road.
- The generation tracking of mud and debris off site and on to the rural roads.
- Contamination of air quality through the generation of dust, excessive emissions or odors.
- Concerns regarding the recharge area for the springs located within Dodson Canyon, and the slope stability of Dodson Canyon
- A public safety hazard of heavy truck traffic along roads accessing Deception Pass State Park in areas where recreationists walk and bike along the road.
- Exacerbating the traffic danger at the Campbell Lake Road intersection with State Route 20 and the intersection at Rosario Road and State Route 20.
- Similar to the Mount Erie Clearcut proposal, the removal of timber from the ~36 acres mining areas will result in significant adverse environmental impacts to the exceptional aesthetics of South Fidalgo.

The County Staff Report for this project lists a litany of “May Be” possible adverse impacts. If the Permit is to be approved, we request that these “May Be” impacts be mitigated through terms and conditions in the permit, so that the “May Be” adverse impacts will be reduced or eliminated. To not address these adverse impacts may nullify the State Environmental Policy Act (SEPA) “Mitigated Determination of Non-Significance”.

Here is a sampling of “May Be” adverse impacts found in the County Staff Report:

- there may be times in which market demands exceed average production. Under high market demand conditions, the gravel mining operation is proposed to be increased,
- Additional traffic generation may be noticeable in the vicinity,
- Lights from trucks may be visible when trucks are accessing or traveling down Rosario Road and Marine Drive in the early morning and early evening hours of the winter months
- Once the extraction and transportation operations have been completed, the 100-foot buffer may be utilized for reclamation of the parcel
- hours of operation vary according to the zoning designation of the site but may be shortened by the Hearing Examiner based on site-specific circumstances.
- Mining operations on RRC-NRL designated land may be granted unlimited hours of operation
- the Hearing Examiner may limit hours of operation to daylight hours or to such other reasonable limitation deemed necessary to address potential significant adverse impacts to existing adjacent land uses
- the Hearing Examiner may limit hours of operation to daylight hours or a reasonable limitation as necessary to address potential significant adverse impacts to adjacent land uses
- If noise complaints do occur in the future, the operator of the pit may be required to hire a noise consultant to evaluate and recommend mitigation procedures.
- Significant deviation from the proposal may require additional review and approval by Skagit County Planning and Development Services.
- A Construction Stormwater General or Industrial Permit may be required by the Department of Ecology (WSDOE) for this project.
- Interruption of the geologic stratigraphy and groundwater flow regime may disrupt the slope stability

of Dodson Canyon.

- The Del Mar Community letter suggests that a perched aquifer is present on the Lake Erie mine expansion area that may direct groundwater to Dodson Canyon
- As silt generally has lower permeability than the overlying sand and gravel deposits, groundwater may accumulate above the silt formation resulting in a perched aquifer
- 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.
- 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 they receive a mining special-use permit
- Storage of topsoil and excavation associated with reclamation area may be allowed in buffers.
- Project-specific circumstances that demand non-standard or 'off-peak' hours may also be considered.
- If noise complaints do occur in the future, the operator of the pit may be required to hire a noise consultant to evaluate and recommend mitigation procedures
- Although a risk of hazardous material impact to groundwater resources may be present on the subject site, the risk is minimal and that does not represent a significant concern
- Although any activity in close proximity to groundwater resources may represent a risk of impairment to the resource, the 20 to 30-foot separation between the mining activity and the aquifer should minimize the risk of impairment.
- As there are no other ongoing mining activities in the area except Lakeside Industries located 1.25 miles to the north, it is anticipated that the proposed land use may temporarily disrupt the existing character and landscape of this rural area. Noise from expanded mining operations and increased truck traffic may slightly alter the quiet lifestyle of this rural area
- After Phase 1 of the extraction and transportation operations have been completed, the material in the buffer may be utilized during reclamation.
- Noise levels continuously exceeding maximum allowable noise levels allowed under Chapter 173-60 WAC may be considered a violation of permit conditions and result in revocation, suspension, or modification of this special use permit.
- Significant deviation from the proposal may require additional review and approval by Skagit County Planning and Development Services.

We urge you to carefully consider the effects a 60 year permit for a gravel pit operation - unearthing 54 acres, extracting 3,600,000 tons of material - would have on a peaceful, rural residential neighborhood adjacent to a jewel of the State Park system, Deception Pass State Park.

Please consider our request for additional analysis of the impacts and required mitigation of these adverse impacts. We worry about the future of Fidalgo Island.

Respectfully,

/s/ Marlene Finley
Evergreen Islands

From Host Address: 73.140.81.151

Date and time received: 8/24/2020 9:00:15 PM

From: John Cooper
Sent: Friday, August 28, 2020 2:44 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 8:06 AM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Monday, August 24, 2020 11:45 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Dennis & Elizabeth Lengel
Address : 12901 S. Wildwood Lane
City : Anacortes
State : WA
Zip : 98221

email : lengels@mac.com

PermitProposal : Mining Special Use Application PL16-0556

Comments : My wife and I just got a notification about the request to increase the production of gravel from the Rosario sand pit yesterday from our neighbor.

Monday August 24, 2020

Notification was not received from the person or company proposing this increase. This seems to be a very secretive and underhanded method of attempting to get this proposal passed.

I am sure many of us in the surrounding neighborhood are very much against this.

The Y at Rosario is already a hazardous at both ends. The loaded trucks will have to use their compression brakes going downhill on Marine, which is very noisy.

This area is almost all residential and the noise pollution, and traffic of large trucks would be extremely upsetting.

It seems that this company or person is proposing this increase to line their pockets with more money. It is sad that a few people are going to profit at the expense of the health, serenity and peacefulness of surrounding residents.

Is this person or company desperate for personal gain that they have too upset and turn our

neighborhood into a major mining business?

I strongly urge you to deny this permit. Imagine your home next to a noisy, dirty gravel pit.

From Host Address: 67.168.71.254

Date and time received: 8/24/2020 11:42:43 PM

From: John Cooper
Sent: Friday, August 28, 2020 2:43 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 8:06 AM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Tuesday, August 25, 2020 6:55 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Michael
Address : Mihalik
City : Anacortes
State : WA
Zip : 98221
email : m.mihalik@comcast.net
PermitProposal : PL16-0556

Comments : I would like to strenuously vote AGAINST the proposal as I believe it to be detrimental to the community and the county.

I notice this site pays less than 1,000 per year in taxes. The county will lose much more than that due to

1. Increased road maintenance. The road already has to be repaved every few years as is. Additional heavy trucks will increase the requirement.

2. Increased traffic problems. Cars currently zoom around the curve from Rosario to Marine Drive. I envision some nasty accidents occurring. Perhaps we will have to build a new rotary. I'm sure those are not cheap.

3. Reduced property values. Property values will be damaged due to the increased noise and traffic.

In short, the county will pay more in road maintenance and traffic issue resolution while at the same time receiving less tax dollars due to decreased property values.

Additionally, there is a significant wildlife presence that will be disturbed and/or damaged, including nesting bald eagles. I cannot believe this permit has passed a wildlife review with the lake and ocean fronts being so very close. This is a COMMERCIAL business, not a home site. I would hope that the restrictions would be more rather than less.

Lastly, there has already been a landslide on Rosario. Increased mining activity will only enhance the

possibility of future landslides. Has a geological survey been conducted to determine how the increased mining will affect the hillside? This is a significant safety concern of mine as I travel that road daily.

I cannot express enough how much I am against this permit/plan. Feel free to contact me should you have any questions.

From Host Address: 67.168.67.40

Date and time received: 8/25/2020 6:51:52 AM

From: John Cooper
Sent: Friday, August 28, 2020 2:43 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 8:06 AM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Tuesday, August 25, 2020 8:00 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Shannon Bailey
Address : 2609 16th St.
City : Anacortes
State : Wa
Zip : 98221
email : shannonlbb@yahoo.com
PermitProposal : Application PL16-0556
Comments : This comment is for NON SUPPORT of the expansion of the Lake Erie Gravel Pit expansion.

By expanding the gravel pit extraction from 18 to 54 acres there is serious danger of affecting the recharge area for the springs located within Dodson Canyon, and the slope stability of Dodson Canyon. There is no way to mitigate for this impact.

As I have seen in other areas where pits have been expanded, the damage done to the environment, infrastructure and surrounding areas through increased noise pollution is by the increased traffic only benefits the company doing the expansion. There is no benefit to neighbors or the environment. And the damage can be permanent.

Again - there is no mitigation that can cover the damage that will be done by this expansion.

Please think of the long term impact of this expansion, how it will forever change the landscape, how it will impact the flora and fauna who live and depend on that land, and how it does not contribute to the quality of life for those of us living on Fidalgo Island.

Please do not approve this application.

Shannon Bailey

From Host Address: 174.21.69.35

Date and time received: 8/25/2020 7:55:13 AM

From: John Cooper
Sent: Friday, August 28, 2020 2:42 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 8:06 AM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Tuesday, August 25, 2020 8:05 AM
To: Planning & Development Services
Subject: PDS Comments

Name : James and Karen Haeblerlin
Address : 13396 Rosario Rd
City : Anacortes
State : WA
Zip : 98221

email : cruelladuville@gmail.com

PermitProposal : Lake Erie Gravel Pit expansion

Comments : We are opposed to the expansion of the gravel pit mainly because the current number of gravel trucks go by our house and are already a safety concern. They are LOUD, HEAVY and DRIVE TOO FAST. We have a small two lane road with a lot of curves and it's already a hazard. A quiet rural neighborhood does not deserve this. If it bothers us I KNOW it disturbs the wildlife, there are eagles, osprey and all kinds of birds that dwell next to the lake, by the road.

The road was just maintained, we don't feel like it was made for this kind of traffic.

Also, we did not receive a notice. We feel like this procedure has been sneaky at best. We would come into the meeting but there IS no meeting to go to. Not all of us are adapt at Zoom or whatever it is that you're doing.

I hope our opinion matters. Can't believe I have just heard of this today and the due date for input is today.

From Host Address: 73.19.111.222

Date and time received: 8/25/2020 8:00:25 AM

From: John Cooper
Sent: Friday, August 28, 2020 2:49 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 11:58 AM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Tuesday, August 25, 2020 11:40 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Susan Queller
Address : 4305 Whidbey Ct.
City : Anacortes
State : WA
Zip : 98221

email : slqueller@gmail.com

PermitProposal : Lake Erie gravel pit expansion

Comments : This expansion is massive. The increase in truck traffic alone would change the nature of the rural parts of our island through increased noise, damage to roads, and pollution. For this reason, and because of other serious environmental damage, please deny this permit unless all of the environmental impacts can be adequately addressed.

From Host Address: 67.168.71.53

Date and time received: 8/25/2020 11:37:42 AM

From: John Cooper
Sent: Friday, August 28, 2020 2:49 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 10:45 AM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Tuesday, August 25, 2020 10:45 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Jake Olliffe
Address : 13874 Polaris Pt. Ln.
City : Anacortes
State : Wa.
Zip : 98221
email : jandsolliffe@aol.com
PermitProposal : PL 16-0556

Comments : It is my opinion this permit should be denied due to the following reasons.. Slow moving heavily loaded trucks trying to get on Rosario road northbound or southbound and trying to get on highway 20 from Campbell lake will be extremely dangerous. Having a rock crusher run all day and night will make an Unacceptable amount of noise. If you don't know what a rock crusher is drive up to Lakeside Industries where the another gravel pit and listen to the noise it makes. When they dump a load of rock into a truck bed it is extremely loud. Noise, dust, diesel pollution ,traffic ,digging up our neighborhood will not be something that anyone will ,want to put up with. I am asking that you delay or deny this permit because of the previously listed concerns also any environmental concerns that I have not addressed. Very sincerely, Jake Olliffe.

From Host Address: 73.225.254.23

Date and time received: 8/25/2020 10:44:07 AM

From: John Cooper
Sent: Friday, August 28, 2020 2:49 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 9:21 AM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Tuesday, August 25, 2020 9:15 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Patrick M. Lyons
Address : 4039 Sharpe Road
City : Anacortes
State : WA
Zip : 98221

email : pat.marylyons@comcast.net

PermitProposal : Mining Special Use Application PL16-0556

Comments : I would like to voice my opposition to the expansion of the Lake Erie gravel pit. A mining business of this size will add noise, heavy equipment traffic and pollution to a peaceful, rural area. Please deny this application.

From Host Address: 73.53.103.98

Date and time received: 8/25/2020 9:12:01 AM

From: John Cooper
Sent: Friday, August 28, 2020 2:48 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 9:21 AM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Tuesday, August 25, 2020 9:20 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Siv Kristin Ostlund Spain
Address : 2014 Julia Ave
City : Bellingham
State : WA
Zip : 98225

email : sivspain@gmail.com

PermitProposal : Expansion of the Lake Erie Gravel Pit Mining Operation

Comments : I am asking you to deny this permit for the expansion of the Lake Erie Gravel Pit Mining Operation. It will destroy the rural character of south Fidalgo Island. My grandparents bought our family property on Biz Point in the 1960s for the quiet, peaceful and beautiful natural setting. The property now belongs to my father, and we (his children and grandchildren) get to visit and use the property, as well. I hope that my children will get to continue to enjoy the peaceful nature (outside of the military planes frequently flying by) for years to come. This won't be the case if this permit is allowed, however.

There are impacts to the environment, its inhabitants and the community that cannot be undone should this proceed - these must be addressed, and include but aren't limited to: exhaust pollution, potential for fuel leakage/spills impacting groundwater, springs, and wells, slope stability of Dodson Canyon, large vehicles maneuvering on narrow rural roads - which can also be a danger to children and school buses, as well as noise pollution from the trucks and rock crusher and an increase in dust and particulate in the air. Some of us suffer from allergies and asthma and are impacted more from this issue.

There must be an environmental impact statement conducted and those concerns must be addressed before allowing the permit to be approved.

Additionally, the staff report lists many "may be" possibilities of adverse impacts. These adverse impacts must also be eliminated, should the permit be approved.

Please deny this permit.

From Host Address: 97.126.115.47

Date and time received: 8/25/2020 9:17:00 AM

From: John Cooper
Sent: Friday, August 28, 2020 2:48 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 9:06 AM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Tuesday, August 25, 2020 9:05 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Mary D Lyons
Address : 4039 Sharpe Road
City : Anacortes
State : WA
Zip : 98221

email : maitelyons@gmail.com

PermitProposal : Mining Special Use Application PL16-0556

Comments : If the proposed expansion of the Lake Erie Gravel Pit is allowed, the unique, rural character of South Fidalgo Island will be greatly and forever damaged. By expanding more than threefold, the noise, truck traffic, emissions and environmental impact of the mining operation will negatively effect our air, water(Dodson Springs, run off into Lake Erie), wildlife and safety(large, heavy trucks on rural roads).

I respectfully urge you to deny this application.

From Host Address: 73.53.103.98

Date and time received: 8/25/2020 9:01:02 AM

From: John Cooper
Sent: Friday, August 28, 2020 2:48 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 9:06 AM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Tuesday, August 25, 2020 9:05 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Mary D Lyons
Address : 4039 Sharpe Road
City : Anacortes
State : WA
Zip : 98221

email : maitelyons@gmail.com

PermitProposal : Mining Special Use Application PL16-0556

Comments : If the proposed expansion of the Lake Erie Gravel Pit is allowed, the unique, rural character of South Fidalgo Island will be greatly and forever damaged. By expanding more than threefold, the noise, truck traffic, emissions and environmental impact of the mining operation will negatively effect our air, water(Dodson Springs, run off into Lake Erie), wildlife and safety(large, heavy trucks on rural roads).

I respectfully urge you to deny this application.

From Host Address: 73.53.103.98

Date and time received: 8/25/2020 9:01:02 AM

From: John Cooper
Sent: Friday, August 28, 2020 2:48 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 9:02 AM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Tuesday, August 25, 2020 9:00 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Andrew Culbertson
Address : 5909 Campbell Lk
City : Anacortes
State : WA
Zip : 98221
email : mail@culbertsonmarine.com
PermitProposal : PL16-0556

Comments : I am writing in regards to the inclusion of more land in the existing gravel pit near Lake Erie. I am for the proposal as it allows greater reserves for future projects of a critical resource. The resource will be used as called for by need and the impacts to traffic and quality of life has been minimal with the existing operations. I have lived along one of the routes for transport 31 years and noticed no difference in quality of life to having the pit just up the road. I have had use of the gravel from the pit to my benefit. Overall we need the kinds of resources for the life we all live and having more available is good for us all.

From Host Address: 50.34.171.71

Date and time received: 8/25/2020 8:59:20 AM

From: John Cooper
Sent: Friday, August 28, 2020 2:48 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 9:02 AM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Tuesday, August 25, 2020 9:00 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Andrew Culbertson
Address : 5909 Campbell Lk
City : Anacortes
State : WA
Zip : 98221
email : mail@culbertsonmarine.com
PermitProposal : PL16-0556

Comments : I am writing in regards to the inclusion of more land in the existing gravel pit near Lake Erie. I am for the proposal as it allows greater reserves for future projects of a critical resource. The resource will be used as called for by need and the impacts to traffic and quality of life has been minimal with the existing operations. I have lived along one of the routes for transport 31 years and noticed no difference in quality of life to having the pit just up the road. I have had use of the gravel from the pit to my benefit. Overall we need the kinds of resources for the life we all live and having more available is good for us all.

From Host Address: 50.34.171.71

Date and time received: 8/25/2020 8:59:20 AM

From: John Cooper
Sent: Friday, August 28, 2020 2:48 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 8:53 AM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Tuesday, August 25, 2020 8:35 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Jon Schmidt
Address : 3740 Birch Way
City : Anacortes
State : WA
Zip : 98221

email : jonsphoto@comcast.net

PermitProposal : Expansion of Lake Erie Gravel Pit

Comments : I have several comments regarding this application and I am opposed to it's approval.

1. No public notice (postings) has been given on this project. I just received word of this project yesterday.
2. I am concerned that this project could easily affect subsurface waterways in the area that include our community well (Sunset West).
3. Traffic is already a concern for our community. There have been several accidents on Rosario Rd. (three that I know of) involving my property alone.
4. Rosario Road reasonably manages the current level of traffic, however the added truck traffic that is proposed in this application would be dangerous to bikers and walkers/joggers because of the narrow shoulders.
5. This proposal should only be allowed after and in compliance with a full EIS that addresses noise, surface water, traffic and habitat issues surrounding this perposal.

Thank you,
Jon Schmidt

From Host Address: 24.19.174.226

Date and time received: 8/25/2020 8:33:03 AM

From: John Cooper
Sent: Friday, August 28, 2020 2:47 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 8:52 AM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Tuesday, August 25, 2020 8:30 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Janelle Wallace
Address : 4063 Edith Point RD
City : Anacortes
State : WA
Zip : 98221
email : mangy.moose@comcast.net
PermitProposal : PL16-0556
Comments : Dear Commissioner,

This is my quick response to strenuously object to the proposed Mining expansion, and especially to the fact that during this Covid-19 epidemic, many older residents like myself that reside just off of Rosario Rd, will find it difficult or impossible to have our voices heard on this matter.

I am requesting that this hearing be delayed until the environmental impact studies can be done and distributed to all residents along the affected area surrounding this operation, and that there be adequate time for older residents, that may not be "tech savvy" to respond and register their disapproval, concerns, and restrictions requests.

I hope that you will consider my urgent request, as I have bad feelings that this mining expansion is being pushed quickly at a time that residents participation is seriously undermined by the pandemic.

From Host Address: 67.168.67.40

Date and time received: 8/25/2020 8:29:08 AM

From: John Cooper
Sent: Friday, August 28, 2020 2:46 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 8:52 AM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Tuesday, August 25, 2020 8:30 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Janelle Wallace
Address : 4063 Edith Point RD
City : Anacortes
State : WA
Zip : 98221
email : mangy.moose@comcast.net
PermitProposal : PL16-0556
Comments : Dear Commissioner,

This is my quick response to strenuously object to the proposed Mining expansion, and especially to the fact that during this Covid-19 epidemic, many older residents like myself that reside just off of Rosario Rd, will find it difficult or impossible to have our voices heard on this matter.

I am requesting that this hearing be delayed until the environmental impact studies can be done and distributed to all residents along the affected area surrounding this operation, and that there be adequate time for older residents, that may not be "tech savvy" to respond and register their disapproval, concerns, and restrictions requests.

I hope that you will consider my urgent request, as I have bad feelings that this mining expansion is being pushed quickly at a time that residents participation is seriously undermined by the pandemic.

From Host Address: 67.168.67.40

Date and time received: 8/25/2020 8:29:08 AM

From: John Cooper
Sent: Friday, August 28, 2020 2:46 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 8:52 AM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Tuesday, August 25, 2020 8:25 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Thomas E Loesch
Address : 11369 Higgins Airport Way
City : Burlington
State : Washington
Zip : 98233
email : tloesch@impressionsworldwide.com
PermitProposal : Lake Erie Gravel Pit

Comments : Please deny this permit. My family lives within 500 feet of this pit and the devastation to our environment is unimaginable. Certainly there is gravel to be had without destroying the incredibly serene South Fidalgo Island.

From Host Address: 24.16.203.11

Date and time received: 8/25/2020 8:22:51 AM

From: John Cooper
Sent: Friday, August 28, 2020 2:46 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 8:41 AM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Monday, August 24, 2020 4:10 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Paul Flinn
Address : 4929 Sharpe Rd
City : Anacortes
State : WA
Zip : 98221
email : pwflinn@gmail.com
PermitProposal : PL16-0556

Comments : We are very concerned about the expansion of the mining operation from 17.8 acres to 53.5 acres on the site located near the intersection of Rosario Road and Marine Drive (permit PL16-0556) for the following reasons:

1. We are concerned about the adverse effects that increased gravel mining operations will have on property values located near the operation. Gravel mines create very ugly scars on the land that will be there long after mining operations have ceased. And no one wants to live next to a gravel mine that produces loud noise and dust day after day for 60 years.
2. We are concerned about health effects of the dust created by the gravel pit could affect residents in the area. They could be exposed to mordenite dust which has been shown to cause mesothelioma. At the very least, the dust needs to be analyzed for this carcinogen. Residents could be exposed daily for up to 60 years which greatly increases this possibility.
3. We are concerned about the effects the expansion of the gravel pit will have on ground water contamination. Lake Erie would be affected by expansion of this mine. This would lead to increased nutrients in the lake water system that will lead to large algal blooms and fish death. This could lead to local extinction of sensitive wildlife species.
4. Home owners with wells in the area could be impacted by the pit. The existing aquifer could be

impacted and local wells could go dry.

5. We oppose the expansion of the gravel mine because it would increase truck traffic. It is not hard to imagine the impact of 26 truckloads per day would have on these small island roads that are very busy with tourists during the summer and school buses in the fall and winter. This could result in increased road fatalities.

6. Finally, why allow this expansion on beautiful Fidalgo island? There is no reason to permanently destroy its beauty with an unsightly gravel pit. After 60 years, no amount of restoration will replace the original condition of the land.

From Host Address: 67.183.68.8

Date and time received: 8/24/2020 4:06:41 PM

From: John Cooper
Sent: Friday, August 28, 2020 2:45 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 8:41 AM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Monday, August 24, 2020 4:20 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Richard Solberg
Address : 11859 Olgha Rd
City : Anacortes
State : WA
Zip : 98221

email : fruitfight@comcast.net

PermitProposal : Expansion of the Lake Erie Gravel Pit Mining

Comments : This increase in mining will have a huge impact on the rural residential neighborhoods in this area, and should not be permitted. There is already a substantial amount of trucking going on as it is. This project is out of scale with the local environment, and has not been scientifically studied sufficiently regarding permanent impacts.

From Host Address: 73.225.23.242

Date and time received: 8/24/2020 4:17:39 PM

From: John Cooper
Sent: Friday, August 28, 2020 2:45 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 8:39 AM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Monday, August 24, 2020 3:15 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Keith Brachtjo
Address : 12867 S. Wildwood Ln
City : Anacortes
State : Wa
Zip : 98221

email : rocky68d@gmail.com

PermitProposal : Expansion of Lake Erie Gravel Pit Mining Operations

Comments : My wife and I are opposed to the proposed expansion of the Lake Erie Gravel Pit Mining Operation. We live on South Wildwood Lane approximately 1800 feet North of the current pit. Any expansion of mining operations would significantly diminish the quality of life we have enjoyed for the past 30 years on Lake Erie.

Specifically, the following, in no particular order, are the reasons for our opposition.

Concern for the quality and renewal of our community well water located downhill from the pit.
Noise from the rock crusher, loading of trucks and other associated equipment at least 9 hours every weekday.

Near constant dust in the air during operations and its impact on the health of the many seniors, including us, in the area.

Noise and safety issues due to additional heavy truck traffic on already busy roads.

Decline of our property value due to the above issues.

Destruction of the quiet, rural lifestyle all of us in the area are here for.

Before any permitting is granted, a thorough environmental impact study is a must as is making sure this proposal is in compliance with the Growth Management Act.

In closing, I must voice my disgust at how this proposed expansion has been handled to this point. The

lack of or absolute minimal and obscure notifications, the rush to get it through, especially in a time of imposed constraints due to the pandemic, and the overall disregard for those of us who will be impacted the most by this borders on the nefarious. The parties involved should be ashamed of themselves.

From Host Address: 67.183.75.30

Date and time received: 8/24/2020 3:14:09 PM

From: John Cooper
Sent: Friday, August 28, 2020 2:45 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 8:39 AM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Monday, August 24, 2020 3:30 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Ted A Reisner
Address : 13495 Rosario Road
City : Anacortes
State : Washington
Zip : 98221
email : treisner@reisnerdistributor.com
PermitProposal : PL16-0556

Comments : We have been a neighbor to Lake Erie Trucking and his pit for 27 years, Bill has always been a respectful company to have next door. We have never had a noise ,dust or truck traffic issue during that time. My wife and i have no problem with them moving forward with their expansion and welcome any jobs it might create . Thank you. Ted Reisner

From Host Address: 75.151.72.145

Date and time received: 8/24/2020 3:26:07 PM

From: John Cooper
Sent: Friday, August 28, 2020 2:55 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 7:53 PM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Tuesday, August 25, 2020 4:25 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Jan Heald Robinson
Address : PO Box 924
City : Anacortes
State : WA
Zip : 98221

email : janhrobinson@gmail.com

PermitProposal : Mining Special Use Application PL16-0556. Lake Erie Pit 1, LLC

Comments : I am Jan Heald Robinson, I live at 3660 Rosario Crest Lane on Fidalgo Island. I have been a resident of Skagit County for nearly eight years; we have owned our home for over 42 years and my husband's family has lived on our family property 2.0 miles from the pit since 1885.

I very recently became aware that a company called Lake Erie Pit LLC proposes to substantially expand the old mine on Rosario Road. I learned about Special Use Permit Application NO. PL16-0556 late last week.

Because we have not received notice of the hearing by mail, we haven't had the time necessary to prepare a full explanation of my project concerns. I am concerned about the mine expansion due to truck impact, impact on the water table and mine operation noise, dirt and air pollution. Do we have the benefit of a solid and independent Environmental Impact Study and how this project fits within Shoreline Management?

The Hearing Examiner should continue this hearing for a minimum of two months to allow me and other neighbors who didn't receive notice to prepare and submit our comments. The applicant has had more than 3 ½ years to make their case for the permit and it's only fair that neighbors have some time to respond.

1) First things first, the area is predominately rural and residential. The impact of noise and dirt from the

industrial operation and from the trucking is damaging to the neighborhood.

2) What will the truck impact be on the 2m tourists who come to Deception Pass to see beautiful forested rural area?

With Mount Erie at the center of our Islands, situated between Deception Pass State Park, Sharpe Park, and Anacortes Forest Lands, the millions of people who cross those bridges are focused on the rural and residential character of South Fidalgo.

Think about the many people who walk, ride bikes and horses out in our community, as well as children who catch buses in the mornings, mid-day and afternoons!

I, myself, prefer all that to the big trucks from a currently quiet gravel pit.

3) What will the truck impact be on the neighborhood community? Let's talk about TRUCK TRAFFIC on Rosario Road.

4) The traffic studies the applicant is using have limited value with regard to rural two lane, limited visibility roads on which new drivers, old drivers, school buses and 2m tourists are the predominant travelers. How in depth is mention of truck traffic on these residential roads – on Campbell Lake Road, for example. Consider, slow moving heavily loaded trucks trying to get on Rosario road northbound or southbound right out of the mine and trying to get on highway 20 from Campbell Lake Road. This will all be extremely dangerous.

5) The currently low heavy truck traffic will increase measurably on narrow two lane roads. How long ago was this pit active? Does the traffic study identify how many trucks are coming in and out of this mine now? How many truckloads daily in the last five years? How many trucks will truly head into Anacortes versus to Hwy 20. So, most of these trucks will likely head down Campbell Lake Road.

Please consider a continuance so that we might have further input from the neighborhood.

From Host Address: 67.160.16.69

Date and time received: 8/25/2020 4:24:24 PM

From: John Cooper
Sent: Friday, August 28, 2020 2:55 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 7:53 PM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Tuesday, August 25, 2020 4:30 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Kathleen Lorence-Flanagan
Address : 2005 10th St.
City : Anacortes
State : WA
Zip : 98221

email : tomflanagan1@comcast.net

PermitProposal : Expansion of Lake Erie Gravel Pit

Comments : The scope of this project is enormous...3x the size of the existing operation, 60,000 tons of gravel processed per year, significant increases in truck trips/noise, too much vegetation removal, and perhaps the most important, a risk of serious impact on what is already an issue on South Fidalgo: water. The area is rural and quiet, a wonderful respite from life in town, please let it be preserved. Delay the permit until concerns can be more thoroughly addressed, or best of all, simply deny it! Thank you.

From Host Address: 67.183.69.107

Date and time received: 8/25/2020 4:27:30 PM

From: John Cooper
Sent: Friday, August 28, 2020 2:55 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 7:53 PM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Tuesday, August 25, 2020 4:30 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Christy Lancaster
Address : 3244 Biz Point Rd
City : Anacortes
State : WA
Zip : 98221
email : lancasterchristy@hotmail.com
PermitProposal : PL16-0556
Comments : Please deny. Will cause too much traffic and noise. At least postpone.

From Host Address: 107.77.205.112

Date and time received: 8/25/2020 4:29:38 PM

From: John Cooper
Sent: Friday, August 28, 2020 2:55 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 7:53 PM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Tuesday, August 25, 2020 4:40 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Roger Robinson
Address : Box 924
City : Anacortes
State : WA
Zip : 98221

email : rogerarobinson@gmail.com

PermitProposal : PL16-0556. Lake Erie Pit, LLC

Comments : My name is Roger Robinson and I live at 3660 Rosario CrestLane, about 2 miles down Rosario Road from the proposed gravel mine. My wife and I have owned our home for over 42 years, living on my family property, that they settled in 1885.

Late last week I became aware that Lake Erie Pit LLC (PermitApplication NO. PL16-0556) proposes to substantially expand their sleepy little gravel yard, on Rosario Road, from 17 acres to 53 acres.

Presently, I am opposed to this expansion.

Because the county only sends notice to properties within 300 feet of a proposal, I, like 99% of the people affected by this expansion, did not receive a notice of hearing by mail. This expansion is of the magnitude that it affects FAR more people than only those within the 300' border.

The 17 acre gravel yard in question, for years has been pretty sleepy. Not much traffic or noise. Bringing the size up to 53 acres is huge. Some years back, in a hearing with the county commissioners, the owner of Pit, LLC made a statement that their intention was to mine all the gravel and bring the land down to flat land (it is now a hill) with the future hope of getting the land rezoned for a housing development. The commissioners denied their request. This expansion does not seem to be congruent with Washington's GMA's "rural character requirement".

Possible irreversible future problems include, but are not limited to: the dangers of adding so many large dump trucks and their possible trailers to the roads in the neighborhood and the possibilities of casualties with children waiting for or getting off their schoolbuses; accidents with automobiles; noise; dust; pollution; added deterioration to our county roads and so on. At the very least, the applicant should be required to do a thorough and complete Environmental Impact Statement (EIS).

I request that the Hearing Examiner continue this hearing for a minimum of two months, to allow our neighbors, who didn't receive notice yet will be impacted by this expansion, to prepare and submit comments. The applicant has had more than 3 years to make their case for their expansion. If it is important enough to require a permit, neighbors should have some time to respond, as all the seemingly negative aspects of this expansion will have a negative impact on all of our property values.

One property owner (Pit, LLC) should not be able to diminish the property values and quality of rural life of many. Especially if the expansion can not pass the test of a bona fide EIS. I am asking for a continuance of at least 2 months and a requirement that a full and legal EIS be required of the applicant before issuing any permit(s) for expansion of this sleepy little gravel mine.

Regards,
Roger Robinson

From Host Address: 45.131.194.130

Date and time received: 8/25/2020 4:39:01 PM

From: John Cooper
Sent: Friday, August 28, 2020 2:54 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 7:50 PM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Tuesday, August 25, 2020 5:40 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Chelsea Montgomery-Duban Waechter
Address : 14121 Devin Cliff Ln
City : Anacortes
State : WA
Zip : 98221

email : chelseaaustin.md@gmail.com

PermitProposal : Mining Special Use Application PL16-0556

Comments : My family has called Anacortes their home since before I was born. The idyllic nature of the Skagit Valley is what drew my parents here in the late 1980s and every since they have worked hard to help maintain the natural beauty of the gorgeous region. The expansion of this gravel pit would directly attack the land we all should want to preserve. My family has helped maintain the beauty of this space by being major donors to the Montgomery-Duban Headlands Park. This expansion would create all of the traffic we are trying to get away from in the big cities of this country and would cause even more urban blight amongst the stunning nature we call our home here. I strongly discourage moving forward with any plan to expand this gravel pit, it would work to undo all the work my family has done and it would also, quite literally, go against nature.

From Host Address: 107.77.205.159

Date and time received: 8/25/2020 5:36:38 PM

From: John Cooper
Sent: Friday, August 28, 2020 2:54 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 7:50 PM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Tuesday, August 25, 2020 5:50 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Dominic Waechter
Address : 14121 Devin Cliff Ln
City : Anacortes
State : WA
Zip : 98221
email : dominic.waechter@evrealestate.com
PermitProposal : Mining Special Use Application PL16-0556

Comments : The Skagit Valley is one of the most stunning places on the planet. My wife's family has called this area home since 1986. The first time I came up to visit the family I was struck by the amount of the island that has maintained its absolute natural splendor. There are so few places in this world anymore that are left natural. Our world is quickly losing its natural resources because of projects like these. Not only is it stunning to look at and draws tourists and residents alike, it also aids in the very oxygen we breathe. To expand this gravel pit would take away vital natural resources that fuel the body and the soul. People come to the PNW for views and nature like we are so fortunate to have here, why we would want to squander that for the expansion of a gravel pit and to invite more traffic to pollute the air does not make sense to me. We urge the county to carefully consider the lasting negative impact this project could have on the community and tourism. We hope that the permit to move forward with this project will be denied.

From Host Address: 107.77.205.159

Date and time received: 8/25/2020 5:45:16 PM

From: John Cooper
Sent: Friday, August 28, 2020 2:54 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 7:48 PM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Tuesday, August 25, 2020 6:50 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Dennis L Duban
Address : 14121 Devin Cliff Lane
City : Anacortes
State : WA
Zip : 98221
email : Dd@dldcpas.com

PermitProposal : Mining Special Use Application PL16-0556

Comments : Mining???? This is what is being asked to expand in one of the most beautiful and serene places on the planet. This doesn't even seem a question. For 34 years we have resided at this haven we call South Fidalgo Island. We came here because of the unspoiled beauty and tranquility. That is being threatened by allowing a mining company to more than double it's expansion in this tranquil neighborhood. More gravel trucks and more natural land decimated by industry. I'm horrified and saddened by the lack of care that is being taken by the our elected officials that we believe are there to protect us, the environment and our neighborhoods. Please don't accept this temptation for tax dollars to spoil what is the ever shrinking natural beauty that is South Fidalgo Island.....PLEASE!!!!

From Host Address: 72.67.32.170

Date and time received: 8/25/2020 6:47:10 PM

From: John Cooper
Sent: Friday, August 28, 2020 2:53 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 7:38 PM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Tuesday, August 25, 2020 2:00 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Eugene Hong
Address : 13964 BIZ POINT LANE
City : ANACORTES
State : Washington
Zip : 98221
email : eugenehong1@gmail.com
PermitProposal : Mining Special Use Application PL16-0556
Comments : To whom it may concern:

There is considerable concern on a number of levels regarding the expansion of the Lake Erie Gravel Pit.

This is a permanent change that could impact the area; as such, there needs to be a more formal and detailed evaluation focusing on the science.

It is in the county's best interest to delay the permit until further evaluation has been completed.

From Host Address: 67.183.248.134

Date and time received: 8/25/2020 1:57:10 PM

From: John Cooper
Sent: Friday, August 28, 2020 2:53 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 1:50 PM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Tuesday, August 25, 2020 1:50 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Jim Laurel
Address : 3918 Bay Lane
City : Anacortes
State : WA
Zip : 98221
email : jimlaurel86@icloud.com
PermitProposal : PL16-0556

Comments : I strongly object to the proposed expansion of the Lake Erie Gravel Pit.

The Seaview neighborhood is adjacent to the south end of the proposed expansion of the gravel pit mining operation. The noise, dust and traffic will adversely affect the residents of the over 50 homes in Seaview. The heavily loaded trucks, presumably including trailer trucks, will enter Rosario Road at a difficult intersection with limited visibility and, if traveling south, will be entering on an uphill slope. This will create excessive noise during acceleration and block traffic on heavily traveled Rosario Road.

The noise from Rosario Road traffic volume, both commercial and private, continues to increase. The proposed expansion will bring more heavy truck noise.

Jim Laurel
President, Seaview 3 HOA

From Host Address: 67.160.16.71

Date and time received: 8/25/2020 1:45:58 PM

From: John Cooper
Sent: Friday, August 28, 2020 2:52 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 1:38 PM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Tuesday, August 25, 2020 12:25 PM
To: Planning & Development Services
Subject: PDS Comments

Name : John S Mickelwait
Address : 14206 Cove Court
City : Anacortes
State : WA
Zip : 98221
email : jsmickelwait@gmail.com

PermitProposal : Mining Special Use Application PL16-0556

Comments : Aside from several concerns about the immediate area environmental impact, my wife and I are very concerned about the effect that large probable "dual" dump trucks will have on the safety of bicyclers and pedestrians in this already congested area. The present traffic does appear to have endangered bicyclers in spite of no bike lanes, but with large trucks occupying much of the narrow rural road, crowding and forcing riders onto the potentially narrow and dangerous shoulders will likely occur. (And the proposed operation will put more gravel, mud and dirt on the roads). We enjoy bicycling along Rosario Road and Marine Drive into town. It would be unsafe to do so with large dump trucks every 20 minutes causing increasingly dangerous conditions, and we would have to discontinue riding.

24 hours a day of rock crusher, motor and heavy equipment noise would destroy our idyllic island living! Cost of homes is high and people are willing to pay for tranquility and a safe environment. This would surely change if this proposal is adopted. We strongly oppose this proposal.

From Host Address: 73.83.226.75

Date and time received: 8/25/2020 12:23:25 PM

From: John Cooper
Sent: Friday, August 28, 2020 2:51 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 1:38 PM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Tuesday, August 25, 2020 12:30 PM
To: Planning & Development Services
Subject: PDS Comments

Name : WilliamSwain
Address : 14171 Cove Ct
City : Anacortes
State : WA
Zip : 98221
email : WASwain@comcast.net
PermitProposal : Mining Special Use Application PL16-0556
Comments : Where was the Notification to the Residents in the area? This is an obvious attempt to issue a Permit "under the cover of darkness".

The expansion of the quarry would result in a totally unacceptable increase in noise, increased truck/trailer traffic, the tracking of mud onto roads, and would employ the dangerous entry of heavy vehicles onto roads with limited visibility.

We are totally in opposition to the issuance of this expansion permit.

William A Swain

From Host Address: 67.183.250.110

Date and time received: 8/25/2020 12:26:57 PM

From: John Cooper
Sent: Friday, August 28, 2020 2:51 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 1:38 PM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Tuesday, August 25, 2020 1:15 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Thomas Carson
Address : 14188 Madrona Drive
City : Anacortes
State : WA
Zip : 98221
email : tcarson@wavecable.com
PermitProposal : PL 16-0556

Comments : I strongly urge a far more thorough review of this proposed gravel pit/mining operation. The major problem is traffic flow. The primary access point is mid-point in a complex intersection involving Rosario Rd and Marine Drive. My wife and I regularly pass through this intersection. Travelling north on Rosario and turning east to toward Lake Erie Store there is a blind corner immediately prior to the primary access to the proposed site. There is a STOP sign regulating merging traffic from Marine Dr. almost opposite the primary access, but it is not unusual for traffic to ignore that sign while also failing to look for traffic turning east; it involves looking nearly 180 degrees right. A loaded truck emerging from the proposed expansion site will dramatically increase the chance of a serious accident--blind corner, ignored STOP sign and loaded truck!!!

We have seen too many accidents at this corner, from minor events to multi-car pile-ups, esp. on rain-slicked or icy roads.

This is also an especially sensitive area given to slides on the other side of Rosario Rd and the site of aquifer recharge areas. It is also a fairly heavily developed residential area.

County staff reports include a particularly large number of times the word "may" is used which clearly suggests incomplete and therefore questionable information about potential negative impacts--too many to be ignored without far more thorough and careful review.

From Host Address: 172.92.222.235

Date and time received: 8/25/2020 1:12:41 PM

From: John Cooper
Sent: Friday, August 28, 2020 2:51 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 1:38 PM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Tuesday, August 25, 2020 1:30 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Margaret Colony
Address : 3274 Biz Point Road
City : Anacortes
State : WA
Zip : 98221
email : mcolony@wavecable.com

PermitProposal : Mining Special Use Application PL16-0556

Comments : I respectfully request that this permit be denied. The increased traffic on Rosario Road, which provides my access to Anacortes, and the access of many to Deception Pass, will make travel difficult during the day and unsafe, particularly near the intersection of Marine Drive and Rosario Road. Visibility is already a challenge, without large trucks entering and exiting the site.

Further, the noise pollution will have an impact on all of us living in the area, particularly the rock crusher noise which is projected to "maybe" run all day.

If the permit is not immediately denied, please delay until an adequate environmental impact statement is provided, addressing all the possible impacts on aquifer, slope and dust.

Thank you for your consideration

From Host Address: 172.92.224.170

Date and time received: 8/25/2020 1:29:16 PM

From: John Cooper
Sent: Friday, August 28, 2020 2:50 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Betsy D. Stevenson
Sent: Tuesday, August 25, 2020 12:43 PM
To: John Cooper
Subject: FW: PDS Comments

From: Planning & Development Services <planning@co.skagit.wa.us>
Sent: Tuesday, August 25, 2020 12:23 PM
To: Betsy D. Stevenson <betsyds@co.skagit.wa.us>
Subject: FW: PDS Comments

From: website@co.skagit.wa.us<mailto:website@co.skagit.wa.us> [website@co.skagit.wa.us]

Sent: Tuesday, August 25, 2020 12:20 PM

To: Planning & Development Services

Subject: PDS Comments

Name : MARK G RAPHAEL

Address : 3852 BIZ POINT RD

City : ANACORTES

State : WA

Zip : 98221

email : mmeraphael@gmail.com<mailto:mmeraphael@gmail.com>

PermitProposal : PL16-0556; PL20-0221/0258; PL20-0880

Comments : Negative impacts to property values, road noise, traffic, and environmental noise. What impact on road maintenance with heavy trucks on county roads? Impact to wild life, eagles and other animals?

From Host Address: 172.92.210.21

Date and time received: 8/25/2020 12:16:25 PM

From: John Cooper
Sent: Friday, August 28, 2020 3:00 PM
To: jtc27@hotmail.com
Subject: FW: Expansion of Lake Erie Gravel Pit Mining Operation

From: Leah Forbes
Sent: Wednesday, August 26, 2020 7:07 AM
To: John Cooper
Subject: FW: Expansion of Lake Erie Gravel Pit Mining Operation

From pds comment

-----Original Message-----
From: jan.hersey <jan.hersey@comcast.net>
Sent: Tuesday, August 25, 2020 5:13 PM
To: PDS comments <pdscomments@co.skagit.wa.us>
Subject: Expansion of Lake Erie Gravel Pit Mining Operation

As a resident of nearby Biz point Rd, I am writing in opposition to the expansion of the Lake Erie gravel pit operations. Such a massive expansion with its noise, heavy truck traffic, and destruction of habitat is totally inconsistent with the rural residential nature of south Fidalgo Island. The intersection near Rosario Rd and Marine Drive is one I travel multiple times each week, if not each day. The area is also the site of numerous bicycle races and marathons throughout the year.

The benefit to one individual or company is at the expense of the thousands of current area residents and will discourage further residential use (and the associated Skagit County tax income).

I urge you to deny this permit. At the very least, an environmental impact statement is called for. The citizens have had very little notice about this proposal and little time to weigh in. We deserve better.

Sincerely,
Janet Hersey & Jay Ham

Janet Hersey & Jay Ham
[3153 Bi Point Rd, Anacortes WA 98221](mailto:jan.hersey@comcast.net)
[360.391.9517](tel:360.391.9517) c
[360.588.1142](tel:360.588.1142) h/o
jan.hersey@comcast.net

From: John Cooper
Sent: Friday, August 28, 2020 3:00 PM
To: jtc27@hotmail.com
Subject: FW: Expansion of Lake Erie Gravel Pit Mining Operation

From: Leah Forbes
Sent: Wednesday, August 26, 2020 7:07 AM
To: John Cooper
Subject: FW: Expansion of Lake Erie Gravel Pit Mining Operation

From pds comment

-----Original Message-----
From: jan.hersey <jan.hersey@comcast.net>
Sent: Tuesday, August 25, 2020 5:13 PM
To: PDS comments <pdscomments@co.skagit.wa.us>
Subject: Expansion of Lake Erie Gravel Pit Mining Operation

As a resident of nearby Biz point Rd, I am writing in opposition to the expansion of the Lake Erie gravel pit operations. Such a massive expansion with its noise, heavy truck traffic, and destruction of habitat is totally inconsistent with the rural residential nature of south Fidalgo Island. The intersection near Rosario Rd and Marine Drive is one I travel multiple times each week, if not each day. The area is also the site of numerous bicycle races and marathons throughout the year.

The benefit to one individual or company is at the expense of the thousands of current area residents and will discourage further residential use (and the associated Skagit County tax income).

I urge you to deny this permit. At the very least, an environmental impact statement is called for. The citizens have had very little notice about this proposal and little time to weigh in. We deserve better.

Sincerely,
Janet Hersey & Jay Ham

Janet Hersey & Jay Ham
3153 Bi Point Rd, Anacortes WA 98221
360.391.9517 c
360.588.1142 h/o
jan.hersey@comcast.net

From: John Cooper
Sent: Friday, August 28, 2020 2:59 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Wednesday, August 26, 2020 3:06 PM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Wednesday, August 26, 2020 3:00 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Patrice and Kurt Heyduck
Address : 13980 Biz Point Lane
City : Anacortes
State : Wa
Zip : 98221
email : Khpuget@yahoo.com

PermitProposal : Expansion of the Lake Erie Gravel Pit Mining Operation

Comments : We moved from Coupeville just under 1 year ago to avoid the Navy's jet noise.

We did not move here to contend with more noise. The plan to increase truck traffic, truck noise

Exhaust pollution and rock crushing noise should not be allowed in residential area's. There are to many risks that may occur if this plan were to go through.

It seems that the environmental impacts would be overwhelming. It is my sincere hope that the hearing examiner would delay this permit process until all of the impacts are adequately addressed and all members of the community have had a chance to analyze the situation and vote on the plan.

Sincerely,
Kurt and Patrice Heyduck

From Host Address: 24.19.60.157

Date and time received: 8/26/2020 2:57:34 PM

From: John Cooper
Sent: Friday, August 28, 2020 2:58 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Wednesday, August 26, 2020 3:04 PM
To: John Cooper
Subject: FW: PDS Comments

From dept email... would this be a comment letter for your PL16-0556 project? I'm not really sure where to send this..

Thanks,

Lori

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Wednesday, August 26, 2020 1:00 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Carol Bordin
Address : PO Box 3034
City : Anacortes, WA, USA
State : WA
Zip : 98221

email : wetlands2save@gmail.com

PermitProposal : Skagit County Great Blue Heron Rookeries/Permit for Land Use Activities

Comments : I am submitting my brief but concise comment regarding the Great Blue Heron Rookeries in Skagit County and proposed land development near these rookeries.

I am strongly recommending and asking that Skagit County limits any work near ALL Great Blue Heron Rookeries to a 1500ft - 2000ft buffer zone whereby no land development will intrude, destroy, or impact these Great Blue Heron Rookeries.

We've done this on Fidalgo Island with the City of Anacortes, now let's do the same for All of Skagit County! And, did you know:

- Skagit County has the largest and most important heronry on the West Coast of the United States.
- County code already says the Great Blue Heron nesting sites must be protected under Fish and Wildlife Priority and Habitat Species guidance.
- The Department of Fish and Wildlife's letter to you said that the notification area triggering review of

development activities around heronries needs to be 1,000 feet. That is what the Staff proposal says. Please adopt it!

- You are responsible for making sure we have laws that can be applied and that the laws are based on science.

These Great Blue Heron and their Rookeries are cherished here on Fidalgo Island and in all of Skagit County, they are what make this lovely place beautiful and enjoyable...letting them be wild and free without harming them needlessly for a few more feet of land development. It's time to stand up for wildlife and their homes! Thank you for your support!

Sincerely,
Carol Bordin
Fidalgo Island Resident

From Host Address: 73.35.184.12

Date and time received: 8/26/2020 12:56:24 PM

From: John Cooper
Sent: Friday, August 28, 2020 2:58 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Wednesday, August 26, 2020 3:03 PM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Wednesday, August 26, 2020 12:45 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Carol Bordin
Address : PO Box 3034
City : Anacortes, WA, USA
State : WA
Zip : 98221

email : wetlands2save@gmail.com

PermitProposal : Mining Special Use Application PL16-0556 Expansion of the Lake Erie Gravel Pit Mining Operation from ~18 acres to approximately ~54 acres.

Comments : Mining Special Use Application PL16-0556
Expansion of the Lake Erie Gravel Pit Mining Operation
from ~18 acres to approximately ~54 acres.

This mining expansion will seriously spoil the Rural Character of Fidalgo Island by allowing:

- ? Increased Heavy Truck Traffic on our Narrow Rural Roads
 - ? Increased Truck Noise and Noise Events in our Rural Neighborhoods
 - ? Increased Heavy Truck Exhaust Pollution on our Narrow Rural Roads
 - ? Noise from the Rock Crusher
 - ? The risk onsite fuel/oil leaks or spills or at the Lake Erie Trucking operation across the road.
 - ? The generation tracking of mud and debris off site.
- ?
- ? The generation of excessive emissions or odors and dust.
- ?
- ? The tracking of mud and debris off site and onto the roadway.
 - ? Concerns regarding the recharge area for the springs located within Dodson Canyon, and the slope stability of Dodson Canyon
 - ? Assurance of Site Reclamation

I am opposed to the expansion of this gravel mining operation! I do not agree with allowing this permit to be obtained and mining to be expanded!

Thank you,
Carol Bordin
Fidalgo Island

From Host Address: 73.35.184.12

Date and time received: 8/26/2020 12:42:38 PM

From: John Cooper
Sent: Friday, August 28, 2020 2:58 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Wednesday, August 26, 2020 11:28 AM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Wednesday, August 26, 2020 11:25 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Marcel Schwarb
Address : 14004 Biz Point Ln
City : Anacortes
State : WA
Zip : 98221
email : cascadepass@earthlink.net
PermitProposal : PL16-0556

Comments : We are opposed to this expansion. The quiet rural roads and residences nearby are not the appropriate places for this kind of noisy and air polluting activities. There is also a landslide area adjacent to the mining site which could be affected by changes to the water aquifer in the area. Have these issues been properly addressed with EIS? Area neighbors have received no direct notification of this application which seems unfair. Increased noise and traffic from the additional trucking round trips this expansion will create is not suitable for this rural area. The idea of sharing rural roads with these large trucks in the dark hours of fall and winter, when there is already danger from deer crossing the road in the dark, doesn't sit well.

There is already a sand and gravel operation, Lakeside Industries, a mile away and that should be considered. Is it really appropriate to have a second mining operation so close by in this quiet rural area? I think not. This permit should be delayed until ALL of the environmental impacts have been thoroughly addressed.

If the permit is granted despite objections from the public, the HE should include some conditions in the permit to reduce some of the possible adverse impacts, such as: (1) Limit hours of operation to daylight hours only; (2) No weekend operation, when there is increased recreational traffic going to/from Deception Pass State Park and Whidbey Island on Rosario Road; (3) require a construction stormwater permit from DOE for this project; do not allow storage of excavation materials in the buffers--a buffer is supposed to be a protection against adverse impacts and should remain in its natural state, not be covered with debris; (4) no operation should be allowed during any times beyond those initially permitted for any reason, not even for increased gravel market demand (due to additional adverse

effect on neighborhood roads.

I have not even addressed the issue of noise generated by the crusher. It is totally inappropriate for this rural setting. Residents live here for the quiet!!!!

Please do not allow this permit to proceed. It should be denied in its entirety.

From Host Address: 67.183.251.246

Date and time received: 8/26/2020 11:20:24 AM

From: John Cooper
Sent: Friday, August 28, 2020 2:58 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Wednesday, August 26, 2020 7:56 AM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Tuesday, August 25, 2020 9:15 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Stephen Sauder
Address : 4049 Edith Point Rd
City : Anacortes
State : WA
Zip : 98221
email : sssauder@comcast.net
PermitProposal : PL16-0556

Comments : We are strongly apposed to this development. There is already so much traffic on Rosario from all the people who work @ the Naval base. Just trying to get onto Rosario from our road can be very challenging. Adding more traffic with trucks and other equipment will add to the congestion and noise. Not to mention dust from the gravel and possible landslides in the area. We have 2 beautiful lakes down that road which will be difficult to enter and exit and the overall peace and tranquility which brought us to this area will be greatly diminished. Please re consider this proposal.

Thanking you in advance,

Steve & Sharron Sauder

From Host Address: 24.16.200.31

Date and time received: 8/25/2020 9:11:16 PM

From: John Cooper
Sent: Friday, August 28, 2020 2:57 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Wednesday, August 26, 2020 7:55 AM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Wednesday, August 26, 2020 12:15 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Brian Wetcher
Address : 814 26th St.
City : Anacortes
State : wa
Zip : 98221

email : brwetcher@gmail.com

PermitProposal : Lake Erie Gravel Mine expansion

Comments : I urge the county and the Hearing Examiner to issue a continuance of this hearing for this proposal. The County and the proponent have failed to adequately apply required shoreline protection review for the potential impacts on Lake Erie. A DNS for a gravel mine, including grinding operations immediately uphill from the south shore of the lake seems prima facie inadequate. Grinding operations alone produce quantities of airborne dust particulate which does not seem to have been any part of the county DNS consideration. This by itself indicates that the DNS was issued with flawed data which did not include a wider range of impacts. Even with the best containment efforts quarry spoil runoff will infiltrate the lake, increasing turbidity and higher water temperatures, changing the ecology of the lake. I should also mention the possible public reaction when this less than well publicized project suddenly materializes on the south west shore. A continuance would allow the county to consider a wider range of impacts and further inform a broader range of the public.

From Host Address: 24.19.175.201

Date and time received: 8/26/2020 12:12:49 AM

From: John Cooper
Sent: Friday, August 28, 2020 2:57 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 7:55 PM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Tuesday, August 25, 2020 2:50 PM
To: Planning & Development Services
Subject: PDS Comments

Name : leslie and jon ostlund
Address : 3161 Biz Point Road
City : anacortes
State : wa
Zip : 98221

email : ljostlund@icloud.com

PermitProposal : Mining Special Use application PL 16-0556

Comments : Dear Sirs: We first read of a hearing r/t this action the first part of April. The hearing was cancelled r/t Covid-19. Frankly, as parents of a teen severely afflicted with autism, we were suddenly thrust into online school and isolation.

There was a time that large colorful signs were posted for land use changes on telephone poles in an impacted area (not a white sign down a drive with no trespassing/no shooting signs at the entrance to said location). Not all folks subscribe to the Skagit paper where there was apparently a notice of this meeting one time the first part of August.

Please delay the permit until those of us impacted beyond 300 yards can understand and address the environmental impacts. Please deny the permit if someone can't address these issues and please, if you pass this, eliminate all "may be" possibilities of adverse impacts.

We have lived here over 25 years and this action will change the rural and non-commercial aspect of South Fidalgo forever!!!!Our property values will drop dramatically and so will the property taxes the county receives!

I have stopped at Lakeside Industries where the other gravel pit is and listened to the rock crusher and sounds of rock being dumped into a truck. We will have not only that noise, but dust, diesel pollution, wildlife trauma, dangerous traffic and frequent trucks on rural roads (another roundabout?) and the possibility of water impacting on Dodson Canyon and other bank areas with homes (were they notified?)

are real possibilities. PLEASE DON'T approve this permit to change the serenity of South Fidalgo Island forever. Respectfully, Jon and Leslie Ostlund

From Host Address: 67.160.73.174

Date and time received: 8/25/2020 2:45:15 PM

From: John Cooper
Sent: Friday, August 28, 2020 2:57 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 7:54 PM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Tuesday, August 25, 2020 3:25 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Christie Stewart Stein
Address : 16384 Donnelly Road
City : Mount Vernon
State : WA
Zip : 98273

email : jsteinwa@earthlink.net

PermitProposal : Mining Special Use Application PL16-0556

Comments : Our family opposes the expansion of the Lake Erie Gravel Pit

This mining expansion will seriously spoil the Rural Character of Fidalgo Island by allowing:

- ? Increased Heavy Truck Traffic on our Narrow Rural Roads
 - ? Increased Truck Noise and Noise Events in our Rural Neighborhoods
 - ? Increased Heavy Truck Exhaust Pollution on our Narrow Rural Roads
 - ? Noise from the Rock Crusher
 - ? The risk onsite fuel/oil leaks or spills or at the Lake Erie Trucking operation across the road.
 - ? The generation tracking of mud and debris off site.
 - ? The generation of excessive emissions or odors and dust.
 - ? The tracking of mud and debris off site and onto the roadway.
 - ? Concerns regarding the recharge area for the springs located within Dodson Canyon, and the slope stability of Dodson Canyon
 - ? Assurance of Site Reclamation
- We urge you to deny the permit.

From Host Address: 98.247.74.225

Date and time received: 8/25/2020 3:24:30 PM

From: John Cooper
Sent: Friday, August 28, 2020 2:57 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 7:54 PM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Tuesday, August 25, 2020 2:25 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Renee Westlund
Address : 14254 Rosario Road
City : Anacortes
State : WA
Zip : 98221
email : Renee.westlund@gmail.com

PermitProposal : PL16-0556 - Lake Erie Gravel Pit Expansion

Comments : I would like to state my opposition to the expansion of the gravel mine. The increase truck traffic and noise would be unwelcome in this rural neighborhood. The mine is already a nuisance source of gun shots, homeless activity and a dumping ground for waste. This leads me to strongly question if ownership will invest the funds needed to ensure this expanded operation will properly manage any negative impact to the neighborhood and wildlife habitat that will be destroyed by this major expansion. The answers on the permit application are evidence that sufficient plans are not in place to assure that this mine doesn't become a further nuisance to our rural community.

I ask that you do not approve the expansion on this mine.

Thanks you,
Renee Westlund

From Host Address: 172.92.230.156

Date and time received: 8/25/2020 2:23:31 PM

From: John Cooper
Sent: Friday, August 28, 2020 2:56 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 7:54 PM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Tuesday, August 25, 2020 3:45 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Kyle Loring
Address : PO Box 3356
City : Friday Harbor
State : WA
Zip : 98250
email : kyle@loringadvising.com
PermitProposal : Mining Special Use Application PL16-0556
Comments : Dear Mr. Cooper,

Evergreen Islands submitted this request for continuance to the office of the hearing examiner this afternoon. I've copied the text of that request into this portal, as follows:

Evergreen Islands ("Evergreen") respectfully files this request to continue the public hearing scheduled for August 26, 2020 for Mining Special Use Permit Application No. PL16-0556. Evergreen makes this request on behalf of the organization and the members of the public who did not receive the required public notice and thus were effectively denied their ability to meaningfully participate in a hearing about a neighboring gravel mine. Skagit County's Unified Development Code requires that notice of a public hearing be mailed at least 14 days before the date of the hearing to all owners and physical addresses (as shown on the records of the County Assessor) of properties within 300 feet, not including street rights-of-way, of the boundaries of the property which is the subject of the hearing, or, if the applicant owns property adjacent to the boundary of the development permit, notice shall be given to all physical addresses and owners of real property within 300 feet of any portions of the boundaries of such adjacent properties owned by the applicant.

Skagit County Code 14.06.150(3)(b).

A review of the tax parcel numbers appended to the Notice of Public, Exhibit 20 to the staff report for

this matter, indicates that numerous parcels within 300 feet of the applicant's contiguous property were omitted from the mailed public notice. Those tax parcels include P68387, P68388, P68389, P68391, P68392, P68393, P68394, P68395, P68396, P68400, P68449, P68450, P19141, P19167, P19169, P19171, P19172, P19180, P115971, P115974, P115975, P119098. Some of those parcels are adjacent to applicant's parcel P19168, which the public notice did not identify as being developed for the mine, but which is directly adjacent to other parcels owned by the applicant and proposed for mining.

The lack of notice to the parcels identified above failed to give notice to property owners within 300 feet of the applicant's operation, including parcels contiguous to those directly proposed for development. In order to comply with the rules and their intent to inform neighboring members of the public about development projects and to offer them an opportunity to provide meaningful comment, Evergreen Islands requests that the hearing be continued for two months.

Proper notice of this hearing is particularly important where a historic gravel mine would be tripled in size, expanding from 17.78 acres to approximately 53.5 acres, in a scenic corridor near Lake Erie. The removal of 3.6 million tons of gravel over 60 years would significantly impact that scenery and the daily lives for neighbors for many years to come. As the hearing examiner has concluded before, the public at large and the neighbors have a preexisting public interest in maintaining the aesthetic values in that corridor and the interests must be addressed and impacts mitigated. See *In re: appeal of SEPA Threshold Determination (MDNS) regarding Forest Practice Conversion Application (PL 13-0102) and Grading Permit (BP13-0136)*, File No. PL 13-0281 (April 21, 2014).

To assist the public in providing comments for the continued hearing, Evergreen Islands also requests that Skagit County make its staff report and exhibits available to the public by posting them online. Skagit County has taken this reasonable step for other projects with similarly large application files and should do so here.

RESPECTFULLY SUBMITTED this __25th__ of August, 2020

LORING ADVISING PLLC

By: Kyle A. Loring, WSBA No. 34603
Attorney for Evergreen Islands

From Host Address: 216.160.87.77

Date and time received: 8/25/2020 3:41:16 PM

From: John Cooper
Sent: Friday, August 28, 2020 2:55 PM
To: jtc27@hotmail.com
Subject: FW: PDS Comments

From: Planning & Development Services
Sent: Tuesday, August 25, 2020 7:53 PM
To: John Cooper
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [website@co.skagit.wa.us]
Sent: Tuesday, August 25, 2020 4:20 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Janelle Wallace
Address : 4063 Edith Point Rd.
City : Anacortes
State : WA
Zip : 98221
email : mangy.moose@comcast.net
PermitProposal : PL16-0556
Comments : Dear Commissioner,

This is my quick response to strenuously object to the proposed Mining expansion, and especially to the fact that during this Covid-19 epidemic, many older residents like myself that reside just off of Rosario Rd, will find it difficult or impossible to have our voices heard on this matter.

I am requesting that this hearing be delayed until the environmental impact studies can be done and distributed to all residents along the affected area surrounding this operation, and that there be adequate time for older residents, that may not be "tech savvy" to respond and register their disapproval, concerns, and restrictions requests.

I hope that you will consider my urgent request, as I have bad feelings that this mining expansion is being pushed quickly at a time that residents participation is seriously undermined by the pandemic.

PS - This is my second attempt at submitting commentary, regarding tomorrows meeting. Please confirm receipt to the above email. Thank you.

From Host Address: 67.168.67.40

Date and time received: 8/25/2020 4:16:31 PM

13664 Rosario Road
Anacortes, Wa 98221
April 8, 2020

RECEIVED

AUG 12 2020

SKAGIT COUNTY
PDS

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

RE: Objection to PL16-0556 Special Use Permit Application

ATT: Mr. John Cooper, Senior Planner

Dear Mr. Cooper,

I am submitting this letter with the anticipation that the deadline of April 7th, 2020 deadline @ 4:30 has been extended for public comment due to the restrictions of public gatherings.

There are legitimate concerns about the current proposal to the expansion of the gravel pit on Rosario Road. Our concerns are the following:

1. **Gravel Truck Traffic:** In order to deliver the aggregate to market, gravel trucks are used to haul the materials. These trucks have a capacity of between 11 and 22 tons depending on the number of wheels and the physical size of the unit. For delivery of the estimated 60,000 Tons annually, that means numerous trips per day of noisy large gravel trucks up and down Rosario Road. When merge times are added for existing vehicle use, the result of this traffic increase will cause gridlock for everyone using Rosario Road as well as a potential danger to the many school buses that travel on the same route.
2. **Air Pollution:** Besides the traffic problems which will be created by such an enterprise there will be an immense increase in exhaust gases produced by this large number of trucks. Additionally, fugitive Dust Emissions are also generated from the plant yard due to vehicular traffic and wind. This dust settles on vehicles during loading operation and is then blown off as the truck moves down the highway. This fugitive dust is then deposited on the highway where it is then spread by all vehicles in the air as the tires pick it up. The dust is then in the air to be

spread by the wind and is deposited on the surrounding environment where it can kill both vegetation and aquatic life depending on the formulation of the compound and its toxicity levels.

3. **Noise Pollution:** The addition of that number of vehicles to the area will result in a huge noise increase from engines, air brakes, gear changes, back up alarms etc. This will destroy the quiet enjoyment of all residents. Extracting and conveying equipment will produce sound levels which will affect wildlife habitat and quiet enjoyment of surrounding properties.
4. **Environmental Goals:** Please consider future generations and choose to protect our environment over aggregate extraction. This includes protecting the natural habitat of flora and fauna by preserving such areas for conservation, recreation and study purposes.
5. **Unfunded Liability:** Are there adequate financial instruments such as bonds and liability insurance in place to compensate for unforeseen consequences from operations on the environment or diminution in price of surrounding properties.
6. **Declining property values:** No one wants to deal with heavy truck traffic on a daily basis. As the desirability of an area decreases, so too do property values.

In conclusion, we would also like to request that, should the application be approved, the council consider using its powers to enforce controlled hours of operation and other restrictions that might make the duration of the works more bearable.

We would be grateful if the council would take our objections into consideration when deciding this application. We would welcome the opportunity to meet with a representative of the planning department at our home to illustrate our objections.

Sincerely,

Thomas R Winkler, MD and Patricia M Winkler, MAT



RECEIVED
AUG 12 2020
SKAGIT COUNTY
PDS

August 7, 2020

I would like to add an addendum to my initial letter of 4/8/2020.

The number of animals that will be killed or injured will increase. We have already seen far too many dead animals on Roanoke.

Drivers seem to think that the speed limit does not apply to them as well as the law prohibiting setting and driving.

Thanks -
Mrs. Winkler

of our natural environment are real and pressing concerns

In addition to the physical destruction of Fidalgo Island, I am also deeply concerned about the daily barrage of blasting noise, equipment noise, dust, and exhaust produced by the requested major expansion of the Lake Erie Pit. The destructive activities from the Lake Erie Pit will negatively impact the air quality of all of the residents that live nearby and degrade the quiet enjoyment of our homes and residential neighborhood for years to come. I am concerned that the major expansion of the Lake Erie Pit Mine's destructive activity will also lead to negative impacts on the values of our homes and the desirability of our neighborhood. I am also concerned that the major expansion of destructive activity, noise, and dust will decrease the public's quiet, recreational enjoyment of Lake Erie, a valuable Skagit County natural asset.

Please consider the destruction of our environment and the negative impacts on our neighborhood and the surrounding areas and deny the Mining Special Use Application PL16-0556 expansion of the Lake Erie Pit mining operation on Fidalgo Island.

Thank you,

A handwritten signature in cursive script, appearing to read 'Abby Jacobs', written in dark ink.

Abby Jacobs

13159 Deane Drive

Anacortes, WA

July 28, 2020

RE: Mining Special Use Application PL16-0556.

Plea to Deny Mining Special Use Application PL16-0556

RECEIVED

JUL 31 2020

SKAGIT COUNTY
PDS

SKAGIT COUNTY PLANNING AND DEVELOPMENT SERVICES

Staff Contact: John Cooper, Senior Planner.

John Cooper, LG, LHg

Geologist/Hydrogeologist/Natural Resource Planner

Skagit County Planning and Development Services

1800 Continental Place

Mount Vernon, WA 98273

Dear Mr. Cooper,

I am writing to you regarding the Mining Special Use Application PL16-0556. I am asking the county to deny the approval of this mining expansion at the Lake Erie Pit mining operation on Fidalgo Island. The Lake Erie Pit mine is asking to expand from 17.78 acres to approximately 53.5 acres. The gravel mining operation proposes to remove approximately 3,600,000 tons of gravel over a 60 year period. This is a request to vastly expand the Lake Erie pit mining operation in what is currently a quiet, mainly residential neighborhood.

I am deeply concerned about the serious negative environmental impacts that result from aggregate pit mining and how the major expansion being requested by the Lake Erie Pit mine will affect our quiet and natural neighborhood on Fidalgo Island.

Pits and quarries disrupt the existing movement of surface and ground water. They interrupt the natural water recharge and can lead to the reduced quantity and quality of drinking water for residents and wildlife near or downstream from a quarry site. The Lake Erie Pit mining operation will remove all natural vegetation, top soil, and sub soil and immediately lead to the loss of all existing wildlife in the affected area. It will lead to the loss of huge biodiversity as the plants and aquatic habitats are destroyed.

Destroyed ecosystems and source water aquifers are irreplaceable. The landscape of Fidalgo Island will be forever blotted with destruction and suffer permanent negative environmental impacts. For those of us living in the community, the potential degradation of our natural water systems and the destruction



August 25, 2020

Wick Dufford, Skagit County Hearing Examiner
Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Mining Special Use Application PL16-0556

Dear Mr. Dufford and Planning Department Staff:

Thank you for publishing notice to receive public comments concerning the proposed expansion of the Lake Erie Gravel Pit Mining Operation. Friends of Skagit County is concerned about the size and scale of the proposed expansion as well as the lack of details concerning the timing of the expansion.

We are aware that the Growth Management Act, Comprehensive Plan, Skagit Code and County Planning policies allow Mineral Resource Overlays in rural lands in Skagit County and regulations reflect the criteria for establishing and operating mining activities. We understand the GMHB has upheld both the right to mine and the County's authority to regulate these activities.

Lake Erie proposes to increase its current mining withdrawal from 49,000 tons to 11,000 tons of material. The proposal is to mine 2,250,000 cubic yards in 60 years.

We have no information as to whether the supply of gravel will allow the expansion to increase by the proposed amount each year, nor do we have a total estimate of material over the 60 years. Given that the total designated land in MRO is over 20,000 acres, we ask that the County take a longer view of the amount of material mined in the Lake Erie properties to determine if the increased tonnage should be less than the proposed 20% per year.

"Neighbors for Reasonable Mining v. Skagit County FDO No. 00-2-0047c, Feb. 6, 2001. Page 4, 12) The mineral land DRs in SCC 14.16.440 apply to 23,620 acres of land in Skagit County when only 625 to 750 acres are actually required for a fifty year supply of sand and gravel. This is a fundamental flaw." Please incorporate this FDO in this request and any future requests for MRO increases in production.

We are also concerned that the fill materials used to restore the mined acres NOT be supplied from Skagit's agricultural soils, Nookachamps loam and related soils. We ask that PD&S add the specification that the fill material not include prime ag soils from any zoning and that they do not come from either of the two wetland mitigation banks in Skagit County.

The level of service on the rural roads (Rosario Road south, east and north) is not designed for commercial/industrial uses. There is no information on the impacts of increased truck traffic from the increased mining activities. Please review and limit truck trips to lower volumes.

We question whether the proposed drainage management plan is adequate to protect the downslope neighbors, especially those across Rosario Road. We understand there are required buffers in the County code, GMA and state mining regulations; however, we recommend the buffer along Rosario road be more than 100 ft. as staff suggested to provide better noise abatement where there are existing residences. We assume doubling the buffer does not impair Lake Erie's extraction of material in any significant way.

Thank you for the opportunity to comment. If you have questions, please contact us.

Yours sincerely,

Ellen Bynum
Executive Director

cc: FOSC Board members.

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2019-2020

Randy Good
Sedro Woolley
President

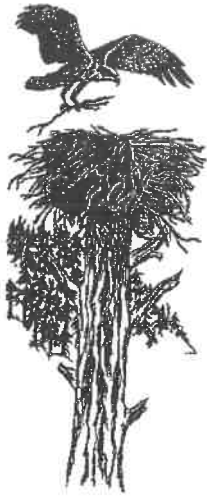
vacant
Vice-President

Lori Scott
Burlington
Secretary

Aileen Good
Sedro Woolley
Treasurer

Staff
Ellen Bynum
Executive Director

Preserving Skagit County's rural character by protecting the environment, supporting sustainable, resource based economies and promoting livable urban communities..



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Brenda Lavender
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Brian Wetcher
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mailing address
P.O. Box 223
Anacortes WA
98221

web address
evergreenislands.org

tax deductions
Evergreen Islands is a
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tax-deductible.

EVERGREEN ISLANDS

PO Box 223, Anacortes, WA 98221

August 25, 2020

To: Mr. Wick Dufford, Skagit County Hearing Examiner
cc: John Cooper, Skagit County Planner/Geologist
Skagit County Planning & Development
1800 Continental Place
Mount Vernon, WA 98273
Cc: Evergreen Islands Board of Directors

Re: Lake Erie Pit 1, Mining Special Use Application PL16-0556

Dear Mr. Dufford:

I am submitting these comments on behalf of members of Evergreen Islands – many who reside on South Fidalgo Island.

We recognize that the Lake Erie Pit is on land zoned Mineral Resource Overlay and that its operation is a permitted use. However, the scale of the proposed expansion will not only devastate the aesthetics of our Fidalgo Island, and in doing so, will seriously degrade the rural character of our island.

In your 2014 decision (see Attachment 2) for the Mount Erie Clearcut appeal, you considered and established the significance of South Fidalgo's aesthetics and rural character. In 2013, Evergreen Islands submitted a comment letter (see Attachment 3) that documented the unique and irreplaceable qualities that contribute to South Fidalgo Island's rural character and its aesthetic environmental assets.

Although denied, the MDNS appeal by Evergreen Islands, the decision confirmed the need to preserve the unique and rare value of the aesthetic qualities and views afforded the neighbors and the public. Regardless, the permit was conditioned to protect the established aesthetic qualities of the Island associated with the development of a single residence on forty acres of forested land. Please note that the Lake Erie Pit property is approximately 'kitty corner' to the Mount Erie clearcut property. (See Figure 1)

The decision's statement of facts included the following items (emphasis added):

9. **Public comment provided a large amount of information and sentiment on the matter of aesthetics.** Viewed as supplementing the SEPA record, this information was, in the Examiner's view, adequate input on the aesthetics question. He does not think that it would help for more of the same to be provided within the format of an Environmental Impact Statement

**REQUESTED CONDITIONS FOR
ALL IDENTIFIED PROBABLE SIGNIFICANT
ADVERSE ENVIRONMENTAL IMPACTS**

ATTACHMENT 2

NOTICE OF DECISION

BEFORE THE SKAGIT COUNTY HEARING EXAMINER

Appeal: SEPA Threshold Determination (MDNS) regarding Forest Practice Conversion Application
PL 13-0102) and Grading Permit (BP13-0136).

File No: PL 13-0281

NOTICE OF DECISION

BEFORE THE SKAGIT COUNTY HEARING EXAMINER

Appellant: Evergreen Islands
c/o Tom Glade
P. O. Box 223 Anacortes, WA 98221

Applicant: Frank Harkness
P. O. Box 171 Acme, W A 98220

Appeals: SEPA Threshold Determination (MDNS) regarding Forest Practice
Conversion Application (PL 13-0102) and
Grading Permit (BP13-0136).

File No: PL 13-0281

Location: South-facing flank of Mount Erie on Fidalgo Island, located north
of 5285 Campbell Lake Road Drive, within a portion of NW 1/4
Sec. 12, T34N, R1E, W.M. Parcel # P19301.

Land Use Designation: Rural Reserve

Summary of Proposal: Forest practice conversion; grading permit to construct
access road for subsequent residential development.

Public Hearing: October 9, 2013

Decision Date: The appeal is denied. The MDNS and Grading Permit are
affirmed, subject to conditions. April 21, 2014.

Reconsideration/Appeal: A Request for Reconsideration may be filed with PDS within 10
days of this decision. The decision may be appealed to the Board
of County Commissioners within 14 days of the date of decision or
decision on reconsideration, if applicable.

Online Text: The entire decision can be viewed at:
<http://www.skagitcounty.net/hearingexaminer>

PROCEDURAL BACKGROUND

This appeal came on for hearing before the Hearing Examiner in the ordinary course on October 9, 2013. At the hearing Appellant Evergreen Islands was represented Gerald Steel, Attorney at Law. Jill Dvorkin, Assistant Prosecuting Attorney, represented the Skagit County.

The Appellant presented as lay witnesses seven citizens and the President of Appellant Evergreen Islands. Appellant also presented Dr. Ross Barnes as an expert.

John Cooper summarized the Staff Report for the County and Kevin Noyes, Deputy Fire Marshal, testified as to Fire Marshal review. Frank Harkness, Applicant, testified as a lay witness. The County called Robert Bailey, biologist, and Dan McShane, geologist, as experts.

Appellant's Exhibits A-I through A-14 were admitted. Of these A1through A-14 related to Dr. Barnes testimony. Dr. Barnes report (A-12) included numerous attachments identified as Barnes Exhibits (A series, pp. AI-A47; B series, pp. BI-BI5ff; and C series, pp. CI-C8)

County Exhibits C-1 through C-16 were admitted. These exhibits included 247 commenl messages from members of the public.

On November 1, 2013, the Hearing Examiner entered an order entitled, "Remand for Consideration of Mediation." This order requested that discussion be pursued "between the landowner and his neighbors and other interested parties about how to develop the property in a way that will suit the interests of all." The Examiner stated that if mediation were agreed upon, he would await the outcome of that process prior to taking further action.

Pursuant to this request, Evergreen Island and Frank and Christine Harkness participated in a mediation session on November 21, 2013, and reached an agreement to work in good faith toward the purchase and sale of a conservation easement. If unable to reach agreement, the parties agreed to return for another mediation session. The second session took place on March 24, 2014 and no agreement resulted. The mediation was thereupon closed.

Given the failure of mediation, the Examiner has again taken up the case and the following decision represents his findings and conclusions based on the record of the October 2013 hearing.

The Examiner made a site visit to the area surrounding the subject property, an area he has visited many times before.

FINDINGS OF FACT

1. On March 18, 2013, Frank and Christine Harkness filed a Forest Practice Conversion application (PL13-0102) and a Grading Permit application (BP13-0136) seeking to prepare a 40- acre parcel on the southern flank of Mount Erie for residential development.
2. The parcel is located north of and adjacent to 5285 Campbell Lake Road Drive within a portion of the *NW1/4* Sec. 12, T34N, R1E, W.M. The Parcel Number is P19301.
3. The zoning of the property is Rural Reserve (RRv). Within this zone detached single-family dwelling units are permitted uses with a minimum lot size of 10 acres. SCC
14. 16.320(2)(f); SCC 14,16,320(5)(e). The property lies within a county Fire District.
4. The site is currently undeveloped. The lower portion of the steep rock face of Mount Erie occupies the northeastern portion of the property. The rest of the parcel is covered with timber.
5. The short-term goal of the applicants is to build a single-family residence on the property. Eventually, they may seek to subdivide the parcel into four residential lots.
6. The parcel is situated within a beautiful rural area between Deception Pass Park to the south and Mount Erie Park to the north, with Pass Lake and Campbell Lake in between. The presence of the parks is an indication of the scenic value of the setting.
7. The property in question occupies a central part of the vista looking northwest from the south and east sides of Campbell Lake towards Mount Erie. It spans the intersection of the rocky upper reaches of Mount Erie and the forest immediately below. The trees provide a natural visual buffer between the rock faces above and the rural development at the valley's edge. The picture of the mountain emerging from the forest is one of rare and essentially unspoiled natural beauty.
8. The valley floor around Campbell Lake has been developed with a number of homes, scattered among green fields. The applicants' property is on the hillside to the north and his proposed home appears to be at a substantially higher elevation than the other homes in the vicinity. In essence, the applicants propose to extend the rural residential scene farther up the hill. No man-made structures are now to be seen at the interface between the rocky hillside of Mount Erie and the forest.
9. To the immediate north of the subject lot are Anacortes Community Forest Lands (ACFL) which surround Mount Erie Park. These are within the jurisdiction of the City of Anacortes. The rock face of Mount Erie, primarily within the City, is regionally popular as a rock climbing site. There is a system of access trails to the foot of the face which has long been used by climbers. Some portion of these trails are on the applicants' property.
10. To the immediate south there is an intervening property between the subject parcel and Campbell Lake Road. Access to the site is to be obtained via a 60' foot access and utility

easement across this intervening ownership, extending up from Campbell Lake Road and entering the subject parcel near the southwest corner.

11. An Environmental Checklist was submitted with the application here. Later, on May 10, 2013, a professionally-prepared storm drainage plan was completed. Then, on May 24, 2013, a document containing a geohazard assessment, wetland delineation and fish and wildlife assessment was submitted. These documents show an evolution in the applicants' planning.

12. Initially the project was described simply as a clear-cut of the property in preparation for the residential development. The State Environmental Policy Act (SEP A) was implicated because the intention was to convert the parcel from forest to residential land. However, the Environmental Checklist names the project "Harkness Timber Harvest," and describes the proposal simply as follows: "to harvest approximately 900 MBF of timber from the parcel. This will require some gravel road construction to access the parcel. "

13. The Notice of Development, published on March 28, 2013, provided a little more information:

Frank and Christine Harkness filed an application for a Forest Practice Conversion to harvest approximately 900,000 board feet of timber on a 40 acre parcel. The applicant proposes to clear the subject site for future subdivision and development as a single family residence. In addition to harvesting the timber and stump removal, the applicant proposes to excavate approximately 2,006 cubic yards of soil and fill approximately 1510 cubic yards of soil for construction of access roads for residential development of the site.

14. At the hearing the applicants clarified that their immediate intent is to build one single family residence (with garage and shop) for themselves. The professional reports submitted were prepared in relation to a single house and related outbuildings. The idea of future subdivision of the property into four parcels is, at present, just that -- an idea.

15. The instant decision therefore treats the application as limited to the one residence and outbuildings shown on the plans submitted. Any proposal for further development of the property will have to await a different application and a different review process. Such an application will trigger a further environmental review directed at the impacts of what is then concretely proposed.

16. The County approval required for the project is a Grading Permit, a type of building permit. Normally this kind of approval is non-discretionary if its technical requirements are met. However, because of the conversion from forestry use, the Grading Permit was, in this case, rendered discretionary by the applicability of SEP A. Such discretionary review included a need to comply with the Critical Areas Ordinance.

17. The Storm Drainage Plan by Engineered Solutions NW, LLC, described the project as "construction of a new driveway and residence" on Parcel 19301. The approximate location of a house, garage and shop were shown in the northeasterly portion of the site on a USGA

contour map as well as superimposed on a 2011 aerial photo. The drainage report said the house and garage are proposed "basically at foot of rock cliff." The access driveway was shown snaking sinuously upwards from the southwest entry of the lot to the home-site.

18. The drainage plan analyzed runoff from the property in a clear-cut condition and proposed a large detention pond on the lower part of the parcel near the southwest corner. The drainage plan set forth owner-provided information on the dimensions of the proposed structures as follows: "house - 46' x 72' = 3,312 square feet; garage - 30' x 35' = 1,050 square feet; shop - 45' x 65' = 2,925 square feet.

19. Later, Stratum Group and Edison Engineering produced a document entitled:

"Geologically Hazardous Assessments; Wetland Delineation and Fish and Wildlife Assessment Harkness Property" (hereafter called the Critical Area Report). This document contained a Critical Area Site Plan which depicts the driveway leading up to a proposed house which is located within the northeast quadrant of the property. The garage is shown just west of the house and the shop (described as 70' x 70') is shown down-gradient and slightly to the east of the house

20. The Critical Area Report called for a buffer in the northwest portion of the property to protect what was represented as the nearest peregrine falcon nest. The buffer is a circle with an 850 foot radius. The site plan shows the on-site portion of such a buffer in the northwest portion of the parcel. It extends 550 feet south along the western boundary and 860 feet east along the north boundary. The report recommended that no logging take place inside this buffer. (The nest was estimated to be about 300 feet north and 10 feet east of the northern property boundary).

21. In addition, the Critical Area Report identified Category III wetlands in the southeast corner of the property that extend onto neighboring properties to the east and south. When a mandated 110 foot buffer is drawn around the wetlands, a sizable chunk of the southeast portion of the lot is removed from logging and other development.

22. After reviewing the various reports, the County issued Mitigated Determination of Non-Significance (MDNS). The MDNS, dated June 7, 2013 was in effect a determination that no environmental impact statement must be written. The description of the project in the MDNS is substantially the same as given in the March Notice of Development but it also notes the submission of the drainage plan and the Critical Area Report. The conditions of the MDNS include the following:

The applicant shall comply with the provisions of Skagit County Code 14.24, Critical Areas Ordinance. As indicated in the Geologically Hazardous Assessment, Wetland Delineation and Fish and Wildlife Site Assessment by Edison Engineering, dated May 24, 2013, no harvest, grading or development activities shall occur within 110-feet of the wetlands identified in the southeast corner of parcel P19301. No harvest, grading or development activity shall occur within 860 feet of the Peregrine Falcon nested located near the northwest corner of parcel 19301 (see critical areas site plan). No timber harvest shall occur on

the entire parcel from March 1st to July 1st of any year for the duration of the forest practice permit.

23. The proposal that emerged from the various review documents and, as conditioned by the MDNS, excludes significant portions of the northwest and southeast portions of the property from clear-cutting. From the outset, the proposal has also excluded any development on the rock bluff on the northeast portion of the property. Indeed, the entire northern boundary area appears to be untouched by the ultimate proposal. In response to a County inquiry, the City of Anacortes by letter noted:

The buffer provided in the northwest corner of the property and clearing limits set up by the Harkness family in the northeast corner provide a substantial buffer for the Anacortes Community Forest Lands which border this property to the north.

The Staff Report states that the net result is a 200+ foot buffer from the boundary of the ACFL 24. Based on the various reports provided, it appears that the house is proposed for a locale in the upper portion of the presently wooded area, below the interface of forest and vertical rock cliff. None of the proposed buildings are within any of the described buffers.

25. The portion of the Critical Area Report devoted to geohazard stated that the steep rock slope is about 165 feet in back of the proposed house. The investigating geologist after visiting the property concluded that the home-site is not within a landslide hazard area and that the proposed home is not likely to be damaged by falling rocks. No rock falls were identified within the vicinity of the proposed building area.

26. The plan view for the road, attached to the Grading Permit, shows the house at an elevation of almost 400 feet. This is nearly 300 feet higher than Campbell Lake Road. The evident purpose, then, is for the residence to take advantage of the broad territorial view to the south toward Campbell Lake and its surrounding fields and scattered dwellings. The current state of approval for development would allow trees to be cut down around the proposed homesite.

27. When the MDNS was issued, the public impression created was that the entire site would be clear cut. This created a wave of public reaction. A total of 268 public comments were received. An overwhelming majority opposed the project.

28. The numerous statements in opposition decried the anticipated effect of the clear cut on views toward Mount Erie from the valley and highways below, as well as on views from above down the mountain towards the lake. Some argued that the natural beauty of the site indirectly results in significant economic benefits through attracting visitors. Concerns were also expressed about impacts on rock climbing, on wildlife, in particular peregrine falcons, and on drainage toward Lake Campbell.

29. Evergreen Islands timely filed an appeal of the MDNS on July 12, 2013. The County issued a Grading Permit for the project (BP13-0136) on September 9, 2013. Subsequently on September 13, 2013, Evergreen Islands submitted an Amended Notice of Appeal which included an appeal of the Grading Permit.

30. The appeal alleged that the MDNS and Grading Permit are based on inadequate environmental review. The main issues asserted were (1) inadequate analysis of aesthetic impacts, (2) inadequate analysis of fire danger, and (3) inadequate critical area protection.

31. The Staff Report states that aesthetics were considered as a part of the SEPA review process and that the responsible official concluded that there would not be a significant adverse impact to aesthetics of the site and surrounding area from the project. The Staff Report indicated that the applicants have retreated from the idea of clear cutting. It stated that "the applicant intends to clear for residential development and selective cut or thin the trees and vegetation on the remainder of the parcel." Applicant Frank Harkness testified at the hearing to similar effect.

32. The appellants introduced a series of photographs of Mount Erie and the forest below in an attempt to suggest how logging on the property would affect views. The appellant downplayed the impacts suggested, but the preponderance of evidence is that views of the property would be negatively impacted by the development planned.

33. As to fire risk, the Grading Permit requires meet County road construction standards, including driveway access standards and turn-out and turn-around requirements for fire and emergency vehicles. The applicant intends to comply with the Firewise program to reduce the presence of fire hazards to developments on the property. A representative of the County Fire Marshal's office testified that the applicants' project meets relevant Fire Code and County standards. He said that use of Firewise would reduce risks of fire to climbers as well as structures.

35. The appellants did not make a persuasive case on fire danger impacts.

36. The Staff position was essentially that the professional work done with regard to critical areas was adequate to prevent significant adverse impacts as to geohazards, wetlands and wildlife. No issue was raised as to wetland protection.

37. At the hearing, the geologist who investigated the site for the applicants testified that in his professional opinion there is no rock fall hazard to either the proposed structures or the driveway. He also stated that there is no landslide hazard on the property even after timber harvest.

38. On geohazards, the appeal focuses on mapping shortcomings, and assertions that the home-site is within a landslide hazard area. The Examiner is persuaded by the on-site investigation of applicant's geologist and finds that the issue of landslide hazard was adequately analyzed. No need for better mapping in this regard was shown. Under the circumstances, there is no requirement for a geohazard area mitigation plan.

39. The applicants' biologist testified that he had called an expert at the State Department of Fish and Wildlife with regard to the location of peregrine falcon nests and the appropriate buffer to provide for such nests. The circle of protection recommended was 850 feet. This was represented on the Critical Areas Site Plan, using the off-site nest location given. As noted, the MDNS forbids harvest, grading or development activity in this protected area.

40. Appellants contend that the location of the falcon nest used by applicant's biologist was incorrect and that a buffer of 1310 feet should have been adopted for protection of the peregrine falcons in the vicinity. The 1310 foot figure is based on a buffer suggested in a State Department of Fish and Wildlife publication. This suggestion is a recommendation only and does not have regulatory authority.

41. The Examiner takes notice that falcons sometimes move around and that nesting sites may change from time to time. There is no strict requirement for any particular buffer.

42. The portion of the 850 circle shown on the Critical Areas Site Plan recognizes the presence of falcons in the area and makes an appropriate effort to protect them. The County made no finding that the project would likely have an adverse impact on any fish and wildlife conservation area and thus no requirement for a habitat management plan was triggered.

43. Both the applicants and the City of Anacortes report that they have reached an agreement on allowing access for climbers wishing to climb the rock face of Mount Erie. There is no final signed agreement in the record, but there is no reason to believe that such an accord will not be finalized. The record does not support a finding that the proposal will significantly interfere with the customary use of the property by climbers.

44. Any conclusion herein which may be deemed a finding is hereby adopted as such.

DISCUSSION

If there is a significant adverse environmental impact here it is the impact on aesthetics. Other potentially negative environmental impacts appear to have been adequately provided against. An area for protection of the peregrine falcons will be set aside. The wetlands will be protected. Landslides are unlikely. The rock cliff will not itself be disturbed and the structures built on site will not be in significant danger from falling rocks. Appropriate fire protection measures will be taken. Trail access for climbers will be preserved. Run-off will be properly controlled and treated.

So, the case basically comes down to whether the aesthetic impacts should be the reason for rejecting the project or for requiring an Environmental Impact Statement.

The evidence on aesthetics provided by the large and passionate public outcry is already substantial. Much of this is predicated on the now-abandoned idea of clear-cutting the property. But, it is undoubtedly true that even with the modified logging regime, the single-family

residential development proposed would perceptibly change the look of the property and alter the pristine forest-below-rock picture that now exists.

The basic countervailing truth is that the parcel is private property and the relevant land use regulations allow building a home on this property. The parcel is zoned Rural Reserve, a zoning category in which single family homes are permitted outright.

Case law in general does not support turning a project down solely for aesthetic reasons.

And an issue of fairness underlies this situation. A governmental body or a conservation organization could have purchased this property. They did not. The applicant/owners are asked to bear the full burden of protecting the natural setting.

The SEPA process is about full environmental disclosure. SEPA does not demand any particular substantive outcome. The environmental disclosure in the record supports a decision to condition the permit in an effort to minimize the aesthetic objections. But, as to approval or denial, it is within the discretion of the County to weigh the property rights of the applicants more heavily than the aesthetic objections raised.

Furthermore, the Examiner is convinced that an impact statement supplying a more refined aesthetics analysis would not add much to an understanding of the environmental effects of the proposal. Requiring such a statement would only be a way to increase costs and delay the project further.

The remaining problem, then, is to determine what conditions are appropriate to mitigate the environmental impacts of the proposal to build a residence on this piece of ground. The appellants seek to have the house moved from its proposed site to someplace lower on the property where it would perhaps be more effectively screened by trees and topography and thus less intrusive from afar.

The Examiner takes notice that a major value of this parcel for residential development is as a view lot, offering a spectacular territorial vista from the proposed home-site over the valley, lakes and fields below. The appellants seek to dilute this value in the interests of minimizing the impact on views onto the property by the public.

The immediate aesthetic change will be from a heavily forested site to a thinned forest on part of the property with a single family home and outbuildings. However, the structures on the site can, to some degree, be screened from view.

After much reflection, the Examiner has decided that the applicants should be allowed to build where they propose to build with as much screening of their structures as practicable, so as to preserve their own views out and to minimize impacts on public views in.

The Examiner notes that screening requirements are not uncommon. The construction of cell towers, which often occurs in relatively natural settings, must meet requirements for screening and for blending into the setting so far as possible. Likewise, screening from public views must be made in rural subdivisions under the CaRD provisions.

CONCLUSIONS OF LAW

1. The Hearing Examiner has jurisdiction over the subject matter of this appeal. The Grading Permit and the SEPA threshold determination are Level I administrative approvals, subject to appeal to the Hearing Examiner. SCC 14.06.110(7).
2. Because SEPA makes the permit decision discretionary, the subject Grading Permit is a form of "development permit." SCC 14.04.020. Accordingly, the requirements of the Critical Areas Ordinance must be met for approval of this application. SCC 14.24.060.
3. The timber harvest sought here is authorized by State law. The limitations on that harvest accepted by the applicants flow here from County requirements.
4. As conditioned below, the subject project can comply with the Critical Areas Ordinance. A habitat management plan would be required only if the County had found that the project would likely have an adverse impact on a fish and wildlife habitat conservation area. No such finding was made here. See SCC 14.24.520(2)
5. Similarly, a geohazard area mitigation plan is required only on properties containing geologically hazardous conditions. SCC 14.24.420(3). Such conditions were not identified here. A 50-foot buffer from a geohazard is required only when a mitigation plan is required.
6. Under the SEPA rules, the County could designate certain categorical exemptions that do not apply within critical areas. WAC 197-11-908. Skagit County has not chosen to make any such designations. Nonetheless this project is not categorically exempt from the threshold determination requirements. Under WAC 197-11-305(b) the threshold determination requirements apply generally to projects which include a series of exempt and non-exempt actions which are related to one another and together may have a probable significant environmental effects. That is the apparently what led to the threshold determination here.
7. The project which is the subject of the MDNS is the project as modified by the Storm Drainage Plan and the Critical Areas Plan. The MDNS specifically requires compliance with the Critical Areas Plan, effectively prohibiting timber harvest, grading or development within 860 feet of the falcon's nests and within 110 feet of identified wetlands. The MDNS also requires compliance with drainage and erosion control measures recommended by the Storm Drainage Plan.
8. The rules for appeals of SEPA threshold determinations require that such determinations by the County's Responsible Official shall carry substantial weight in any appeal proceeding. SCC 14.12.210 (4).
9. The Examiner concludes that under all the circumstances, the information provided in the record is "reasonably sufficient" to evaluate the environmental impact of the proposal. See WAC 197-11-335. Public comment provided a large amount of information and sentiment on

the matter of aesthetics. Viewed as supplementing the SEPA record, this information was, in the Examiner's view, adequate input on the aesthetics question. He does not think that it would help for more of the same to be provided within the format of an Environmental Impact Statement.

10. With this in mind and looking at the entire record, the Examiner concludes that the environmental full disclosure purposes of SEP A have been fulfilled in this case and that no useful purpose would be served by reversing the MDNS on technical grounds. The project as it has been modified by the review process will significantly reduce the environmental impacts, including the aesthetic impacts, if conditioned as set forth below.

11. Recognizing that aesthetics alone probably would not carry the day, the appellants presented a spirited case urging additional shortcomings. The Examiner compliments them on this effort, but is, in the end, convinced that no substantial problem of fire safety or critical areas compliance was proven.

12. Any finding herein which may be deemed a conclusion is hereby adopted as such.

CONDITIONS

1. The project shall be constructed as shown on the final Site Plan required by Condition (9), below.
2. All conditions set forth in the MDNS, issued June 7, 2013, shall be complied with.
3. The general construction recommendations set forth in the Geologically Hazardous Assessment, Wetland Delineation and Fish and Wildlife Assessment, dated May 24, 2013, shall be followed.
5. The applicants shall file a Protected Critical Areas easement per SCC 14.24.090, covering the critical areas identified on the Critical Areas Site plan.
6. The property shall be selectively logged, not clear cut.
7. The applicants shall comply with "Firewise" as appropriate for this property.
8. The applicants shall enter into a signed final agreement with Anacortes Parks and Recreation relating to the trails on their property that the public will be allowed to use. The applicants will permit the City to place signs along these trails advising that the routes are on private property and that users should remain on the trails.
9. The applicants shall present a final Site Plan showing clearing limits on the property, as well as the critical areas with buffers. The plan shall also show: (1) the location, elevation and dimensions of the buildings proposed; (2) the driveway including provisions made to accommodate fire and emergency vehicles; and (3) the approximate location and size of the detention pond as revised.

10. The applicants shall provide an addendum to the Storm Drainage Plan that evaluates the drainage resulting from development according to the final Site Plan and sizes the detention pond to reflect the reduction in logging on the site.

11. To the extent possible, screening trees shall be retained in the vicinity of the buildings and along the driveway. The applicants shall develop a Screening Plan which while preserving views from the house will to the extent possible obscure the structures built on the property from outside views. The County shall review and approve this plan.


12. The buildings on the site shall be finished in natural colors which blend into the background.

13. Failure to abide by these conditions may result in permit revocation.

DECISION

The appeal is denied. The MDNS and Grading Permit are affirmed, subject to the conditions set forth above.

DONE, this 21st day of April, 2014.



Wick Dufford, Hearing Examiner

Transmitted to the Parties, April 21, 2014.

See Page 1, Notice of Decision, for Appeal Information.

ATTACHMENT 3
Evergreen Islands Comment Letter, October 9, 2013
PL13-0281, Appeal of MDNS for PL13-0102
Forest Practice Conversion and BP13-0136 Grading Permit
re: The Aesthetic Environmental Element



**Evergreen Islands
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mailing address
P.O. Box 223
Anacortes WA
98221

web address
evergreenislands.org

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Evergreen Islands is a
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EVERGREEN ISLANDS

October 9, 2013

To: Wick Dufford, Skagit County Hearing Examiner
Skagit County Office of Land Use Hearings
CC: John Cooper, Natural Resource Planner
Skagit County Planning & Development Services

Re: PL13-0281, Appeal of MDNS for PL13-0102
Forest Practice Conversion and BP13-0136 Grading Permit
re: The Aesthetic Environmental Element

Dear Mr. Dufford:

On the behalf of Evergreen Islands, I am submitting this document, which addresses the PL13-0102 application to harvest approximately 900,000 board feet of timber on a 40 acre parcel on the slopes of Mount Erie, a mountain within the Anacortes Community Forest Lands (ACFL).



Figure 1. Aerial Photo of Site with Parcel P19301 Boundaries.

Evergreen Islands believes that the County made an “error in law” when Skagit County, the lead State Environmental Policy Act (SEPA) agency, decided that an Environmental Impact Statement was not required for this application. The proposed action to clear cut 40 acres on Fidalgo Island “is likely to have a probable significant adverse environmental impact” on the quality of Fidalgo Island’s environment.

The main purpose of this letter is to establish the quality and quantity of the aesthetic values of the people who reside on Fidalgo Island.

11. Aesthetics¹

The dictionary² includes definitions of **aesthetic** when used as either a noun or an adjective, which are as follows (emphasis added):

aes·thet·ic

1. **pertaining to a sense of the beautiful** or to the philosophy of aesthetics.
2. of or pertaining to the study of the mind and emotions in relation to the sense of beauty; of or relating to the science of aesthetics.
3. **having a sense of the beautiful; characterized by a love of beauty.**
4. pertaining to, involving, or concerned with pure emotion and sensation as opposed to pure intellectuality.

noun

5. the philosophical theory or set of principles governing the idea of beauty at a given time and place: *the clean lines, bare surfaces, and sense of space that bespeak the machine-age aesthetic; the Cubist aesthetic.*
6. *Archaic.* the study of the nature of sensation.

Fidalgo Island's Aesthetic Values

During its recent history, the residents of Fidalgo Island have demonstrated a great respect for Fidalgo Island's aesthetic qualities, its natural beauty. Their respect is demonstrated with the care and effort that its residents have taken to protect the island's natural beauty.

Over the years, the residents have protected large tracts of Fidalgo Island land in natural parks. These parks include the Deception Pass State Park (4,134 acres), the Anacortes Community Forest Lands (2,800 acres), the Skagit County Sharps Park/Montgomery-Duban Headlands (110 acres), and Washington Park (220 acres).

Figure 2 presents a map showing the location of these parks in relation to the proposed clear-cutting site. Note that the map illustrates Skagit County's Public Open Spaces of Regional/Statewide Importance (OSRSI).

A brief description of each of these parks and the efforts made to protect the beauty of these lands follows the map.

¹ W AC 197-11-960, Environmental checklist, Item 10.
<http://apps.leg.wa.gov/wac/default.aspx?cite=197-11-960>

² aesthetic. Dictionary.com. *Dictionary.com Unabridged*. Random House, Inc.
<http://dictionary.reference.com/browse/aesthetic> (accessed: October 07, 2013).

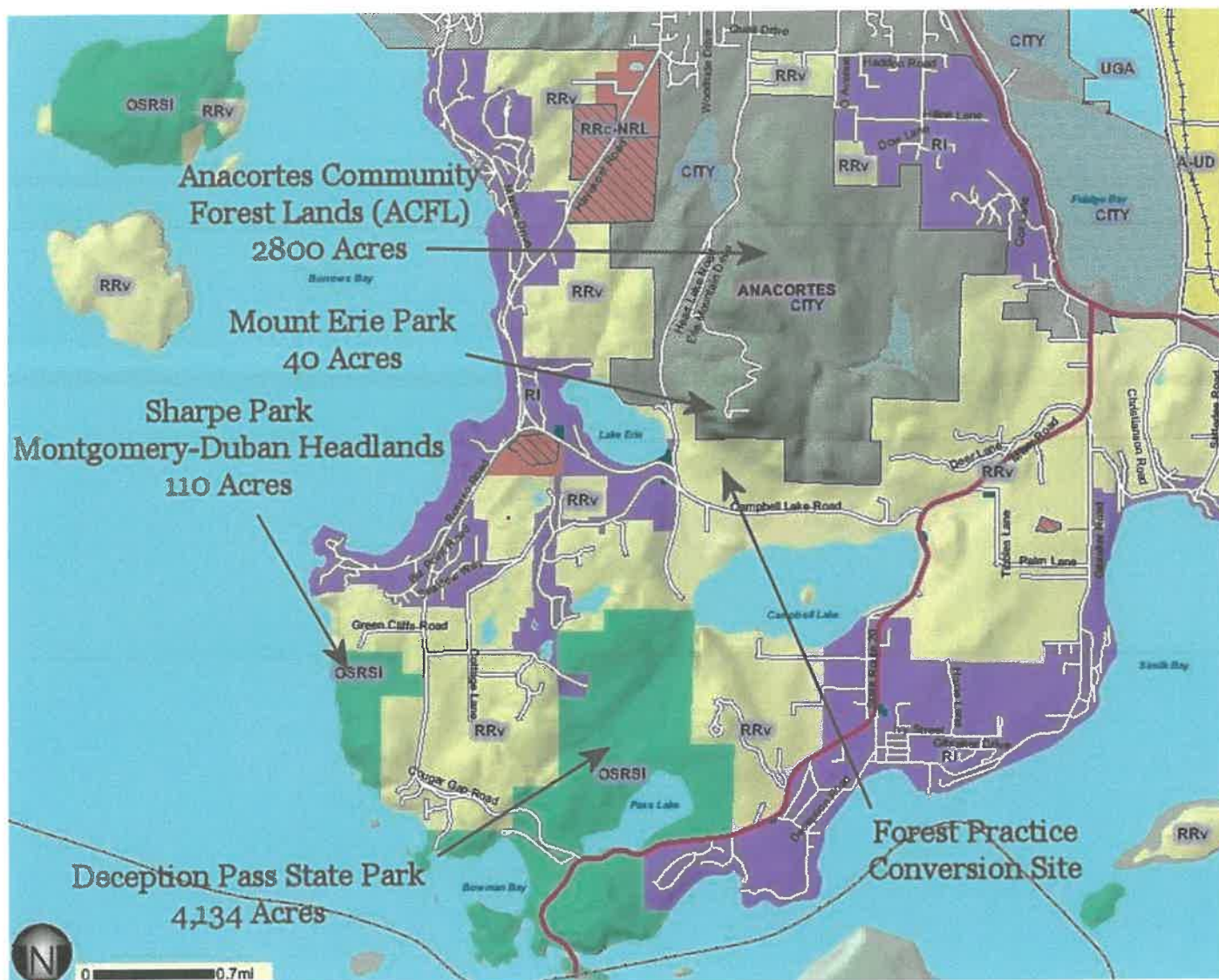


Figure 2. Land Preservations Adjacent To or In the Vicinity of the Proposed Logging Site.

Deception Pass State Park (4,134 Acres)

According to an article³ in the Whidbey News-Times,

The park itself was created by a group of unemployed young men brought in from all over the nation in the 1930s. The “boys” of the Civilian Conservation Corps, a Depression-era New Deal program, built the roads and trails throughout the park. They built the famous rock walls on the side of Highway 20 and many other walls and fences within the park.

A large portion of the north side of the park, which included Pass Lake and the adjacent farm owned by the Heilman Family, was acquired in the 1970s. In an interview⁴, Kathleen Heilman Brown made the following comments about how her parents sold their farm to the state:

Well what happened was that Dad had this farm and he had all this property down here, this half a mile of waterfront on the Deception Pass shore. There’s 7,000 feet around the lake. The State Legislature decided that everything, all the property should be taxed at its highest and best use, instead of at the use it was. So his property became residential. And all of a sudden their taxes were more than their income. And that couldn’t go on very long. So about that time, a fellow by the name of Elmer Hovik came to them and offered them a million dollars to buy their place and turn it into a planned unit development sort of thing with all kinds of stuff—a sewage system, a water system, possibly a school, lots of space to house a marina on this side with Deception Pass.

Well then the people on Fidalgo Island got wind of it and they said, “Oh well, we don’t want that to happen.” So they formed the Save the Pass Lake Committee. And that was the committee that put pressure on the state parks. And then the recession of the early Seventies happened so Mr. Hovik could not exercise the option and it fell through. That gave the parks an opportunity to be able to proceed to make a deal with the folks (Kathleen’s parents) to buy the lake property. So they signed that with the state parks.

³ “Deception Pass State Park may be added to the national and state historic registers,” Whidbey News-Times, October 2, 2012. <http://www.whidbeynewstimes.com/news/172378611.html>

⁴ “Oral Histories: Kathleen Heilman Brown,” The Fly Fishing Collection, Western Washington University Libraries. http://lib199.lib.wvu.edu/specialcollections/FlyFishing/Oral_Histories/index.html

Anacortes Community Forest Lands (2,800 Acres)

According to the Friends of the Forest website⁵, the history of protecting the Anacortes Community Forest Lands is as follows:

The Friends was formally founded in 1987 by Ruth Johns, Doreen Dunton, Leigh Slotemaker, and Phil Burton. The Forest Advisory Board had asked for a group of hikers to organize field trips for children and seniors. At the same time, the city was in the middle of a series of clearcut logging operations in the ACFL, and it was obvious to the Friends that this process would soon destroy the woods altogether. So the emphasis for the group's activities quickly became focused on lobbying for the ACFL's preservation, and many more residents joined in the cause.

The Parks Department put a questionnaire in its quarterly newsletter, asking what people thought about the logging plan, and was surprised to learn how many residents opposed it. At the same time the Park Comprehensive Plan identified hiking trails as the most valued recreational facility in town.

The Forest Advisory Board stopped revenue logging in 1989. The City Council agreed to include the management of the ACFL in the Parks Department budget that year, and it has remained as a fully funded division of the Parks Department ever since.

And in 1998 the City Council adopted the Conservation Easement Program, by which the community can preserve the ACFL forever.

The Conservation Easement Program is also described on Friends of the Forest website as follows:

Since 1998, the Conservation Easement Program has received donations which will permanently protect nearly 1,800 acres in the ACFL.

For every \$1,000 donated to the CEP, the City will place a perpetual Conservation Easement on one Forest Land acre. The City continues to own and manage the property but that acre can never be logged, mined or used for any commercial purpose. And it can never be sold, leased or transferred out of public ownership.

The City of Anacortes website⁶ states the following regarding the Conservation Easement Program:

Thanks to incredibly generous support since its inception over \$1,537,000 has been raised and 1,450 acres have been protected through conservation easements.

⁵ "Our History," Friends of the Forest website.

<http://friendsoftheacfl.org/content.cfm?contentid=5>

⁶ "How the Conservation Easement Program Works," City of Anacortes website.

<http://www.cityofanacortes.org/Parks/Documents/ForestLands/ConservationEasementProgram.pdf>

Mount Erie Park (40 Acres)

A Skagit Valley Herald article⁷ entitled “Parks group, Kiwanis building play area” states the following about the history of protecting Mount Erie Park:

...the Noon Kiwanis Club purchased 40 acres at the top of Mount Erie from a previous landowner in order to gift it to the city for one dollar, Colglazier said. The gift came with the requirement that the land be used for park purposes.

An Anacortes American article⁸ entitled “Our Century” states the following about Mount Erie Park:

In 1948, Anacortes Kiwanis Club purchases 40-acre tract at the top of Mount Erie for \$400; public access is pledged.

Sharpe Park - Montgomery-Duban Headlands (37 Acres)

The San Juan Preservation trust website⁹ describes the efforts to protect the Sharpe Park - Montgomery-Duban Headlands as follows:

Originally called “Sares Bluff,” a name created by the Preservation Trust staff for the fundraising effort, this 37-acre property with 1,350 of rugged shoreline was purchased by leveraging public and private funds, then integrated into Skagit County’s adjacent Sharpe Park, creating a 112-acre natural area and walking trail system. The property has since been re-named “Montgomery-Duban Headlands Park” in honor of a Fidalgo Island family that breathed new life into a challenged fundraising effort.

Washington Park (220 Acres)

The Seattle Times article¹⁰ entitled “What to do when you miss a ferry? Anacortes park is a scenic gem,” stated the following about Washington Park:

Washington Park got its start in 1911 when Fidalgo Island pioneer T.H. Havekost donated eight acres, proclaiming upon his death: “Make my cemetery a park for everybody.” Today, a large stone monument to Havekost stands just off the loop road near Burrows Viewpoint. Over the years more land was donated and purchased, including some 75 acres bought in 1922 by the Anacortes Women's Club through the sale of lemon pies. Today, it's all part of the Anacortes city park system.

The City of Anacortes’s website states the following regarding Washington Park:

Washington Park sits on a peninsula at the west end of Fidalgo Island. The 220-acre city park features camping, a boat launch, and day use picnic sites

⁷ “Parks group, Kiwanis building play area,” Skagit Valley Herald, June 9, 2009.

http://www.goskagit.com/news/parks-group-kiwanis-building-play-area/article_34e90b20-92e6-5d99-a825-c980fd542488.html

⁸ “Our Century, A A Look Back At Anacortes’ Last 100 Years From The Pages Of The Anacortes American.

<http://www.skagitpublishing.com/ourcentury/1940-1949.html>

⁹ “Montgomery-Duban Headlands Park (Sares Bluff),” The San Juan Preservation Trust website.

<http://sjpt.org/places-projects/preserves-casement/sjpt-preserves/montgomery-duban-headlands-park-sares-bluff/>

¹⁰ “What to do when you miss a ferry? Anacortes park is a scenic gem,” The Seattle Times, July 19, 2012.

<http://seattletimes.com/avantgo/2018718136.html>

Summary and Conclusions

When answering the SEPA Checklist question, “What views in the immediate vicinity would be altered or obstructed?” the proponent cavalierly responded “none”. The photographs presented in the attachment clearly illustrate that many views of Mount Erie from several different locations on Fidalgo Island will be drastically altered.

In response to the State Environmental Protection Act requirement that the adverse impacts to the Aesthetic Element of the Environment, please consider the following items:

- Homes with scenic views are much more enjoyable than homes without such views. Essentially a property’s aesthetic value becomes the primary measure of the property owner’s personal values. A diminishment of the owner’s scenic view thus represents a diminishment of the owner’s enjoyment.
- The adjacent property owners, Barry and Jen Browers and Dr. Mary Rose, face a significant diminishment of their view and thus a significant diminishment in their personal sense of well-being. The Brower’s are especially impacted because a huge detention pond is sited directly adjacent to their property – an area that will never be covered with trees again.
- Most of the residents of Lake Campbell valley have views of Mount Erie, and their aesthetic values as well as their property owner’s personal values will also be diminished.
- The lives of all the people who choose to live on Fidalgo Island will be diminished because of the aesthetic qualities of the island itself will be diminished.
- The lives of all of the residents and tourists who drive by Mount Erie, especially those who drive by the mountain daily, will be diminished.

While the trees on Mount Erie’s southern slope may be replanted, I will never enjoy the beauty of Mount Erie again in my lifetime. If the County allows this property to be clearcut, I will be deeply saddened whenever I see Mount Erie with her southern slope that has been denuded.

Attachment 1.
Photographs of the Mount Erie's Southern Slope
from Different Vantage Points on Fidalgo Island.

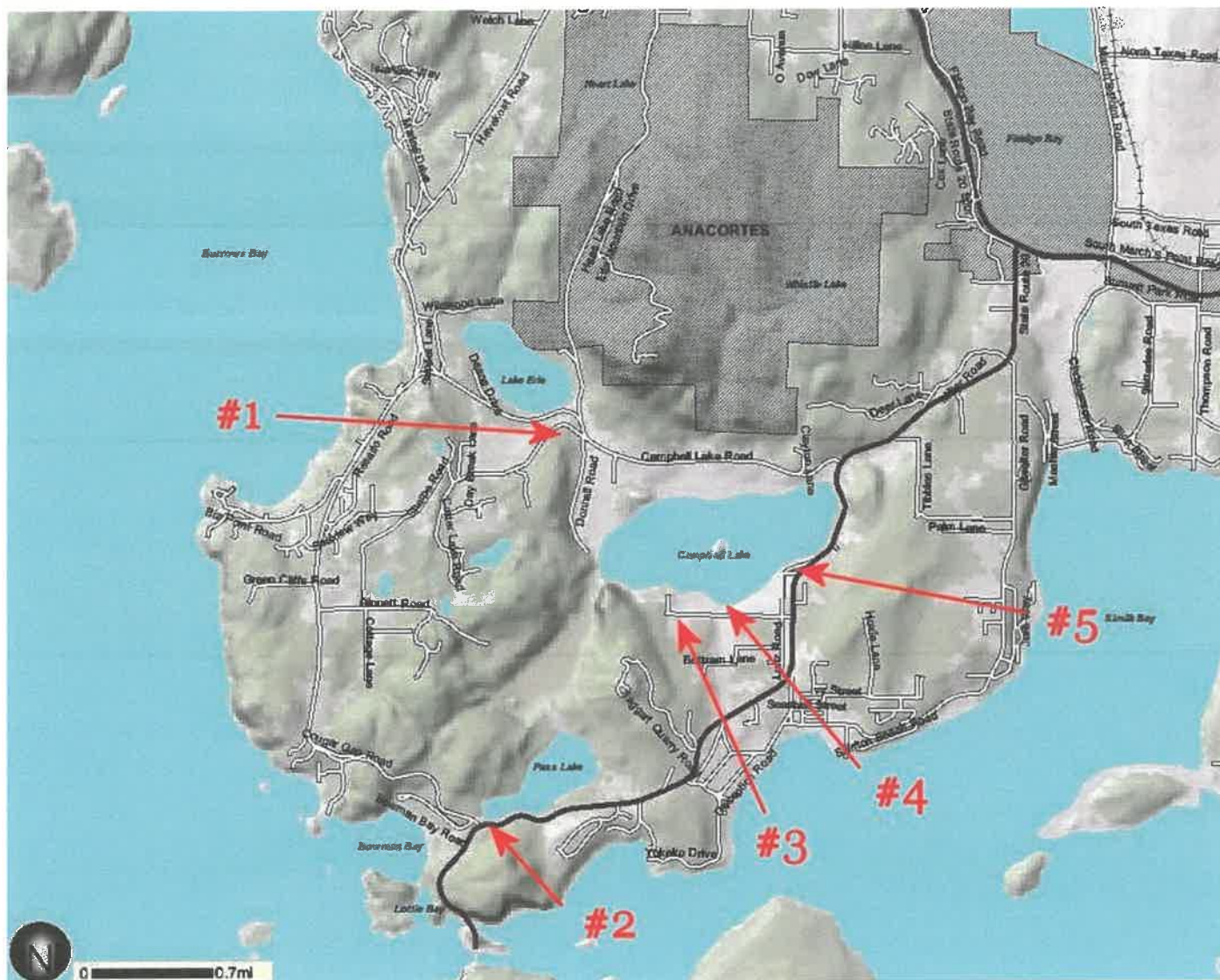


Figure A1. Map with Keys to the Photographic Vantage Points



Ron Zuber

Figure A2. Rock Cliffs on Mount Erie's Southern Slope.



Harold Mead

Figure A3. Rock Cliffs on Mount Erie's Southern Slope (Vantage Point #1, Sharpes Road).



Harold Mead

Figure A4. Rock Cliffs on Mount Erie's Southern Slope (Vantage Point #2, Pass Lake).



Harold Mead

Figure A5. Rock Cliffs on Mount Erie's Southern Slope (Vantage Point #3, South Campbell Lake Road).



Harold Mead

Figure A6. Rock Cliffs on Mount Erie's Southern Slope (Vantage Point #4, South Campbell Lake Road).



Harold Mead

Figure A7. Rock Cliffs on Mount Erie's Southern Slope (Vantage Point #5, State Route 20).